



Department of Corporate Services

Members of Council

Committee Secretariat

Legal and Democratic Services
Room 112, 1st Floor
City Hall
Bradford
West Yorkshire
BD1 1HY

Tel: 01274 432435
Contact: Adrian Tumber
Email: adrian.tumber@bradford.gov.uk
Your Ref: AT/Council

Date: 13 March 2017

Dear Councillor

MEETING OF COUNCIL – TUESDAY, 21 MARCH 2017

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, 21 March 2017 at 4.00 pm

The agenda for the meeting is set out overleaf.

Yours sincerely

Parveen Akhtar
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. It is intended that the meeting will be webcast live and can be viewed on the Council's website at <https://www.bradford.gov.uk/your-council/committees-meetings-and-minutes/webcasting>



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. MINUTES

Recommended –



That the minutes of the meeting held on 23 February 2017 be signed as a correct record (previously circulated).

(Adrian Tumber – 01274 432435)

3. APOLOGIES FOR ABSENCE

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

(To be circulated before the meeting).

5. 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

6. PETITIONS (Standing Order 11)

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

Ward

- (i) Rockwell Lane, Thorpe Edge – Gritting **Eccleshill**
- (ii) Priestman Street, Manningham – Derelict Premises
Manningham
- (iii) Lumb Lane, Bradford – Parking Issues
Manningham

As the petition concerning Lumb Lane parking issues contains more than 1500 signatures then in accordance with the Council's petitions scheme there will be debate.



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)

7. PUBLIC QUESTION TIME (Standing Order 13)

There are no public questions.

(Palbinder Sandhu – 01274 432269)

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

To consider any 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).

9. 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.

10. 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 Dunbar

Will the Leader agree with me in saying that the budget announced by the Chancellor earlier this month is bad for Bradford and the country as



a whole as it attacks the young, vulnerable, business owners and older people in need of support?

2. Councillor Brown

Given the current doubts as to whether the use of Bio-mass fuel actually reduces the amount of carbon added to the atmosphere (when considering the change of use from food to bio- mass production, transport, processing , amount of carbon returned to the soil via natural “mulching”, etc.) when compared to use of more traditional carbon fuels , can the Leader of the Council confirm whether the Council’s climate change function, holds a quotable view on this current, and more comprehensive, thinking? Further, are there any statistics available for the Council’s use of these and other “renewables” and the, impact positive or negative, on their contribution to carbon in the atmosphere?

3. Councillor Jeanette Sunderland

To ask the Portfolio Holder for Regeneration, Planning and Transport - Can the Portfolio Holder explain the rationale behind the Executive’s decision not to support the decision of the Health and Social Care Overview and Scrutiny Committee to approve the formalisation of the ban of A Boards across all clearly identified urban centre of the district?

4. Councillor Warnes

Can the Leader of Council please explain how a new motorway linking the A65 with West Yorkshire will reduce traffic along the Aire Valley corridor, cut air pollution, help Bradford reduce its overall carbon emissions and thereby make a positive contribution to the West Yorkshire Local Transport Plan’s objective of making “substantial progress towards a low carbon, sustainable transport system for West Yorkshire”?

5. Councillor Hassan Khan

Will the portfolio holder give an update on the progress of our campaign for a Northern Powerhouse Rail stop in Bradford?

6. Councillor Warburton

Can the Leader join me in congratulating three Bradford brass bands – Black Dyke, Hammonds Saltaire and City of Bradford – for their success in the Yorkshire championships and their entry into the national finals later this year?

7. Councillor Whiteley

As the Local Plan has set a target of a minimum of 700 houses in



Burley in Wharfedale and 600 in Menston, this would place a significant strain on local infrastructure of all kinds and I should be grateful if the Portfolio Holder for Regeneration, Planning & Transportation could explain the process by which applications can be made from monies collected (£100per square metre) in respect of my ward, to support necessary infrastructure schemes within the ward and over and above any money paid to the Parish Councils?

8. **Councillor Dunbar**

National Carers Week will take place this year on 12-18 June. Will the portfolio holder explain the Council's plans to mark this important week to recognise the contributions made by carers in our district?

9. **Councillor Dunbar**

Bradford has recently hit the headlines after running a successful LGBT History Month Festival which has been recognised nationally. Will the Leader advise what work we plan to do going forward to ensure the rights of the LGBT community are recognised and met?

10. **Councillor Gibbons**

Would the Leader of the Council provide colleagues with an update regarding progress with the works at St. George's Hall, including any completion date and variances to the budgeted cost?

11. **Councillor Lal**

Does the Leader welcome the £1.8m investment the Science Museum Group has made in the newly named National Science and Media Museum?

12. **Councillor Stelling**

To ask the Portfolio holder for Environment, Sport & Culture - Given the abolition of the pest control department within the Council, can the portfolio holder confirm that access to information related to this department will still be provided by the Council to the general public?

13. **Councillor Dunbar**

The recent announcement to make age appropriate sex and relationships education compulsory in all schools is to be welcomed. Would the Leader agree with me on how important this is for all schools and all pupils in Bradford and beyond?

14. **Councillor Ellis**



Can the Leader of the Council provide details of how the Council has acted to ensure that the potential cost to the Council of the Apprenticeships Levy, is offset by creating apprenticeships for young people within the Bradford District?

15. Councillor Dunbar

I am deeply concerned at the news that the House of Commons narrowly voted in favour to close the Dubs scheme to protect unaccompanied child refugees by the end of the financial year. Does the Leader agree that the scheme should be kept open and does she agree that the government should provide councils with the resources to do our bit in providing places?

16. Councillor Watson

Can the Leader tell us what the council did to mark International Women's Day and does she agree that although around a third of councillors in our chamber are women it should be more like 50% to reflect the general population?

17. Councillor Whiteley

Can the Portfolio Holder for Health and Wellbeing, please confirm how much money was paid to outside fostering agencies in the years 2014-2015 and 2015-2016 and in 2016- to date, along with providing details of the budget forecast for agency foster carers for the year 2017-2018?

18. Councillor Farley

We are all looking forward to the restoration of Cliffe Castle Park being completed. Can the portfolio holder give us an update on the work done so far and what we have to look forward to in the summer?

19. Councillor Dunbar

The Royal Society of Medicine has suggested that as many as 30,000 excess deaths could be due to national cuts in health and social care. Does the Leader agree that government needs to properly fund adult social care including more prevention work which keeps people well and out of hospital?

20. Councillor Jeanette Sunderland

Question to the Portfolio Holder for Health and Wellbeing - According to estimations in the BRE Client Report; in 2011 18% of Bradford's dwellings were in the private rented sector and of those 16%, some 28277 homes, had a Housing Health and Safety Rating System Category 1 hazard. Can the Portfolio Holder please tell us what steps have been taken to reduce the number of homes in the private rented



sector in this rating?

21. Councillor Dunbar

Recent investigations by the Alzheimer's Society show that as many as one in three home care workers have no dementia training. Does the portfolio holder agree that the Government needs to fix this broken system and provide better support for people with dementia, their carers and home care workers themselves?

22. Councillor Miller

Would the Leader of the Council be so kind as to inform members of the nature and numbers of contracts provided to consultants and the costs of these, broken down by department and the dates of the contracts, for the last three years?

23. Councillor Love

Please can the Portfolio Holder for Regeneration, Planning & Transport enlighten us as to why it is now impossible for members of the public to email comments about an application to the relevant case officer? Given the regularity with which the Planning Portal is unavailable or incredibly slow, particularly for applications with a large number of documents, could a departmental mailbox not be used to accept comments?

24. Councillor Pennington

In light of the Council's decision to not cut the grass at many bowling greens, would the Portfolio Holder for Environment, Sport & Culture advise members as to why we still tend the unused Riddlesden Golf Club and can we have confirmation of when this site will be transferred to the Scout Movement?

25. Councillor Stubbs

To ask the portfolio holder for Regeneration, Planning & Transport - Can the portfolio holder provide details of the number of highway and footpath maintenance jobs undertaken by the Council that have not been completed during the initial time allotted over the past 12 months across the district, how many required a second visit to complete the work and what was the additional cost to the Council?

26. Councillor Shaw

Can the Leader of the Council confirm whether the presence of the Pokémon app on the Council Website has any costs involved and would she confirm whether anyone has considered whether the Council would be liable if any child using this were to come to harm in



doing so? Further, if there are any costs involved, would the Leader confirm whether she agrees with me that these funds and the officer time in organising this frivolity would be better directed to essential front line services?

27. Councillor Davies

Would the Portfolio Holder for Environment, Sport & Culture inform Council why BMDC has chosen to become only the third council in the country to fund digital post-mortems, which are only effective in 70% of cases and according to the Chief Coroner cost “within the range of £400-£1000”, compared to the £96.80 cost of a traditional post-mortem?

28. Councillor Pennington

Further to the announcement six months ago, that an experienced Commercial Property Agent would be employed by the Council, to revitalise priority streets in the City Centre, can the Leader of the Council confirm, the cost so far, any tangible benefits and who the agent is?

29. Councillor Ward

To ask the Portfolio Holder for Education, Employment and Skills - At the Council meeting on 17 January it was resolved to “ask the Government to account for growth in demand of additional SEN in this district”. Will the Portfolio holder for Children’s Services describe how this was done and what the Government’s response was?

30. Councillor Whiteley

Can the Portfolio Holder for Health & Wellbeing provide a breakdown of the children brought into Local Authority Care for the previous two years broken down by age, ethnic background and nationality?

31. Councillor Jeanette Sunderland

Question to the Portfolio Holder for Environment, Sport and Culture - Can the Portfolio Holder advise how many trees each month per ward in the District have been felled as a result of Health and Safety implications?

32. Councillor Davies

Could the Portfolio Holder for Education, Employment & Skills advise members, why did the teacher recruitment bus tours start with primary schools, not secondary, when secondaries are where we have the most recruitment difficulties?



33. Councillor Love

Please can the Portfolio Holder for Environment, Sport & Culture update members on the current situation regarding St George's Hall?

34. Councillor Pennington

Can the Portfolio Holder for Regeneration, Planning & Transport confirm how many Fixed Penalty Notices have been issued in accordance with the Public Space Protection Order, intended to reduce anti social behaviour in the City Centre?

35. Councillor Fear

To ask the portfolio holder for Regeneration, Planning & Transport - How many businesses received support from the Council when starting up and have gone on to close within 3 years?

36. Councillor Miller

Would the Leader of the Council be so kind as to inform members of the number of Council employees working to Zero Hours contracts?

37. Councillor Jeanette Sunderland

To ask the leader of Council - Following the decision of the Executive to prioritise awards to families what steps is she taking to protect those vulnerable people who are in receipt of a Discretionary Housing Payment who live in Extra Care Homes?

38. Councillor Davies

Could the Portfolio Holder for Environment, Sport & Culture confirm whether he shares my view, that it would be simpler and more ethical to encourage people to shop around for the best energy deal from all providers rather than promoting one company in return for cash?

39. Councillor Pennington

Can the Leader of the Council confirm, that regardless of the tenancy changes, whether there are any business rate arrears at the Odsal Stadium?

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

- 11.1 RECOMMENDATIONS FROM THE EXECUTIVE - THE APPROVAL AND IMPLEMENTATION OF THE BRADFORD DISTRICT COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE** 1 - 50



On 7 March 2017 the Executive considered the report of the Strategic Director, Place (**Executive Document “BN”**) explaining that the Community Infrastructure Levy (CIL) is intended as a means of contributing to the funding of infrastructure required to support growth in the District and deliver the policies and proposals in the Local Plan, including the Core Strategy and other Development Plan Documents. It replaces part of the system of Planning Obligations (Section 106 Agreements), the scope of which has been restricted since 6 April 2015 with regard to pooling of developer contributions. The CIL will help to meet the District’s priorities by generating funding to provide infrastructure while being set at appropriate rates that will continue to attract investment, create jobs, and deliver new housing.

The Executive,

Resolved -

- (1) **That, having considered the recommendations in the CIL Examination Report Option 1 be approved as set out in Document “BN” and the Executive recommend to Council the formal approval and implementation of the Bradford District Community Infrastructure Levy Charging Schedule (as set out in Appendix 2 of Document “BN”) with a commencement date of 1 July 2017**
- (2) That the content of the CIL Regulation 123 List, Exceptional Circumstances Policy and Instalments Policy be noted and approved and the Strategic Director, Place in consultation with the relevant portfolio holder be authorised to revise any of these policies and as required in line with the relevant regulations.
- (3) That it be noted that a CIL Governance Report was taken to the Governance and Audit Committee on 28 February 2017.

Members are asked to formally approve the CIL Charging Schedule (as set out in Appendix 2 to Document “BN”) with a commencement date of 1 July 2017.

(Bhupinder Dev – 01274 432012)

- 11B To consider any recommendations arising from meetings of the Executive and Committees held after the publication of this agenda and prior to the Council meeting.

(Adrian Tumber – 01274 432435)

12. NOTICES OF MOTION (Standing Order 17)

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



12.1 CHILDREN LEAVING CARE
To be moved by Councillor Nicola Pollard
Seconded by Councillor Fear

This Council notes that the Children in Care Council provides excellent support to children who are in care.

This Council also notes that children who leave care have a hugely increased risk of criminal behaviour, teenage pregnancies, homelessness and substance misuse the children in our care deserve the best support that can be provided.

This Council believes that children leaving care require targeted, intensive support and without this their needs will not be met with costly consequences for both the young people and society.

This Council resolves to establish a Children Leaving Care Council, made up of care leavers, to improve and shape services and support available to help young people with the transition from care.

12.2 TRADE WASTE POLICY
To be moved by Councillor Jeanette Sunderland
Seconded by Councillor Stubbs

This Council notes the report to the Environment and Waste Management Scrutiny Committee on the 28th February 2017 of the Trade Waste Service and its main focus on cost and income generation.

This Council also notes the duty of care and other legislation makes provision for the safe management of waste to protect human health and the environment.

This Council believes that residents should be protected from poorly secured trade waste and the loss of residential amenity resulting from trade waste bins left in the street.

This Council requests that production of a robust trade waste policy to cover for example bins that are left in the street or causing a nuisance, the closure of lids, the storage of waste in bins inside business premises where no suitable outdoor on site location can be found, the storage and disposal of waste generated by businesses which will not be put into trade waste bins and the management of waste that can be recycled.

12.3 TRANSITIONAL ARRANGEMENTS FOR THE STATE PENSION OF WOMEN BORN IN THE 1950s
To be moved by Councillor Hawkesworth
Seconded by Councillor Naylor



The Pensions Acts of 1995 and 2011 imposed significant changes on hundreds of thousands of women with little or no personal notification. This resulted in some women only having two years notice of a six year increase to their state pension age.

The Government should change the transitional arrangements so that they take account of:

- The unfair burden placed on women born after 6th April 1951
- The lack of time to make alternative plans

This Council resolves to:

- Ask the Government to reconsider transitional arrangements for women born on or after 6th April 1951
- Ask each of the District's five MP's to make their views known on this matter to the relevant minister

12.4 COMMUNITY ASSET TRANSFER

To be moved by Councillor Cooke
Seconded by Councillor Pennington

Council notes:

1. Community Asset Transfer presents the opportunity to empower local communities and build neighbourhood resilience
2. Commitment in the 2017/18 budget to support Parish and Town Councils or community organisations looking at community asset transfers or the undertaking of withdrawn Council services
3. Limited capacity and knowledge of community asset transfer within these local councils and community groups.

Council asks the Strategic Director, Corporate Services to:

1. Draw up a record of buildings and land that might be options for community asset transfer
2. Catalogue outstanding repairs and other prospective costs that would require identification within a community asset transfer
3. Identify limiting covenants or charitable trusts on land or buildings in the Council's control that might be options for community asset transfer
4. Commission appropriate support for Parish and Town Councils



or community organisations considering community asset transfer to include essential financial, legal and property advice

5. Report progress on community asset transfer and other service transfers to the Corporate Overview and Scrutiny Committee on a regular basis

12.5 BOOSTING SKILLS AND RECRUITMENT IN HEALTH AND SOCIAL CARE FOR THE BRADFORD DISTRICT

To be moved by Councillor Imran Khan
Seconded by Councillor Val Slater

This Council notes:

- There is a risk of a national skills gap and recruitment crisis in health and social care
- The risk is heightened by the Government's decision to cut bursaries for student nurses, which has led to a 23% drop in enrolments. The uncertainty around the employment of EU nationals post-Brexit adds to the risk.

This Council recognises this is a national issue but we want to do what we can here in Bradford. We are committed to working with partners in the district to address skills and recruitment challenges in health and social care. We resolve to:

- instruct the Strategic Director of Children's Services to launch a health and social care Industrial Centre of Excellence (ICE)
- support the University of Bradford's bid to open a medical school
- help to develop improved career pathways for health and social care professionals.

12.6 BRADFORD COUNCIL IS TAKING A LEAD ON INCLUSIVE GROWTH

To be moved by Councillor Hinchcliffe
Seconded by Councillor Val Slater

This Council notes:

- Bradford Council is playing a lead role in inclusive growth for our region, as demonstrated when we hosted the Inclusive Growth Commission's regional launch event on 6 March 2017
- It is crucial that everyone in the district gets the opportunity to contribute to and share in any economic growth
- We are committed to making inclusive growth principals integral to our own practices and in our influence with partners and third party organisations

We resolve to:

- Consider inclusive growth as part of the council's Procurement Review
- Continue supporting employment and skills programmes such as SkillsHouse and encourage partners to get involved
- Work with private and third sector partners on a Business



Covenant to promote strong corporate social responsibility throughout the Bradford District.

13. PAY POLICY STATEMENT 2017/18

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In accordance with the Localism Act 2011 Local Authorities are required to produce and publish a Pay Policy Statement for each financial year. The Pay Policy Statement must be approved by full Council before publication. The report of the Director of Human Resources (**Document “Z”**) presents the draft Pay Policy Statement 2017/18 for approval.

Recommended –

That the Pay Policy Statement for the financial year 2017/18, as set out at Appendix 1 to Document “Z”, be approved.

(Michelle Moverley - 01274 437883)

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



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LEADER'S REPORT TO FULL COUNCIL MARCH 2017

Putting Bradford on the mainline

Transport for the North later this year will be making their recommendations to the Secretary of State for Transport on how best to make an investment in the transport infrastructure of the North to gain the most economic benefit. This is a once in a generation opportunity to influence transport decisions in the North. Connectivity from East to West by rail and road is the subject of much discussion. Politicians in Bradford across the political divide have all spoken up for the district and how important it is for us to be better connected to major transport links and particularly to have a stop on Northern Powerhouse Rail. Businesses are also firmly behind championing the cause. I would like to thank everybody for their help.

We are working hard to make the case for Bradford. I am meeting with more key decision-makers in the next few weeks to further promote the benefits of including Bradford on Northern Powerhouse Rail. I have met with Chris Grayling, Secretary of State for Transport, twice in the last few months and he has been encouraging with his responses. West Yorkshire Combined authority and the Leeds City Region LEP are also in support. There is however much more work to do. The old-fashioned economic measures which Westminster civil servants use to justify transport infrastructure spend have not served the North well. Government need to change their approach if significant investment is to be made.

Education Opportunity Fund

Just the day after I'd given the last Leader's Report to Full Council, the news came that Government had chosen Bradford as an Education Opportunity Area, one of only 12 in the country. We are pleased with this investment which gives us a share of £72 million of funding. However it also says to us, that the achievements of our children here in Bradford matter not just to us, but to the nation. We are absolutely an area of opportunity and in order to realise that opportunity we now have access to additional resource and research that we didn't have before. The first meeting with DfE officials has taken place, a board will be established and a plan drafted. Delivery should start in the Autumn term.

West Yorkshire Combined Authority

The last meeting of the Combined Authority was held on 2nd February. Devolution was on the agenda. At the time no response had been received from Government on the Leeds City Region (with a Mayor) proposal which had been submitted some time ago. It was resolved to chase Government for a formal response to this proposal as well as, in the meantime, pursuing options for a larger geography which

could then unlock a Leeds City Region deal beneath it. A response has now been received from Sajid Javed, Secretary of State, which is polite but firm in its view that the Leeds City Region proposal cannot progress. This is naturally disappointing but we will continue to explore different geographies to achieve devolution which we all know Yorkshire needs. Yorkshire leaders from all corners of the county subsequently met together on 9th March and, in spite of the devolution challenges, we agreed to work together more closely in future on strategic issues which are common to us all such as transport.

Funding for Adult Social Care

Since Full Council passed the budget Government has committed additional funding for Adult Social Care for the next three years. The numbers for Bradford are as follows:

2017/18 £10.479m

2018/19 £6.555m

2019/20 £3.247m

We are still waiting for Government advice on what the parameters are for how we can use the money. There has been an intimation that how it is used will need to be decided with Health agencies but the detail of this is still to be confirmed.

This funding is of course welcome however it is a temporary fix and does not change the Council's eventual financial position in 2020. The Government will provide zero grant funding to local authorities by 2020. The importance of the Government actively pursuing a solution for how Adult Social Care should be funded in this country is still therefore a matter of urgency and something which both the Labour and Tory Parties in Bradford have urged Government to do at pace.

RSA Inclusive Growth Commission

The RSA successfully launched its Principles in Practice document at Bradford College on 6th March. Andrew Percy MP, Northern Powerhouse Minister attended, as did the Chair of the Commission Stephanie Flanders.

The event attracted people from across the country. In addition to speakers from the world of Education, Politics and Business, a Community Panel with some young residents of Bradford spoke particularly eloquently about their place in the world and how growth and opportunity so easily passes young people by.

The work has been supported by the Local Government Association's Cities Group, also by Core Cities, Key Cities and London Councils. The challenge now ahead of us is to influence national Government decision-making with the findings of the report.

QUESTIONS TO THE LEADER

Councillor Cooke

Thank you and thank you in particular for the piece on Adult Social Care and the clarification of the funding levels. Can you call us the Conservative Party please rather than the Tory Party, not that I mind particularly, but just for form sake. Can you just outline what we do know so far and what the kind of process that we have got to go through to look at the use of the money? In other words is it going to be a report to Executive, is it going to be done by fiat and by officers? How are we going to deal with this because it is a substantial amount of money and obviously we all want to make sure that that money goes to get the best outcomes for the elderly and vulnerable people that it is intended to support. If you just want to outline how your thinking has got to now appreciating that we still not quite got all the information from Government yet.

Councillor Hinchcliffe

Thank you from the Leader of the Conservative Party. Yes, Adult Social Care, obviously we are grateful to have the money but as you say it is still unclear really as to how we are able to spend it and how we are allowed to spend it. I would imagine it is going to go through a few boards because I think one of the prime ones has got to be Health and Wellbeing Board as well which you are a member and therefore all our Health Partners need to be consulted on how it is being spent as well. As we have done with the budget all the way along with Health Partners in trying to make sure that the Health and Wellbeing Board is fully abreast of what we are doing on that. So we do not have a clear plan. Obviously it needs to be done quickly. We need the advice from Government quite quickly to be able to get on with it because it is meant to start from 3 April when the new financial year starts. Yes it will have to be done in a public forum and obviously Councillors will get the opportunity to contribute and to scrutinise how that money is spent just as they did with the entire budget process. Obviously it is coming in late in the day outside the budget process. It is not something we are used to working with but of course we will use every penny to good effect in this district.

Councillor Jeanette Sunderland

A couple of questions. First of all a comment to say thank you to all of those, it is good news in this report and it is thank you to all those Members who have been involved in cross party lobbying for additional funds for Bradford. It clearly works and we clearly have an effect and we should acknowledge the impact that Members of Parliament, Members of the House of Lords and ordinary Council Members can and do have when they participate in that sort of approach. A comment on the education opportunity fund to ask the Leader what involvement will elected Members of this Council have with the Board?

Councillor Hinchcliffe

It will certainly go to Education Improvement Strategy Board which of course yourself Councillor Sunderland and actually Councillor Davies are on for the Conservatives. I have taken part as has Councillor Imran Khan in the first meeting with the Department of Education officials so for the kick off meeting, see how other places are learning from that. Officers have gone away to do some data crunching. See what the analysis looks like. It is a programme which can be suited to Bradford. It is not a one size fits all. They are also keen on evidence so evidence making rather than just initiatives being rolled out across the country which I am pleased to hear about. So it is evidence based policy making which we might not have heard of for a while. Naturally it can go to Education Scrutiny but Education Improvement Strategy Board it will be going to and of course happy to give a briefing. I am sure Michael Jameson (Strategic Director Children's Services) who is behind you will be able to give you a briefing on that as to where we are but it is early days. The development plan will be developed over the summer ready for launch and implementation from September so it is early days but we are very pleased to have it and, you are right, it is about collaboration if we can all speak one voice on these key issues then we can get things done.

Councillor Jeanette Sunderland

Thank you and to follow on. An additional question. On the West Yorkshire Combined Authority, in the response to whatever proposal was put forward you have had a response from the Secretary of State who says that he suggests that you now put forward an option which meets all of the criteria as agreed with other devolution deals. Can you explain to Members what progress you have actually made on that?

Councillor Hinchcliffe.

What we have asked officers to do at West Yorkshire Combined Authority level is to seek that meeting with Sajid Javid that he mentioned in that letter, we will pursue that and see what options, what are the boxes he needs ticking to get a deal over the line. Obviously we have had a few knock backs in getting devolution through but we are still pushing for a right solution for Bradford. I think Bradford does need devolution. We need that direct relationship with Government particularly over skills for example. It is really important we get more say over how skills money is spent in this district and therefore we will keep pushing for it even though the Government have not been quite happy with the solutions that have been put forward so far but we will keep working on it. So the next step is a meeting with the Minister hopefully.

AB

COUNCIL
21 MARCH 2017

MEMBER QUESTION TIME

Questions submitted in accordance with Standing Order 12

1. Councillor Dunbar

Will the Leader agree with me in saying that the budget announced by the Chancellor earlier this month is bad for Bradford and the country as a whole as it attacks the young, vulnerable, business owners and older people in need of support?

Answer

The full impact of the budget itself will only become clear over time. We have already seen the Chancellor U-turn over his proposal to increase National Insurance contributions for the self-employed. We have made clear our ongoing concerns around the Government's school funding proposals and the continuing absence of a proper plan to fund social care. Although we welcome the additional grant funding for social care in the budget, we await a long-term solution.

There is evidence from multiple sources which shows the poor, the vulnerable and women have been disproportionately affected. Many of these women belong to the "just about managing" families that the Prime Minister has pledged will be a key priority for the government.

As a District it is important that we continue to stand up for Bradford district and work together for a better deal for all our residents.

Supplementary Question

Thanks for the response Leader. Just a point on the education element of the budget. It clearly stated in the Conservative Party Manifesto that they pledged a real terms increase in the schools budget during this parliament but the reality is far from that case. 98% of schools across the country will see a real term's loss in funding per pupil between now and 2020 so would the Leader agree with me in saying that instead of tackling the crisis they created in the education system the Tory Party have got their priorities all wrong by wasting money in the opening of new free schools and grammar schools?

Councillor Hinchcliffe

Yes you are right. I think the schools funding is a debate we have already had in this Chamber and it is increasingly coming to light of course that a lot of schools are losing out under this. Again it is a cross party approach that people are lobbying at the moment so Conservative MPs and Labour MPs are all saying we do not like the national formula for school funding, can you do something about it. That is a conversation that is going on both inside this Chamber and outside it. So the actual consultation finishes tomorrow I believe submission is tomorrow and we are sending our submission in today I think. So that has gone through. So we wait to see what the Government conclusion is.

2. **Councillor Brown**

Given the current doubts as to whether the use of Bio-mass fuel actually reduces the amount of carbon added to the atmosphere (when considering the change of use from food to bio- mass production, transport, processing , amount of carbon returned to the soil via natural “mulching”, etc.) when compared to use of more traditional carbon fuels , can the Leader of the Council confirm whether the Council’s climate change function, holds a quotable view on this current, and more comprehensive, thinking? Further, are there any statistics available for the Council’s use of these and other “renewables” and the, impact positive or negative, on their contribution to carbon in the atmosphere?

Answer

Chatham House has recently published a report on Woody Biomass for Power and Heat Impacts on the Global Climate. This looks at and critiques a range of wood fuel supply chain issues globally and includes for example:

- woodchip versus manufactured wood pellet,
- environmental impacts of harvest on virgin forest
- carbon accounting and emissions throughout the wood fuel supply chain
- accounting for emissions from land use change
- Fuel harvest, the forest cycle and sustainability

The recommendations are essentially aimed at refining international and national carbon accounting protocols and developing shifts in the policy paradigm for example to:

- ensure that subsidies do not encourage the biomass industry to divert raw material (such as mill residues) away from alternative uses (such as fibreboard), which have far lower impacts on carbon emissions

Officers within the Council are aware of these supply chain issues and have actively sought to source wood chip fuel, not manufactured wood pellets, from local and sustainable resources.

All the Council's large biomass boilers use wood chip from an Ilkley based supplier sourcing materials from Yorkshire woodland arisings.

Supplementary Question

Thank you for the answer to that question. I would just like to see that the materials that were being used were grown exclusively in the Yorkshire region.

Councillor Val Slater

I think this is a confusing one. Very technical and it goes across a number of portfolios but as I believe the answer states is that the woodchips from a Ilkley based supplier sourcing materials from Yorkshire woodland arisings, whatever arisings are, very technical. I will ask officers to check that but I think the answer is yes. Mr Del Monte says yes.

3. **Councillor Jeanette Sunderland**

To ask the Portfolio Holder for Regeneration, Planning and Transport - Can the Portfolio Holder explain the rationale behind the Executive's decision not to support

the decision of the Health and Social Care Overview and Scrutiny Committee to approve the formalisation of the ban of A Boards across all clearly identified urban centre of the District?

Answer

The consideration given to this issue by Executive had to balance the impact of the pavement obstruction ban on both disabled people, who have campaigned on this issue for some time, and local businesses, who have expressed significant concern at various committee meetings and in petitions to the Council about the impact of the ban on their levels of trading.

The potential future implications of maintaining the ban, widening its scope to other urban centres (as recommended by the Health and Social Care O&S Committee) or even District Wide or reverting to the previous Code of Practice arrangements were presented to the committee. All these factors had to be balanced with the amount of available resources which the Council could bring to bear, not only in relation to front-line officers but in back office support to make any system workable in the context of a shrinking budget with a further round of cuts agreed in the latest budget.

A wide ranging review of the approaches of other Councils (both within West Yorkshire and nationally) was also undertaken to establish how other Councils are able to perform the statutory duty of dealing with obstruction of the highway effectively.

Each of these options was properly considered within the Executive report and subsequent deliberation and upon balance the approach of introducing a limited licencing model was approved.

Such a model successfully operates throughout the UK and ensures that advertising boards are only placed in appropriate places on the highway where there is space to both place a board and allow free passage of pedestrians. The licencing scheme will also permit conditions in relation to the size, shape and design of boards to be placed on businesses wishing to advertise their goods/services together with hours when these can legitimately be placed on the highway.

Based on the experience in Kirklees we anticipate approximately 75% of A-boards will be removed under a licensing programme, while generating a small amount of revenue to help fund enforcement activities.

As members will be aware this is a complex issue with no simple, or single, answer. Regardless the Council are not in a position to expand activities without funding and therefore a licensing model was approved by the Executive that is anticipated to reduce A-board numbers, ensure those that remain are appropriately sited and generate revenue to fund enforcement.

Supplementary Question

Thank you to the portfolio holder for your answer to the question. It clearly is a contentious issue. But would he care to comment about how he feels about comments from members of the community who believe that the Council has let

them down and that they have been stabbed in the back and how is he going to repair these very important relationships?

Councillor Ross-Shaw

Thank you Councillor Sunderland. Totally understand that campaigners have been campaigning for this for a number of years. It goes back I think before my time on the Council as well so we know how passionate they are and how eloquent they have been in advocating in what they would like to see which is a full district wide ban and obviously completely understand and anticipated that if we did not agree with that view, and we did not feel it was feasible, which we do not in this instance that they would be disappointed by that. The door is always open to those groups and we are looking at different ways we can engage with them through different forms to make that sure that communication stays as strong as possible as we look to implement licensing and we continue to get their feedback on not just A Boards but any issues they have right across the Council.

4. Councillor Warnes

Can the Leader of Council please explain how a new motorway linking the A65 with West Yorkshire will reduce traffic along the Aire Valley corridor, cut air pollution, help Bradford reduce its overall carbon emissions and thereby make a positive contribution to the West Yorkshire Local Transport Plan's objective of making "substantial progress towards a low carbon, sustainable transport system for West Yorkshire"?

Answer

The West Yorkshire Local transport Plan has a number of objectives; in addition to working towards a low carbon sustainable transport system it also must improve connectivity to support economic activity and growth in West Yorkshire and the Leeds City Region. Improving East – West connectivity to support economic growth is also a key objective for Transport for the North and is supported by the Council. Improved transport links increase economic efficiency and reduce costs by speeding up journey times, reducing congestion and providing more reliable connectivity. The M62 provides the only dual carriageway link across the Pennines within the North and is prone to reliability and resilience issues thereby constraining economic potential.

Strategic Transpennine corridor improvements currently being explored by Transport for the North, including a possible M65 motorway extension could help address local highway congestion issues (which in turn could result in released capacity and a better environment for public transport improvements, walking and cycling provision) as well as provide an important strategic Transpennine connection for Keighley, which has been a long standing aspiration by the business community in Airedale.

The Council remains committed to improving public transport, walking and cycling provision along the Aire Valley, to provide a sustainable alternative to the car.

Supplementary Question

Thank you for your answer Leader. It was very clear and it confirms for us our perception that the West Yorkshire Local Transport Plan is heavily geared towards

economic growth and in our view will not deliver the kind of environmental sustainable travel that we all need. Could I ask you therefore and the Executive to consider opposing this proposal for a motorway on the grounds that it will generate increased levels of traffic, will increase carbon pollution in our district and will also worsen air quality at a time when we are trying to tackle the problem of air quality across Bradford?

Councillor Hinchcliffe

I do not think you can look at any one initiative in isolation to be quite honest. The M65 I think is the one you are talking about, there is an M65 perhaps going over to the top of the A1 and we need better east/west connectivity and yes that is one answer but actually of course what we are particularly campaigning for is the east/west routes on the north and Powerhouse Rail and get a stop on that. Because that is the thing that is going to take a lot of people off the road and at the moment of course we have a situation where the transport between Leeds and Bradford is such that 74% of people take to their cars when they go between the two cities rather than go by public transport. That is something we have to solve. It is the biggest flow between any two cities in the country and they are all in their car which is why we are all gridlocked. What we need to do is get that solved, also work on the different sustainable transport methodologies that we have and to include in the cyclecast and cycle routes but I cannot fight M65 to the top of A1 because the Keighley businesses are stuck in traffic day in day out with their lorries and that is all spewing out all sorts of stuff into the air for local people and we really need to do something about that so a “no action” is not an option for me and I will be campaigning for both to get that sorted.

5. Councillor Hassan Khan

Will the portfolio holder give an update on the progress of our campaign for a Northern Powerhouse Rail stop in Bradford?

Answer

The campaign is progressing well with a positive meeting taking place between the Council Leader and Chief Executive with the Secretary of State for Transport Chris Grayling MP. At the meeting the Council, with business leaders, set out the strong economic and connectivity case for a Northern Powerhouse Rail (NPR) station in Bradford and Mr Grayling later acknowledged in his speech the importance of improved connectivity for Bradford. Recent feedback from Network Rail and Transport for North is that a Bradford City centre station on the NPR route between Leeds and Manchester is feasible.

We have also been receiving encouraging comments from other Government Ministers, including the Parliamentary Under-Secretary for Transport, Paul Maynard, who responded to a Parliamentary Question from Philip Davies MP, saying, that he would be surprised if Bradford did not feature in plans for NPR. Northern Powerhouse Minister, Andrew Percy MP, who spoke in Bradford at the launch of the RSA Inclusive Growth Commission’s report also stated, “If I had my way, Bradford would have a stop on Northern Powerhouse Rail.”

The Council are now undertaking a wider and proactive publicity campaign to push the Bradford case with key stakeholders and organisations right across the North of England to secure a Bradford stop on Northern Powerhouse Rail Route.

6. Councillor Warburton

Can the Leader join me in congratulating three Bradford brass bands – Black Dyke, Hammonds Saltaire and City of Bradford – for their success in the Yorkshire championships and their entry into the national finals later this year?

Answer

Absolutely. I was delighted to hear the news and have written to all three to congratulate them on their achievement. Bradford has a proud history of excellent brass bands and it is good to see our reputation continues to be justified.

Supplementary Question

I thank the Leader for the reply. This success may be short-lived for Bradford when through the Boundary Review and MPs comments they may move to Halifax or a Keighley/Shipley district. What are the thoughts on this Leader?

Councillor Hinchcliffe

Thank you Councillor Warburton for that. Yes you are absolutely right. We had not thought about when we answered the question but of course if those two initiatives went through we would be a much diminished place and I do believe strongly as Councillor Sunderland said earlier that if we worked together we get more for all of us. Spending time navel gazing and looking at who said what to who within the district does not support our case outside the district and we must make sure we speak as one voice as a strong whole district saying this is what we all need to succeed and only by doing that will we get anywhere. Splitting us up does not really help our case. I would be much more for a whole district solution to anything.

7. Councillor Whiteley

As the Local Plan has set a target of a minimum of 700 houses in Burley in Wharfedale and 600 in Menston, this would place a significant strain on local infrastructure of all kinds and I should be grateful if the Portfolio Holder for Regeneration, Planning & Transportation could explain the process by which applications can be made from monies collected (£100 per square metre) in respect of my ward, to support necessary infrastructure schemes within the ward and over and above any money paid to the Parish Councils?

Answer

The Community Infrastructure Levy (CIL) charging schedule, once adopted and implemented, will allow for 15% of all CIL receipts received for each Ward to be paid to the Parish/Town Council for them to determine the spend on infrastructure projects within the ward. Where an area has an adopted Neighbourhood Plan through a referendum, this amount will increase to 25% of all CIL receipts received in that area. The remaining CIL monies will be pooled into a central strategic CIL account to be spent on infrastructure required to support growth across the District.

The Council will continue to update its Local Infrastructure Plan evidence so that it can determine the infrastructure requirements and the extent of the funding gap in localities such as Burley in Wharfedale and Menston. With regard to how the central strategic CIL pot is spent, this will be determined by the Council's Executive in response to recommendations on how the funding should be spent by officers using the most up to date evidence in the Local Infrastructure Plan.

If a parish/town council wish to request an additional sum of money to be allocated to their area from the central CIL pot, then this request in the first instance needs to be made to the Planning Obligations Monitoring Officer who will then include the request in the annual monitoring report on CIL which will be heard by the Executive Committee. The Executive Committee will be responsible for deciding what projects to spend the CIL receipts on, in accordance with the Regulation 123 list for Bradford. It will, therefore, be the Executive's decision whether to agree to any requests from parish/town councils regarding the allocation of an extra sum of money from the CIL account. Members should note that the Governance & Audit Committee at the meeting on 28 February has considered the CIL governance arrangements by which the Council will manage the collection, spend and monitoring of CIL receipts.

It should also be noted that the Council will continue to negotiate Section 106 Agreements with developers for site specific infrastructure provision, such as affordable housing, highway improvements, school places provision and open space provision to make developments acceptable in planning terms.

The Local Infrastructure Plan has highlighted that the District requires £688m of infrastructure investment over the next 15 years based on the growth envisaged in the Core Strategy. CIL is not the silver bullet and will not be able to fund all infrastructure required in the District, however the Council recognises it is an important funding source to support local infrastructure.

Supplementary Question

Thank you very much for the detailed answer. I must confess to being astonished by it though. Can I please check with you are you saying that only Parish Councils can request to be allocated additional money for infrastructure and that the democratically elected Members of this Council have no role in this?

Councillor Ross-Shaw

I will double check the actual process. I suspect it is Parish Town Councils because obviously the way it is set up through legislation is they are the ones that get the CIL money so therefore if they want more on top of that for additional infrastructure spend then it would be funnelled through them. I will double check, I suspect it is a legislative issue whatever the answer is.

8. Councillor Dunbar

National Carers Week will take place this year on 12-18 June. Will the portfolio holder explain the Council's plans to mark this important week to recognise the contributions made by carers in our district?

Answer

Plans are currently underway to have a range of activities and promotional events during Carers week.

The details are not all finalised but will include:

- Promotional events including a presence in supermarkets and garden centres
- Celebratory social events including an evening social, afternoon tea party and pamper session
- Information stands and staff in GP practices, hospitals and other venues

9. Councillor Dunbar

Bradford has recently hit the headlines after running a successful LGBT History Month Festival which has been recognised nationally. Will the Leader advise what work we plan to do going forward to ensure the rights of the LGBT community are recognised and met?

Answer

The Safer and Stronger Communities Partnership continues to identify and provide support for community of interest work. As part of the Stronger Communities Action Plan there are a number of specific action plans to ensure that people who belong to a community of interest have equal access to services, community life and opportunities to be active across the district.

These specific communities of interest action plans, which are refreshed annually, provide us with identified and evidenced based issues as well as partnership actions/solutions on ways to respond appropriately.

The Council currently provides officer support to deliver the LGB community of interest action plan. We are also assisting with the development of a Bradford District Transgender Action plan, which is being led by the Equity Partnership.

The 2017-18 LGB community of interest plan, in addition to supporting community wide needs and priorities, will also incorporate actions that will build on the momentum of the successful 2017 Bradford LGBT History Month Festival. The Bradford Pride Group has put itself forward to lead and to develop the 2018 LGBT History Month Programme.

Beyond our community of interest work, we do not resource programmes focused solely on single groups of people. We work to try and support everyone across our district and we consider all groups of people when policies are changed and decisions made.

The Council committed to a set of equality objectives in September 2016 stating the areas where it would focus attention over and above its day to day work on equality and fairness. For example, promoting hate crime reporting and awareness benefits many people, including LGB&T people.

10. Councillor Gibbons

Would the Leader of the Council provide colleagues with an update regarding progress with the works at St. George's Hall, including any completion date and variances to the budgeted cost?

Answer

Structural survey work and load testing is taking place at the Hall over the next few weeks and the strip out will be commenced shortly by the internal Council team.

The tender process for a principal contractor has now been completed and is subject to pre-contract discussions including a budget review. We are in the process of examining areas where there is a difference between pre-tender estimates and submitted costs. To enable this to take place, further detailed exploration needs to happen, including in relation to the heritage stone work, and is scheduled to be complete within the next 5 weeks. Once the exploration has taken place, we will be in a position to confirm the final cost of the project.

The tendered works programme is 54 weeks for total completion and due to the extended length of contract negotiations, we have opened up discussions to reduce this time in order that the building can re-open quicker than this and in line with the current target of early 2018. The schedule for the works and the estimated date for re-opening will be finalised with the principle contractor as part of finalising the contract.

Supplementary Question

May I start by saying thank you for the inclusion of the City of Bradford in your congratulations? Can I also say that I went to the championships and what a shame it is those championships were held at Huddersfield Town Hall rather than here at St George's. Can I also, and I know you will be saying where is the question and there is one coming, did we close it too soon to start with? I was there and was saddened to overhear a number of people say to me things like "well of course it will be closed for a while longer, it is Bradford, what do you expect". Someone else said "if this had been Leeds they would have pulled it down and re-built it by now". That is wrong. We need to return the reputation of St George's Hall and the other part of my question is could you assure me that we will try to return the business to St George's Hall of events like the Brass Band championships and others that may be lost because they are already talking about the potential for holding next year's band championships at Huddersfield rather than back at St George's even if we need to sweeten those requests in some way for those events to come back.

Councillor Ferriby

Thank you Councillor Gibbons. Obviously these old buildings take .., to answer your question, did we close it too soon? I do not think that we did. The trouble with old buildings is that once you start to look at them you do not know what you are going to uncover. I myself are pushing officers because obviously we want this building, it is an iconic building in the city centre, and we want it to open as soon as possible. So I am pushing officers who in turn will be pushing contractors so that we can open as soon as possible. Get the works completed and get business back into one of our iconic city centre buildings.

11. Councillor Lal

Does the Leader welcome the £1.8m investment the Science Museum Group has made in the newly named National Science and Media Museum?

Answer

I certainly do welcome this investment, which can benefit us all by adding to the district's cultural offer for local residents and visitors. It's exciting news for the city and the district and it's one in a series of developments which confirm Bradford's resurgence. With their plans for the Wonderlab gallery and other unique attractions such as Tim Peake's spacecraft, the National Science and Media Museum is starting a new chapter in its history. The museum can strongly support the progress we are all making as a city in building Bradford's reputation as a place with growing cultural, technological and business opportunities.

12. Councillor Stelling

To ask the Portfolio holder for Environment, Sport & Culture - Given the abolition of the pest control department within the Council, can the portfolio holder confirm that access to information related to this department will still be provided by the Council to the general public?

Answer

The Council will ensure that information about pest control is available to the public after the closure of the Pest Control Service via the Council's website and will advise members of the public that they can find alternative pest control providers online or through the Yellow Pages.

Supplementary Question

I would like to thank the portfolio holder for her reply. Also with this shift in movement to faceless contacts through online, what provision is the Council providing for access to information with the abolition of the Pest Control Department who are the means of contact and also do you agree with me that the spread of vermin is a public health concern?

Councillor Ferriby

Yes as you say there are a number of faceless contacts, telephone and IT. We will be getting that information out there wherever possible via our warden service so there is some face to face interaction. There are issues with vermin but those are dealt with and previously there are a number of private providers and we will direct any enquiries to contact.

13. Councillor Dunbar

The recent announcement to make age appropriate sex and relationships education compulsory in all schools is to be welcomed. Would the Leader agree with me on how important this is for all schools and all pupils in Bradford and beyond?

Answer

Certainly. Bradford has always been supportive of Sex and Relationships Education (SRE) in our schools and we still provide schools with support in this area, especially

around healthy relationships, teenage pregnancy and Child Sexual Exploitation (CSE). The Personal, Social and Health Education (PSHE) network organised termly for school-based staff was revived this term after the Health and Wellbeing staff became part of the Education Safeguarding Team in Education Employment and Skills. Staff from this network, along with the Diversity and Cohesion service, have established a working group to develop an Agreed Syllabus for Safety which will encompass all aspects physical and emotional safety for pupils, such as online safety, CSE, bullying, road safety and SRE.

14. Councillor Ellis

Can the Leader of the Council provide details of how the Council has acted to ensure that the potential cost to the Council of the Apprenticeships Levy, is offset by creating apprenticeships for young people within the Bradford District?

Answer

As part of our current HR restructure, we have created a new team - The Learning and Development Academy - this team is made up of three officers who will be responsible for coordinating and administering the apprenticeship levy.

In line with national guidance, the apprenticeship levy will be used to:

1. Up-skill existing employees - We will use some of the levy funds to upskill existing staff via apprenticeship qualifications, so that we can improve skills levels and support succession planning. Please note that where we support existing employees via the apprenticeship levy, we must ensure that they can work at the level that they have been qualified to at the end of the programme
2. Provide apprenticeship opportunities for new recruits - We will work towards all job vacancies Band 7 and below being advertised as apprenticeships (where appropriate). We will establish an annual apprenticeship recruitment cycle that matches the timelines of colleges and universities. We are working with partners across the district to look at innovative ways of offering cross-sector apprenticeship opportunities. We are working closely with the Education and School Improvement team to build on the progression pathways that have already been established for young people.

Supplementary Question

Thank you Leader for your reply and also thank you for the prompt reply to my email I forwarded to you regarding the Environment Agency's offer to fund university training for drainage engineers. I think that in itself leads me onto other questions in that the Environment Agency have actually identified the shortage of drainage engineers and across I think the building industry as such and construction industry we acknowledge that there are shortages. Now of course we do not employ many builders and construction engineers. I am just wondering how we will ensure that these people are offered, or shall we say these particular skills and training are offered, to people in Bradford? There is a mention of other agencies but I would like that to be spelt out a little bit clearer if you would please.

Councillor Hinchcliffe

How they will be offered in Bradford you say?

Councillor Ellis

My point is obviously as a Council we might be able to offer all sorts of apprenticeships. They certainly will not be in construction and building skills and trades. I am just wondering how we can facilitate that training to provide the needs of Bradford as far as those trades are concerned?

Councillor Hinchcliffe

There is quite a lot of construction training that goes on in Bradford of course and actually the Broadway site did have a few apprentices on there that came through Skillshouse and Get Bradford Working. We might not always see it but those apprenticeships do go on. I think when it comes to Council apprenticeships and local authority employment I think this is an issue, a shortage of skills come to my attention particularly at West Yorkshire level when we talk about planning, highways development and drainage engineering etc. and I think there is an argument for all West Yorkshire authorities to work together on this. Because what is happening at the moment is that we are all swapping staff so a Calderdale staff member might go to Bradford, someone from Bradford might go to Leeds and then we are all short staffed really. We need to do something concerted on apprenticeships and traineeships when it comes to working with FE and HE to make sure those young people coming out of education see that there is a really great opportunity to build things in the public sector and that is something we are working across West Yorkshire on, it is not just a Bradford problem, it is a West Yorkshire issue and we need to encourage those young people to come through. So I have not got a solution on it yet but it is something that is identified and this helps but there is a lot more to be done and resource needs to be found to do it.

15. Councillor Dunbar

I am deeply concerned at the news that the House of Commons narrowly voted in favour to close the Dubs scheme to protect unaccompanied child refugees by the end of the financial year. Does the Leader agree that the scheme should be kept open and does she agree that the government should provide councils with the resources to do our bit in providing places?

Answer

It is concerning that the Government appears to have reneged on its commitment to the Dubs scheme. So far under the scheme our District has successfully welcomed 13 children – 9 boys and 4 girls – and they have made excellent progress in their transition given the exceptionally difficult circumstances in which they found themselves. This reflects the fact that the Council and partners have managed the process effectively. The Labour Group of the LGA of which we are members has made strong representations to Government on our behalf. We would obviously be willing to take more children should government provide the funding for us to do so.

Supplementary Question

I just want to ask the Leader if she will keep the Chamber informed about the representations made to Government on this issue because I still think it is disgusting that the Government chose to close this scheme because what we are actually talking about here, and we have seen the overcrowded centres in Italy and in Greece, and what this is doing actually is putting more young children from different countries at risk of being trafficked, exploited, physically, mentally and sexually so Leader please will you keep us informed on those representations?

Councillor Hinchcliffe

Certainly Councillor Dunbar. This was an issue that was raised at the last LGA Labour Group meeting and the Leader of the Labour Group Nick Forbes has made strong representations on our behalf to Government and will continue to do so. Obviously I will keep you informed of any changes as it will be in the news because it has been something that has been widely discussed and widely reported on so something that concerns us all. You will be pleased to see in the answer that the young people we have taken in already under the scheme are doing well and we are pleased to have them here.

16. Councillor Watson

Can the Leader tell us what the council did to mark International Women's Day and does she agree that although around a third of councillors in our chamber are women it should be more like 50% to reflect the general population?

Answer

Council Members and staff worked with organisations across our district to collate and deliver a programme of activities, which ran from the 3 - 12 March, to mark International Women's Day. Events ranged from sports activities to a flash dance in City Park, a debate in City Hall with young women from the Speakers Corner Collective and a special screening of the film 'Suffragette' in the Banqueting Hall.

The Lord Mayor and Lady Mayoress hosted and attended events, including the ceremony to raise the International Women's Day flag in Centenary Square.

There were in total 40 events in the International Women's Day programme and many were delivered directly by organisations and groups themselves. The programme was promoted through a printed booklet and social, broadcast and print media.

Women have made much progress in the century since we won the right to vote, in politics as well as in business and other spheres of life.

However we know there is still much to do to realise true equality for women in our society and across the world. We should all be working towards achieving 50/50 representation.

17. Councillor Whiteley

Can the Portfolio Holder for Health and Wellbeing, please confirm how much money was paid to outside fostering agencies in the years 2014-2015 and 2015- 2016 and in 2016- to date, along with providing details of the budget forecast for agency foster carers for the year 2017-2018?

Answer

In the context of the budget there has been a slight increase in fostering agency costs, partly due to the fact that agencies have increased their fees. However there is no significant increase in the level at which we are using foster agencies.

Fostering Agency spend

2014/15	2015/16	2016/17	2017/18
£1,489,066	£1,328,450	£1,547,574	

The budget for external fostering for 2017/18 is £1,951,400. Given the past three years have come significantly below budget, if we continue with the same numbers of young people accessing external fostering the forecast would be below £1,600,000.

Supplementary Question

Thank you for the answer. I am interested to see the figures. I just wanted to ask you there is obviously an increase in the budget for the next financial year and I wondered whether that was because you expected there to be more children outsourced rather than using local foster carers?

Councillor Val Slater

Our main aim is obviously always to try and look after Bradford children in Bradford but sometimes that is not always possible. For instance if I give you an example we have got a young person at the moment whose relationship with their mother has broken down, the father is actually in Scotland and we feel that they have got a better chance of building up a relationship with the father so we have placed them with a foster parent in Scotland to facilitate that process. We do not have any foster carers that we know about in Scotland and that is the kind of thing where we would use an agency. We would use an agency where we are looking to move people to other parts of the country because of CSE or because of forced marriage or quite a number of other things. So the fact that we have slightly got an increase in the budget for that does not necessarily mean that it is because we do not have sufficient foster carers within Bradford. Very often circumstances mean that we have to place children outside the area for their benefit and not for ours.

18. Councillor Farley

We are all looking forward to the restoration of Cliffe Castle Park being completed. Can the portfolio holder give us an update on the work done so far and what we have to look forward to in the summer?

Answer

The restoration work to Cliffe Castle Park is currently on target to meet the anticipated completion date of 10th July.

The most significant area of work to erect new glasshouses, including a dome house, café and toilets is well underway. The dome was recently lifted into place and some zones are now water tight allowing internal works to start. The stonework for the ponds and fountains is being professionally cleaned as part of the project to re-instate them to full working order whilst work has started to refurbish the existing bandstand. There will be new Animal and Aviary Houses whilst many of the other parks historical features will be re-instated including a number of planted urns, street lamps and gates.

A new planting scheme has been drawn up including historically relevant varieties for both the park and glasshouses with interpretation at various locations around the site. A number of volunteer initiatives are taking place within the park led by the newly appointed Heritage Park Officer including local schoolchildren presenting a time capsule in June to be buried in the tree pit of the dome house. An official celebratory opening event, organised by a partnership between the Parks Service, Cliffe Castle Park Conservation Group and the Museum, is pencilled in for 30th July.

19. Councillor Dunbar

The Royal Society of Medicine has suggested that as many as 30,000 excess deaths could be due to national cuts in health and social care. Does the Leader agree that government needs to properly fund adult social care including more prevention work which keeps people well and out of hospital?

Answer

Debate in this Chamber has led to a consensus that adult social care needs to be funded properly and consistently across the nation. The additional funding just announced for adult social care is only a temporary fix so the thinking Government are doing around Adult Social Care funding is vital for the future sustainability of the service.

Preventative activities are important in keeping people at home for as long as possible. Again funding constraints across all partners, not just the Council, has meant that this is difficult to finance consistently over time.

We can't just wait for Government so the council's new Home First policy is our response in Bradford to how we are going to support the reduction of demand on services in the future whilst giving people what they want, i.e. to stay in their own home for as long as possible.

20. Councillor Jeanette Sunderland

Question to the Portfolio Holder for Health and Wellbeing - According to estimations in the BRE Client Report; in 2011 18% of Bradford's dwellings were in the private rented sector and of those 16%, some 28277 homes, had a Housing Health and Safety Rating System Category 1 hazard. Can the Portfolio Holder please tell us what steps have been taken to reduce the number of homes in the private rented sector in this rating?

Answer

The Housing Standards Team (HST) based within the Economy and Development service is a statutory service responsible for inspecting property in order to ensure compliance with various housing and other legislation. The service is largely reactive and particularly focuses on conditions in the private rented sector.

In 2015/16 the service received 1416 service requests, all of which related to housing condition, the majority of which were from the private rented sector.

In January 2016 the Housing Standards team was successful in securing £45,000 of funding from the Department of Communities and Local Government (DCLG). This funding enabled officers to carry out additional enforcement inspections of flats above commercial premises between January and March 2016 to remove hazards.

During 2015/16:

- The HST served 736 notices requiring works to be undertaken
- Housing conditions were improved in 1330 properties
- 11 prosecutions were taken for non compliance

The HST also works closely with the Housing Options service and now undertakes housing inspections for the service to ensure compliance with standards as part of the new approach to provide additional housing options in the private rented sector. During 2015/16 HST carried out inspections of 88 properties in support of the Private Rented Lettings Service (PRLS).

- The Housing service works with landlords to ensure compliance with legislation. Wherever possible this is through education and encouragement but the service does use enforcement powers, in line with the Council's Enforcement Policy, where necessary. The service has recently delivered two training sessions for landlords as part of the PRLS approach both of which were very well attended.

Supplementary Question

In the same period Bradford paid £79.5m of rent allowance was spent on private tenants which equates to some £12.7m of public money which may well have been paid to landlords who do not keep their homes of their tenants free from hazards. Does the portfolio holder have a view on what more can be done to reduce harm to tenants and does she still insist that we do not need to keep a register of private landlords?

Councillor Val Slater

I do share your concern and I think it is disgraceful that public money is paid out to landlords that are not prepared to keep their properties up to standard. It is very difficult for us as a Council however to do more than we are doing at the moment. If we had additional resources then we could do a lot more. We are obviously trying to work with the good landlords and as part of our housing options team we now have a section that deals with private landlords. Those properties are inspected before we offer them to any people that are homeless or being threatened with homelessness and obviously we keep a relationship with those landlords and we will do - a question was asked for me the other day if once they get on the list do we keep an eye on

them because their property could be okay at the point we take them on but is anybody checking and I have agreed that we must at least do an annual check to make sure that they are up to standard. That team has also recently run some workshops for private landlords letting them know about some of the change in legislation that is coming forward that landlords will have to comply with but there is an awful lot more we could do if we had the resources to do it.

21. Councillor Dunbar

Recent investigations by the Alzheimer's Society show that as many as one in three home care workers have no dementia training. Does the portfolio holder agree that the Government needs to fix this broken system and provide better support for people with dementia, their carers and home care workers themselves?

Answer

Dementia is an illness that impacts on an increasing number of people. Inevitably the solution to their care lies in the government's response to the pressing issues surrounding how adult social care will be funded in the future.

A higher percentage of people with dementia in the Bradford District have their condition diagnosed than in other areas of the country. In September 2016 the dementia diagnosis rate for Clinical Commissioning Groups (CCGs) in the Bradford area was 81.2% and the national standard is 66.7%.

This should mean that people with dementia and their carers are able to receive support and to plan for their future so they remain independent for as long as possible. In Bradford this is enshrined in the implementation plan for the Dementia needs assessment as part of the District's Dementia Strategy.

Workforce development is included within this plan and the Department of Health and Wellbeing, in partnership with other partners which includes NHS and voluntary and community sector, and the Alzheimer's Society are working together to ensure that there is training for care and support workers for people living with dementia and their carers.

Supplementary Question

Thank you for the answer portfolio holder. Could I just ask a little bit more around what training and development opportunities will be done around this important issue?

Councillor Val Slater

Thank you Councillor Dunbar. A couple of things on that. First of all the Dementia Strategy is being refreshed and there is going to be an actual workshop looking at this on the 5th April at Douglas Mill. Looking at it from a dementia wellness pathway point of view and there will be two sessions, one in the morning looking at research, prevention and end of life issues, the second in the afternoon is about supporting people with Dementia and allowing them to live well and I would encourage staff and people interested to attend those. If you need details let me know and I can pass them on. The other thing is that as far as dementia awareness and dementia support Bradford has got a very good record and I was pleased the other day to get

an email, my apologies if I pronounce this incorrectly, about Meri Yaadain which is a scheme within Bradford that particularly supports dementia sufferers from a South Asian background and provides not only face to face support but also online and it was a professor in London that had contacted the guy that runs it who was given the MBE for his initiative and the work he has done in this area and what she was saying is that it is the only online tool that South Asians can refer to and that generally GPs, health care workers, carers, etc, are not aware of it. When they are made aware of it they are very impressed because it is the only one in the country so we obviously need more to do to publicise that but I mention it because it is an example of how we are leading nationally again on this kind of issue.

22. **Councillor Miller**

Would the Leader of the Council be so kind as to inform members of the nature and numbers of contracts provided to consultants and the costs of these, broken down by department and the dates of the contracts, for the last three years?

Answer

The definition used by the Council for consultants is “providers of specific expertise, support and advice with time limited assignments. Consultants do not have decision making powers. They are appointed to offer specific professional advice for Council officers to consider”

Up to March 2015 information on consultants was published on a quarterly basis and is available on the Council website.

<https://www.bradford.gov.uk/your-council/council-budgets-and-spending/consultants-expenditure/>

This information was published prior to the introduction of the Local Government Transparency Code 2015 that requires the Council to publish details of all expenditure over £500 and all contracts over £5,000 on a quarterly basis. Information on consultants is now routinely published as part of these statutory reports and can be found on the following websites.

Expenditure over £500

<https://www.bradford.gov.uk/open-data/our-datasets/expenditure-greater-than-500-in-value/>

Contracts over £5,000

<https://datamillnorth.org/dataset/bradford-council-contracts->

There will always be occasions when the Council needs to employ consultants to provide external specialist expertise, skills and advice particularly when we are working to secure major changes and transformations in the way that the Council works or when the Government requires us to take specific action within a relatively short space of time.

Over the last 3 years total spending on consultants is as follows:

Total Expenditure	£9,839,772
Council Contribution	£8,498,419

This represents average total spending of £3,279,924 a year with an average Council contribution of £2,832,806.

These figures represent a significant reduction compared to previous years. For example, in 2009-10, total spending on consultants was over £9.9 million exceeding in one year alone the amount spent over the last three years.

We do however continue to keep expenditure on consultants under close scrutiny.

Further information on consultants that have been used by the Council between April 2015 and March 2017 is to be circulated to all Members by email.

Supplementary Question

Thank you for the answer. Can you advise me then when it was as it states in there that we continue to look under a close scrutiny, when it was last looked at by a scrutiny panel?

Councillor Hinchcliffe

I do not know. It has been available on the website for a while. Everybody has seen now the amounts, all the contributions, all the lines and the budgets. That has come round to everybody's inbox so each individual Councillor can scrutinise it now for themselves if they wish. It is noticeable of course that it has come down considerably since 2009/10 from £10m to £3m so we are looking at it as a Council across all our expenditure but I am sure Corporate or somebody like that will be happy to look at it as part of their budgetary control which they do on a regular basis.

23. Councillor Love

Please can the Portfolio Holder for Regeneration, Planning & Transport enlighten us as to why it is now impossible for members of the public to email comments about an application to the relevant case officer? Given the regularity with which the Planning Portal is unavailable or incredibly slow, particularly for applications with a large number of documents, could a departmental mailbox not be used to accept comments?

Answer

Whilst it would be technically possible for the Planning Service to receive and process e-mailed comments, it would place a particularly time-consuming task on the council's Planning team that is currently being fulfilled by the Council's PublicAccess system. Particularly high profile applications can lead to comments being received in their thousands.

Supplementary Question

Thank you for the answer portfolio holder. You are right in saying that it is technically possible for the planning service to receive and process email comments

because they have been doing it for as long as I have been a Councillor and as long as many for a long time before that I am sure. Given that especially in planning matters that the Council has to be seen to be open to receiving comments can I ask please to reconsider the withdrawal of this facility?

Councillor Ross-Shaw

Thank you Councillor. Just to be clear all Councils in West Yorkshire either use or are moving to the online system we use. There is a bit of a perception in your question, it is quite unreliable. It is very reliable but there are issues where you get certain campaigns and obviously sensitive applications if it gets over one thousand comments and that can slow it up. What I would say is obviously guessing which cases you are thinking of. When it did slow up it was still processing hundreds of comments at that time so no comments have been lost. The issue is if we set up a mail box that is a huge amount of resource for someone just to process hundreds and hundreds of emails to upload it onto the same system that is still working. We can look at it if the system is technically down but it has not been down in this case. However the company who provide the service IDox are looking at ways and we have spoken to them about speed making sure that when you get these big sensitive issues that attract a lot of comments that it does not slow up in the future and we have worked with the IT team just to try and make sure that does not happen in the future.

24. Councillor Pennington

In light of the Council's decision to not cut the grass at many bowling greens, would the Portfolio Holder for Environment, Sport & Culture advise Members as to why we still tend the unused Riddlesden Golf Club and can we have confirmation of when this site will be transferred to the Scout Movement?

Answer

The decision to cease bowling green maintenance is part of a programme which would see completion by 2020. Government cuts have forced the council to make difficult decisions such as this. Until 2020 the service will work with all bowls clubs through a steering group to look at alternative ways of managing the facilities.

At Riddlesden Golf Course all the major grassed areas were cut last year to normal public open space standards, rather than golf course standards, in order to keep the grass at a safe level of maintained, as the general public continue to access the area through the public rights of way, which pass through the site.

The Council is in discussions regarding a long term lease and the Scouts have decided to progress their potential future use of the site through the Community Asset Transfer (CAT) process. They have submitted an application to progress this option and the Council will continue to work with the Scouts to support them through the process and seek to achieve a successful outcome.

Supplementary Question

My question is not really about bowling greens nor about Government cuts, if you will pardon the pun, but it is about costs incurred unnecessarily in this case whilst a community asks it to transfer to the scouting movement seems to be stalling for a

variety of reasons. Now Councillor Malcolm Slater and myself are happy to work with Asset Management but what I would ask the Leader is will she please speak with them to ensure that there is a speedy outcome.

Councillor Hinchcliffe

I have already corresponded with Keighley Scouts and said that we are making sure that Councillor Ross-Shaw looks at it and makes sure it is expedited as quickly as possible. Obviously we have got community asset transfers on the agenda tonight as a motion and that is something that we are all wanting to make sure we keep as many assets going in our communities as possible. We all value them and anything we can do to support local community groups take those on is always valued. We really acknowledge and welcome the interest of Keighley Scouts and we will support them.

25. Councillor Stubbs

To ask the portfolio holder for Regeneration, Planning & Transport - Can the portfolio holder provide details of the number of highway and footpath maintenance jobs undertaken by the Council that have not been completed during the initial time allotted over the past 12 months across the District, how many required a second visit to complete the work and what was the additional cost to the Council?

Answer

The Highways and Footpaths maintenance team are directed to work as efficiently as possible and therefore their routes are mapped to take the least time possible between jobs.

In the case of the location which I believe led to the Member's question, the extent of the works on Robin Close was such that it required two visits to complete. It was always planned to undertake these works over two visits. The site was left in a safe condition between visits.

In terms of the specific response to how many schemes have not been completed within the initial time allocated I can confirm that only one scheme, Reva Syke Road, Clayton has not been completed within the time allocated in the initial programme. The reason for this was due to finding damage to a culvert by Yorkshire Water which required their attendance on site to repair before the highway works could recommence.

Finally, as to the Member's question about additional costs to the Council I can confirm that there are generally no additional costs to the Council as a result of this approach as works are planned and undertaken when resources are allocated to each zone.

Supplementary Question

Thank you for the answer. Can I just clarify two small points? The first one is on behalf of residents and thank you for anticipating it was Robin Close. Can we make sure if at all possible when we write to residents in future if you are planning to go to a site twice you make it clear to them just so that if they are disrupted they understand the full extent of the disruption they are going to have. Can I just ask for

a little bit more detail and possibly some figures around the statement that says generally no additional cost to the Council because I know that generally we spell our street signs correctly but that is not always the case and I would like to know a little bit more about whether there are any costs.

Councillor Ross-Shaw

Thank you for that. Yes that is a good idea with the letter clarification. I will take that up with officers. Generally no cost just means it is not something that you are necessarily tracking so much as it is a small figure on the bottom line when it does not work out. It is not that there is a hidden cost. Some works we plan as two visits because that is the most effective way of doing it and therefore it is reducing the overall cost so it makes the service more efficient. I will see if we can pull anything more out for you on that and certainly on street signs. I know which street sign you are referring to. There was no cost on that at all so you will be pleased to know. Generally no costs can often mean no costs.

26. Councillor Shaw

Can the Leader of the Council confirm whether the presence of the Pokémon app on the Council Website has any costs involved and would she confirm whether anyone has considered whether the Council would be liable if any child using this were to come to harm in doing so? Further, if there are any costs involved, would the Leader confirm whether she agrees with me that these funds and the officer time in organising this frivolity would be better directed to essential front line services?

Answer

No costs were involved with the presence of the Pokémon app other than 30 minutes officer time. The aim is to increase use of the Bradford app and demonstrate broader Council services available to help reduce frontline activity and save cost. It also demonstrated availability of free public Wi-Fi in Bradford. The map has been live since 27th July 2016 with no incidents reported. Nintendo, the producers of Pokémon, offer safeguards on the use of the Pokémon app and the Council issued safe playing messages via its blog and Facebook media platforms. This initiative is in line with what other Councils have done with the Pokémon app.

27. Councillor Davies

Would the Portfolio Holder for Environment, Sport & Culture inform Council why BMDC has chosen to become only the third council in the country to fund digital post-mortems, which are only effective in 70% of cases and according to the Chief Coroner cost “within the range of £400-£1000”, compared to the £96.80 cost of a traditional post-mortem?

Answer

An increasing number of councils are now using this technology which is undoubtedly the future for mortuary services. Grieving families naturally do not want their relative to be cut open if technology exists to prevent this invasive measure. This is particularly emotive when it comes to children.

Unless we had acted, this valuable service would have been withdrawn from Bradford, which would have also incurred a financial cost to the council.

Digital scans (which require the authorisation of the Coroner) can establish cause of death in approximately 75% of cases which is why the Council are only paying for 75% of scans undertaken.

The price negotiated with iGene for each digital scan is well below the figure of £400 quoted in the question whilst the figure mentioned for an invasive post mortem is considerably understated.

The maximum cost to the Council over the 12 months of the contract has been estimated at circa £60k.

Under the Local Government Transparency Code the Council has to publish on a quarterly basis details of all contracts over >£5k. This contract is included in the published details.

Supplementary Question

Thanks for the answer. You say that if the service had been withdrawn from Bradford there would have been a financial cost to the Council. I just wondered why that would be and how much that would be?

Councillor Hinchcliffe

It is about commercial confidentiality. I have just been acknowledged I cannot discuss that in Council is that right City Solicitor?

Parveen Akhtar, City Solicitor

That is right Councillor Hinchcliffe. Any further detail would be commercially sensitive and we would be in breach of a confidentiality clause if it was to be disclosed here. Yes I can brief Councillors in complete confidence.

28. Councillor Pennington

Further to the announcement six months ago, that an experienced Commercial Property Agent would be employed by the Council, to revitalise priority streets in the City Centre, can the Leader of the Council confirm, the cost so far, any tangible benefits and who the agent is?

Answer

The release of a tender last year failed to secure an appropriate bid to undertake the work identified. The specification has subsequently been reviewed and two separate briefs drafted. The first is to undertake an on-street and internet survey of existing usage and perception within the wider city centre concentrating on retail / leisure threats and opportunities. The tender will be advertised via Yortender imminently.

Building on the findings of the survey – and once decision on the future of the markets has been reached and a vision for Top of Town thereby created – further specialised commercial assistance will be sought to use the vision to undertake a gap analysis, identifying both lack of existing provision and potential “missing”

retailers and, working as appropriate with letting agents for individual landlords, fill vacant units.

Supplementary Question

This is amazing. We are six months on here and we have nothing to add. There is no response to my question on costs which is important and we have no named agent. Now we keep bringing in consultants into the Council. Am I right in thinking that the current AD of Asset Management was in a previous life a commercial property agent? Why can he not do the job?

Councillor Ross-Shaw

He has another job which is the AD of Asset Management so that would be my concern with that one. There would be no cost because we have not got the commercial agent yet as the answer makes clear. So when we put out the tender obviously then we will incur a cost when we get someone of our own.

29. Councillor Ward

To ask the Portfolio Holder for Education, Employment and Skills - At the Council meeting on 17 January it was resolved to “ask the Government to account for growth in demand of additional special educational needs (SEN) in this district”. Will the Portfolio holder for Children’s Services describe how this was done and what the Government’s response was?

Answer

There are many areas across the country where there has been a need for additional SEN places. Bradford has experienced a significant increase in the demand for special educational needs and disabilities (SEND) and provision in the last 10 years and it’s projected that the demand for SEND provision will continue to grow, by 2018 additional specialist provision in the district will be required. This need is being addressed through a variety of different ways including providing additional capacity through existing provision and free school provision. The finances have been fully discussed with schools forum. It should also be noted that the population of the special schools has changed significantly for example the number of children with moderate learning difficulties has dropped and the children on the autism spectrum has increased. There have been similar increases for children with profound and multiple learning (PMLD) and Physical Difficulties (PD) with additional needs. As a Local Authority (LA) we have undertaken a review of SEN data to ensure that we have the right provision going forward to meet the needs of the children in the district. There is an expectation that every LA will undertake this piece of work. A variety of ways have been used to raise this issue with Government. An application has been made for the LA to establish a specialised Free School. Other applications by schools have been made for Free Schools matching what is required for provision in the district. Conversations have taken place with the Department for Education and Ministers to highlight the issues that are being faced in Bradford. We are awaiting the outcome to see what additional support will be received.

30. Councillor Whiteley

Can the Portfolio Holder for Health & Wellbeing provide a breakdown of the children brought into Local Authority Care for the previous two years broken down by age, ethnic background and nationality?

Answer

There were 683 children who became Looked After by Bradford Council in the last two years.

Age	Number
Under 1	143
1 – 4	134
5 – 9	135
10 – 15	206
16 – 17	65

Ethnic Origin	Number
White British	368
Other White backgrounds	65
Asian/British Asian	–
Pakistani	79
Other Asian backgrounds	14
Black/Black British	14
Mixed Heritage	73
Other Ethnic Groups	22
Not known	48

Of the 683 children, 74 were recorded as having a non-UK nationality. Because of the small numbers involved we can't make the full breakdown publicly available as individual children could be identifiable.

31. Councillor Jeanette Sunderland

Question to the Portfolio Holder for Environment, Sport and Culture - Can the Portfolio Holder advise how many trees each month per ward in the District have been felled as a result of Health and Safety implications?

Answer

The information held currently by the Service does not record ward details or identify the reasons for tree removal and the following figures could therefore include a number of trees removed to prevent damage rather than for being dangerous. The "trees" category also includes a high proportion of large shrubs such as hawthorn and elder or rogue growth such as 'scrub' sycamore, ash and elm growing from stumps or out of walls. The following numbers are therefore indicative given the limited time and resource available for a manual analysis of existing records:-

2016	
Month	Number
January	13
February	25
March	15
April	8
May	12
June	11
July	34
August	35
September	35
October	36
November	11
December	16
Total	251

32. Councillor Davies

Could the Portfolio Holder for Education, Employment & Skills advise members, why did the teacher recruitment bus tours start with primary schools, not secondary, when secondaries are where we have the most recruitment difficulties?

Answer

The secondary teaching market nationally is historically more difficult to target because of the emergence of academy chains and stand alone academy schools. So we have worked closely with local Teaching Partners, the Regional Schools Commissioner and National Government on this issue and fully endorse Sir Nick Weller's report 'The Northern Powerhouse Schools Strategy'. He has shared his findings with both the Public Forum for Education and the Education Improvement Strategic Board.

Over the last two years we have also developed relationships with outstanding providers, for example, Tauheedul, Northern Lights and Feversham Education Trust to work in Bradford and bring in and develop the best teachers through the development of their Teaching Partnerships.

33. Councillor Love

Please can the Portfolio Holder for Environment, Sport & Culture update members on the current situation regarding St George's Hall?

Answer

The tender process for a principal contractor has now been completed and is subject to pre-contract discussions. The schedule for the works and the estimated date for re-opening will be finalised with the principal contractor as part of these discussions. Once concluded, it is anticipated that there will be a four week site set up and mobilisation period, with the full team on site by late spring. In the meantime, further structural survey work and load testing is taking place at the Hall over the next few weeks and the strip out will be commenced shortly by the internal Council team.

34. Councillor Pennington

Can the Portfolio Holder for Regeneration, Planning & Transport confirm how many Fixed Penalty Notices have been issued in accordance with the Public Space Protection Order, intended to reduce anti social behaviour in the City Centre?

Answer

At present no Fixed Penalty Notices have been issued as timescales for the implementation and enforcement of the Public Space Protection Order have been extended in order to equip and train new members of staff who will be involved in enforcement. The staff will be operational and able to enforce the order from 3rd April 2017.

35. Councillor Fear

To ask the portfolio holder for Regeneration, Planning & Transport - How many businesses received support from the Council when starting up and have gone on to close within 3 years?

Answer

Economic Development's business advisor team support many individuals considering self-employment by sign-posting to support and services and assist with accessing finance. The majority of support to new-starts is referrals and although these supports are recorded it is not always possible to follow up on progress three years later.

More tangible evidence of start-up business support can be evidenced by the grant support offered through the City Centre Growth Scheme. To date the scheme has assisted 42 businesses to start up within the City Centre. Of these, six have closed within three years, providing a failure rate of 14%. This compares extremely favourably with the national statistics showing a 39.5% failure rate within the first 3 years (Source - Office for National Statistics).

36. Councillor Miller

Would the Leader of the Council be so kind as to inform members of the number of Council employees working to Zero Hours contracts?

Answer

The Council does not have any employees working to Zero Hours contracts.

37. Councillor Jeanette Sunderland

To ask the leader of Council - Following the decision of the Executive to prioritise awards to families what steps is she taking to protect those vulnerable people who are in receipt of a Discretionary Housing Payment who live in Extra Care Homes?

Answer

Residents who live in Extra Care Housing will continue to be eligible for a Discretionary Housing Payment as they are now. This applies as long as they are in receipt of Housing Benefit or the Housing Element of Universal Credit.

The Council has received increased funding for Discretionary Housing Payments, from the Department for Work and Pensions for the coming year and it is not the intention of the revised policy to penalise this vulnerable group in order to help more families.

38. Councillor Davies

Could the Portfolio Holder for Environment, Sport & Culture confirm whether she shares my view, that it would be simpler and more ethical to encourage people to shop around for the best energy deal from all providers rather than promoting one company in return for cash?

Answer

Bradford Council is a partner of White Rose Energy (WRE), a not for profit energy company for Yorkshire Region, which will be actively marketed to Bradford residents.

The income stream is ring fenced to support fuel poverty linked initiatives and hence, the council would have the opportunity to support fuel poor and vulnerable and households in the area.

By actively promoting WRE in the district we will be able to target customers particularly in fuel poverty. These households are less likely to be aware of the benefits of energy switching.

Currently there are around two thirds of households who do not switch energy supplier. These 'sticky' customers often overpay by hundreds of pounds per year compared to the cheapest tariffs available, with a high percentage of sticky households on low incomes (often OAPs) and therefore vulnerable to the effects of fuel poverty. A key cause of 'stickiness' among households is mistrust of energy companies. A council backed energy offer is more likely to be trusted and can engage residents and encourage them to access lower tariffs via its wide communications channels.

Customers are encouraged to shop around; no one will be forced to switch to White Rose Energy. Customers are offered personalised quotes to help them compare prices for the supply of electricity and / or gas via the website.

The income will support additional activity in the Fuel Poverty Framework for Action, current action plan agreed by EWOSC in Oct 2016, including people in fuel poverty who may not sign up to White Rose Energy. Actions might include supporting domestic energy efficiency measures and "healthy heat" type projects within our Better Homes Bradford programme.

39. Councillor Pennington

Can the Leader of the Council confirm, that regardless of the tenancy changes, whether there are any business rate arrears at the Odsal Stadium?

Answer

There are business rates arrears for Odsal Stadium as follows:-

A sum of £21,955.12 was submitted in the Council's claim against the former company which went into liquidation, covering the period 1 April 2016 to 14 November 2016. It is unlikely there will be any dividend for creditors from this process.

The Administrator was liable for the subsequent period, up until the new company took up occupation on 18 January 2017 and arrears of £6,791.20 are still outstanding. This is expected to be paid once the administration process is concluded.

The business rates for the new company are not overdue at present.

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Report of the Director of Department of Place to the meeting of the Executive to be held on 7th March 2017

Subject: The approval and implementation of the Bradford District Community Infrastructure Levy (CIL) Charging Schedule.

BN

Summary statement:

The Community Infrastructure Levy (CIL) is intended as a means of contributing to the funding of infrastructure required to support growth in the District and deliver the policies and proposals in the Local Plan, including the Core Strategy and other Development Plan Documents. It replaces part of the system of Planning Obligations (Section 106 Agreements), the scope of which has been restricted since 6 April 2015 with regard to pooling of developer contributions. The CIL will help to meet the District's priorities by generating funding to provide infrastructure while being set at appropriate rates that will continue to attract investment, create jobs, and deliver new housing.

The purpose of this report is for members to note the recommendations of the CIL Examination Report and to seek the formal approval of the CIL Charging Schedule (as set out in Appendix 2 of this report) by a resolution of the Full Council on 21 March 2017 with a commencement date of 1 July 2017. Members are also requested to note and approve the associated policies and documents alongside the CIL Charging Schedule. Appendices to this report contain the Regulation 123 List (Appendix 3), Instalments Policy (Appendix 4) and Exceptional Circumstances Policy (Appendix 5).

Leading up to the anticipated approval and commencement of the CIL, work will be progressed in relation to the roll out of the levy. This work relates to two broad areas, namely, the introduction of appropriate procedural measures for the day-to-day operation of the levy, and the establishment of governance arrangements for the subsequent spend of CIL monies collected. In relation to this matter Members are requested to note that a CIL Governance Report was taken to the Council's Governance and Audit Committee on 28 February 2017.

Steve Hartley
Strategic Director of Place

Portfolio: Regeneration, Planning & Transport

Report Contact: Bhupinder Dev
Team Leader Infrastructure & Local Plan
Phone: (01274) 432012
E-mail: bhupinder.dev@bradford.gov.uk

Overview & Scrutiny Area:
Regeneration and Economy



1. SUMMARY

- 1.1 The Community Infrastructure Levy (CIL) is intended as a means of contributing to the funding of infrastructure required to support growth in the District and deliver the policies and proposals in the Local Plan, including the Core Strategy and other Development Plan Documents. It replaces part of the system of Planning Obligations (Section 106 Agreements), the scope of which has been restricted since 6 April 2015 with regard to pooling of developer contributions. It should be noted that under the new system S106 planning obligations will still remain for site specific infrastructure provision required to make a development acceptable in planning terms, for example affordable housing and highway safety. The CIL will help to meet the District's priorities by generating funding to provide infrastructure while being set at appropriate rates that will continue to attract investment, create jobs, and deliver new housing.
- 1.2 The Council has previously agreed to progress setting a CIL charge on new development to help fund infrastructure needed to support growth in the District. There have been various stages of formal consultation on the Bradford District CIL as required by the CIL Regulations, followed by a public examination in October 2016. The Council has received the CIL Examination Report in December 2016. The Examination Report (Appendix 1 of this Report) recommends that the Bradford District CIL charging Schedule may be approved subject to two modifications necessary to meet statutory requirements
- 1.3 The purpose of this report is for members to note the recommendations of the CIL Examination Report and to seek the formal approval of the CIL Charging Schedule (as set out in Appendix 2 of this report) by a resolution of the Full Council on 21 March 2017 with a commencement date of 1 July 2017. Members are also requested to note and approve the associated policies and documents alongside the CIL Charging Schedule. Appendices to this report contain the Regulation 123 List (Appendix 3), Instalments Policy (Appendix 4) Exceptional Circumstances Policy (Appendix 5).
- 1.4 Leading up to the anticipated approval and commencement of the CIL, work will be progressed in relation to the roll out of the levy. This work relates to two broad areas, namely, the introduction of appropriate procedural measures for the day-to-day operation of the levy, and the establishment of governance arrangements for the subsequent spend of CIL monies collected. In relation to this matter Members are requested to note the contents of the CIL Governance Report that was taken to the Council's Governance and Audit Committee on 28 February 2017.
- 1.5 This report does not make any recommendations on spending priorities or local apportionment of CIL monies, as these are separate matters and not directly concerned with the approval of the Charging Schedule itself. The Council will continue to work in partnership with parish councils and local communities to explore the opportunities for maximising the available resources to best meet needs, including through neighbourhood planning.



2. BACKGROUND

- 2.1 Section 206 of the Planning Act 2008 confers the non-mandatory power on Local Authorities to introduce a new charge on different types of new development in their area, known as 'Community Infrastructure Levy' (CIL). The proceeds of this charge will be spent on infrastructure needed to support growth in the District, a proportion of which must be passed to local communities where development has taken place.
- 2.2 The Council has progressed work towards adoption of a CIL charging schedule for the Bradford District. The CIL Charging Schedule has been prepared in accordance with the Planning Act 2008 and the CIL Regulations 2010 (as amended). The CIL Draft Charging Schedule (DCS) was approved by a meeting of the Council's Executive on 3 November 2015 and approved by meeting of Full Council on 8 December 2015. Following a public consultation period, the Council submitted the CIL DCS to the Secretary of State on 11 May 2016 for independent examination.
- 2.3 The CIL examination hearing was held on 4 October 2016. Following the examination, the Council received the Examiner's Report on the Examination of the Draft CIL Charging Schedule for the Bradford District in December 2016. This report recommends that the Bradford CIL Charging Schedule be approved, subject to two modifications considered necessary to meet statutory requirements. The Examiner's modifications are set out in Appendix 1 of this report. These modifications have been made to the final CIL Charging Schedule (as set out in Appendix 2 of this report).

3. KEY CONSIDERATIONS

CIL Examination Report

- 3.1 The CIL Examination Report concludes that the Draft Bradford District CIL Charging Schedule provides an appropriate basis for the collection of the levy in the area and is recommended for approval, subject to two modifications considered necessary to meet statutory requirements. These modifications have been recommended by the CIL Examiner to satisfy the requirements of Section 212 of the 2008 Act and meet the criteria for viability in the CIL Regulations 2010 (as amended). The CIL Examination Report including a non-technical summary is set out in Appendix 1 of this report.
- 3.2 The two modifications necessary to meet statutory requirements are summarised as follows:
- That the CIL charge for residential development in Zone 4 (main urban areas around Bradford and Keighley) is reduced from £5 to £0 per square metre
 - That the CIL charge for residential development (zones 1-3) excludes specialist older persons' housing

A map showing the CIL Charging Zones is provided on page 11 of the CIL Charging Schedule (Appendix 2 of this Report). The following is the Bradford District CIL



Charging Schedule proposed in response to the CIL Examination Report issued by The Planning Inspectorate.

Type of Development	Charging Schedule CIL Charging Rates (per sq. m)
Residential- Zone 1 (C3) ¹	£100
Residential - Zone 2 (C3) ¹	£50
Residential - Zone 3 (C3) ¹	£20
Residential - Zone 4 (C3)	£0
Retail warehousing ² - Central Bradford	£85
Large Supermarket (>2000 sq m)	£50
All other uses not cited above	£0
<p>¹ Excludes specialist older persons' housing (also known as Sheltered/Retirement/Extra Care) defined as residential units which are sold with an age restriction typically to the over 50s/55s with design features, communal facilities and support available to enable self-care and independent living.</p> <p>² Retail warehouses are usually large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods. They can be stand-alone units, but are also often developed as part of retail parks. In either case, they are usually located outside of existing town centres and cater mainly for car-borne customers. As such, they usually have large adjacent, dedicated surface parking.</p>	

CIL is forecast to generate £24.4million over the 15 year plan period based on the Bradford CIL Charging Schedule rates above. However, this is dependent on commencement of developments on sites in the emerging Bradford District Local Plan.

- 3.3 An impact of the Examiner's modifications will be to reduce the potential amount CIL income that the District could collect, as any residential development occurring in zone 4 (main urban areas of Bradford and Keighley and surrounding areas) and



specialist older person housing across the rest of the District will be excluded from paying a CIL charge. Based on the assumption that the total number of new homes as set out in the Council's emerging Core Strategy will be delivered over the next 15 years, it is estimated that reducing the £5 per square metre charge in zone 4 to zero could result in a loss of approximately £10.6 million in CIL receipts over the next 15 years. However, the CIL Examiner's view is that the proposed £5 residential CIL charge in zone 4 is likely to impact significantly on the delivery of sites in this area. Consequently, setting the CIL charge at zero in zone 4 is unlikely to significantly reduce CIL income.

- 3.4 A further impact of a zero residential charge in zone 4 will be that residential developments in zone 4 will not directly contribute to the neighbourhood proportion of CIL monies collected that must be allocated to local communities in areas where a development takes place (15% or 25% depending on whether a Neighbourhood Plan is in place). However, it should be noted that the overall pooled CIL pot collected from new development across the rest of the District will be available to be spend on infrastructure to support growth (including in areas with a zero CIL rate) alongside a variety of other infrastructure funding sources. Following the implementation of CIL the Council will still be able to secure planning obligations for site specific matters required to make a development acceptable in planning terms and for affordable housing, where viable. Also it should be noted that the delivery of new housing will generate future funding for the Council in the form of the New Homes Bonus, which may be used to fund infrastructure or other appropriate projects, as considered necessary.
- 3.5 Charging zone 4 includes the main urban areas of Bradford and Keighley and the Council's two priority regeneration and housing growth areas of Bradford City Centre and the Shipley and Canal Road Corridor. A zero residential CIL charge in zone 4 will ensure that the viability and delivery of residential development in these areas will not be threatened by the introduction of a CIL charge and will therefore support the regeneration and t delivery of new residential development in these areas, in line with the Council's ambitions and policies.

CIL Approval and Implementation

- 3.6 To meet statutory requirements, the Bradford District CIL Charging Schedule must include the two specified modifications in the CIL Examination Report (set out Appendix 1 of this report) in order to be formally approved and implemented. If these modifications are not made in accordance with the Examiner's recommendations then the Charging Schedule submitted by the Council for independent Examination cannot be approved and implemented. The Council is under no statutory obligation to adopt the charging schedule at this time.
- 3.7 For the CIL to come into effect in the District the CIL Charging Schedule must be formally approved by a resolution of the Full Council and include an appropriate commencement date, following approval. It is intended that a report will be taken to the meeting of the Full Council on 21 March 2017 recommending that the final CIL Charging Schedule (including the modifications made in line with the Examiner's Report) be formally approved by a resolution of the Full Council with a



commencement date of the 1 July 2017.

- 3.8 Upon commencement the CIL must be collected, administered and spent in accordance with the statutory requirements. Leading up to the anticipated adoption of the CIL Charging Schedule, work will be progressed in relation to the roll out of the levy. This work relates to two broad areas, namely, the introduction of appropriate procedural measures for the day-to-day operation of the levy, and the establishment of governance arrangements for the subsequent spend of CIL monies collected. In relation to this matter Members are requested to note the contents of the CIL Governance Report that was taken to the Council's Governance and Audit Committee on 28 February 2017.
- 3.9 This report does not make any recommendations on spending priorities or local apportionment, as these are separate matters and not directly concerned with the approval of the Charging Schedule itself. Officers will continue to work in partnership with parish councils and local communities to explore the opportunities for maximising the available resources to best meet needs, including through neighbourhood planning.

4. OTHER CONSIDERATIONS

- 4.1 The CIL Examination Report recommends an early review of the Charging Schedule should take place due to particular circumstances including changing market conditions, possible increases in the viability of developments within the Residential Charging Zones and further progress on the emerging Local Plan to ensure that CIL charges remain appropriate over time. Following commencement of the CIL the Council will monitor and keep the charging schedule under review to ensure that levy charges remain appropriate over time.
- 4.2 The charging schedule may be revised in whole or in part at any time. However, any revisions must follow the same processes as the preparation, examination, approval and publication of a charging schedule (as specified under the Planning Act 2008, as amended by the Localism Act 2011, and the CIL Regulations). If following approval and implementation of the CIL Charging Schedule the Council wishes to stop charging the levy it may do so at any time by making a formal resolution to do so.

5. FINANCIAL & RESOURCE APPRAISAL

- 5.1 There will be accounting and financial implication with regard to implementing, administering and collecting of CIL as outlined in the report to Governance & Audit Committee on 28 February 2017. The accounting and financial mechanisms required to administer CIL will be in place fully in advance of the 1 July 2017 implementation date for CIL. The Council, as the charging authority will be able to use funds from the levy to recover the costs of administering the levy, with the regulations permitting them to use up to 5 per cent of their total receipts on administrative expenses to ensure that the overwhelming majority of revenue from the levy is directed towards infrastructure provision.



- 5.2 To ensure that the levy is open and transparent, charging authorities must prepare short reports on the levy. Charging authorities must publish a report on their website by 31 December each year, for the previous financial year. Parish, town and community councils must also report on their levy income and spending. The CIL Regulation set out what charging authorities must include in this report.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 6.1 The continued delivery of new development including additional housing is recognised as a critical factor to the future regeneration of the District and to meet demands for an increased population and address the need for new housing in all areas of the Bradford district. There is a risk that as a result of the Council not having an adopted CIL Charging schedule that the District does not maximise contributions towards infrastructure provision.
- 6.2 The Bradford District CIL has considered by the Governance and Audit Committee before the adoption of a CIL Charging Schedule to fully consider risk management and governance issues.

7. LEGAL APPRAISAL

- 7.1 The Bradford District CIL Charging Schedule has been prepared in line with the appropriate, legislation (UK and EU), regulations and guidance.
- 7.2 In accordance with the CIL Regulations 2010 (as amended) the CIL charging schedule must be formally approved by a resolution of the full council of the charging authority. The resolution should include an appropriate commencement date, following or on approval.
- 7.3 The CIL charging schedule takes effect at the beginning of the day specified for that purpose in the charging schedule. The charging schedule may not take effect any earlier than the day after the day on which it is published. A charging schedule issued by a charging authority has effect until—
(a) the beginning of the day on which that charging authority determines that it should cease to have effect; or
(b) the end of the day before the day a revised charging schedule issued by that charging authority takes effect.

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

- 8.1.1 In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised by approval of the charging schedule as set out in the recommendations of this report. The provision of new funding within the district benefits all sectors of the community and meets objectives to promote equality and diversity.



8.1.2 The CIL charging schedule was subject to an initial Equalities Impact Assessment (EqIA) during its production.

8.2 SUSTAINABILITY IMPLICATIONS

8.2.1 There are no direct sustainability implications arising from this report. The provision of infrastructure projects funded by the CIL will support the delivery of necessary local and District wide infrastructure and would be likely to help mitigate the impact of development on the environment and potentially lead to opportunities for delivering improved sustainability outcomes through the delivery of new and improved infrastructure.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

8.3.1 At this stage there are no expected impacts on the Council's own and the wider District's carbon footprint and emissions from other greenhouse gasses.

8.4 COMMUNITY SAFETY IMPLICATIONS

8.4.1 There are no direct community safety implications arising from this report.

8.5 HUMAN RIGHTS ACT

8.5.1 There are no direct human rights implications arising from this report.

8.6 TRADE UNION

8.6.1 There are no trade union implications arising from this report.

8.7 WARD IMPLICATIONS

8.7.1 The allocation of CIL money will be spent on infrastructure provision on a planned basis benefitting individual Wards and through the allocation of the neighbourhood proportion of CIL monies (15% or 25% if an area has an adopted neighbourhood plan) where development has taken place.

8.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

8.8.1 None

9. NOT FOR PUBLICATION DOCUMENTS

9. None

10. OPTIONS

10.1 Option 1 –the Bradford District CIL Charging Schedule (as set out in



Appendix 2 of this Report) is recommended to be formally approved by a resolution of the Full Council with a commencement date of 1 July 2017

For the Bradford District CIL Charging Schedule to come into effect it must be formally approved by a resolution of the Full Council, and include an appropriate commencement date following, or on, approval. The CIL Examination Report recommends the CIL Charging Schedule be approved subject to two modifications necessary to meet statutory requirements.

10.2 Option 2 – The CIL Charging Schedule in Appendix 1 is not recommended for approval by Full Council and will not be commenced in the District in its current form.

The Council are under no statutory obligation to approve the final CIL charging schedule (Appendix 2 of this Report), however it is considered that not implementing CIL is not a sensible scenario, particularly given the need to maximise contributions towards infrastructure delivery. It should be noted that there is no option 3 for any further changes to the CIL Charging Schedule outside a formal review and revision of the CIL Charging Schedule which must follow the formal process in line with the CIL Regulations.

The Executive and Full Council are recommended to approve the CIL Charging Schedule (as set out in Appendix 2 of this Report) in line with Option 1 above as it is considered the most expedient way of implementing CIL and securing CIL revenues, whilst minimizing harm that could be caused in undermining the property market where development viability is marginal.

11. RECOMMENDATIONS

11.1 That the Executive, having considered the recommendations in the CIL Examination Report approve Option 1 as set out in this report, and recommend to Council the formal approval and implementation of the Bradford District Community Infrastructure Levy Charging Schedule (as set out in Appendix 2 of this Report) with a commencement date of 1 July 2017

11.2 That the Executive note and approve the content of the CIL Regulation 123 List, Exceptional Circumstances Policy and Instalments Policy and the Assistant Director (Planning, Transportation and Highways) in consultation with the relevant portfolio holder be authorised to revise any of these policies and as required in line with the relevant regulations.

11.3 That the Executive note that a CIL Governance Report was taken to the Council's Governance and Audit Committee on 28 February 2017.

12. APPENDICES

Appendix 1– CIL Examination Report
Appendix 2- Bradford District CIL Charging Schedule
Appendix 3- Regulation 123 List



13. BACKGROUND DOCUMENTS

Report of the Executive 3 November 2015 entitled “Bradford District Community Infrastructure Levy (CIL) – Draft Charging Schedule”.

Report to Governance & Audit Committee on 28 February 2017 entitled “Bradford District Governance Arrangements for the Bradford District Community Infrastructure Levy (CIL) charging schedule”.





Report to the City of Bradford Metropolitan District Council

by Louise Nurser

an Examiner appointed by the Council

Date: 20 December 2016

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT BRADFORD DISTRICT COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 11 May 2016

Examination hearing held on 4 October 2016

File Ref: PINS/W4705/429/8

Non Technical Summary

This report concludes that the Draft Bradford District Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

Two modifications are needed to meet the statutory requirements. These can be summarised as follows:

- That the CIL charge for 'Residential- Zone 4 (C3)' is reduced from £5 to £0 per square metre (psm).
- That the CIL charge for 'Residential- Zones 1- 3 (C3)' includes a footnote excluding specialist older persons' housing.

The specified modifications recommended in this report are based on matters discussed during the public hearing sessions and do not significantly alter the basis of the Council's overall approach or the appropriate balance achieved.

Introduction

1. This report contains my assessment of the Draft Bradford District Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (Community Infrastructure Levy Guidance – June 2014).
2. To comply with the relevant legislation the local charging authority has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The basis for the examination, on which hearings sessions were held on 4 October 2016 is the submitted schedule of 11 May 2016, which is effectively the same as the document published for public consultation 14 December 2015¹.
3. The Council proposes CIL charges for residential development throughout the Metropolitan District.
4. The proposed CIL charges for 'residential' development relate to four market zones identified on a map in the Draft Charging Schedule. Zone 1 relates to the high value market areas that include the rural villages of Burley in Wharfedale, Menston, Ilkley and Addingham to the north of the Metropolitan District; a CIL charge of £100 psm is proposed in this zone. Zone 2 covers the areas such as Baildon, parts of Bingley and Silsden and the rural villages to

¹ CIL/001

the west of the District such as Laycock and Oldfield; a CIL charge of £50 psm is proposed in this zone. Zone 3 includes areas such as the northern part of Shipley, Haworth, Oxenhope and the southern part of Silsden and Wilsden; a CIL charge of £20 psm is proposed in this zone. Zone 4 relates to the urban areas of Bradford, Keighley and the surrounding villages; a CIL charge of £5 psm is proposed in this zone.

5. On the 11 May 2016, the Court of Appeal judgment (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*) was issued. This related to the circumstances in which contributions for affordable housing and tariff-style planning obligations should not be sought. I queried whether the judgement would have any implications on the viability of development within the district and therefore whether any changes were proposed to the submitted Draft Charging Schedule.
6. The Council referred me to its response to questions raised by the Examining Inspector (EI) into the draft Core Strategy, relating to the implications of the judgement to the Council's draft affordable housing policy (H011). This included a modification, which was accepted by the EI to increase the size of the site threshold to 11 units or more in Burley-in-Wharfedale and the villages of Haworth, Oakworth, Oxenhope, Denholme, Cullingworth, Harden, Wilsden and Cottingley, leaving the threshold at 15 units elsewhere in the district. The impact of increasing the threshold at which affordable housing contributions would be required from 5 to 11 units, would increase the viability buffer of smaller developments.
7. A charge of £50 per square metre (psm) is proposed for supermarkets above 2000 sqm throughout the Metropolitan District, and a charge of £85 psm for retail warehousing within Central Bradford.
8. For completeness, the Draft Charging Schedule (DCS) lists zero rated CIL charges for 'all other uses not cited above'.

Is the charging schedule supported by background documents containing appropriate available evidence?

9. The draft Local Plan for the Bradford District Core Strategy Development Plan Document (draft CS) has been independently examined and found sound, subject to a number of Main Modifications. The prime focus of the settlement strategy is to concentrate development in the regional city of Bradford, with Shipley and Lower Baildon, followed by the main local focus for development within the Principal towns of Ilkley, Keighley and Bingley, and the Local Growth Centres of Burley-in-Wharfedale, Menston, Queensbury, Thornton, Steeton with Eastburn, and Silsden. Smaller scale development is proposed in the Local Service Centres of Addingham, Baildon, Cottingley, Cullingworth, Denholme, East Morton, Harden, Haworth, Oakworth, Oxenhope, and Wilsden.
10. On 10 October 2016, the Minister of State (Housing and Planning) issued a Holding Direction under powers contained in Section 21A of the Planning and Compulsory Purchase Act 2004 to prevent the formal adoption of the plan. This was to allow the Secretary of State to consider a number of issues including the proposed release of green belt land, particularly around

Wharfedale before the supply of brownfield land is exhausted; efforts made under the Duty to Co-operate to meet Bradford's housing needs; and the appropriate location for housing to alleviate housing need and contribute to the regeneration of Bradford City Centre. The implication of this is, until the Council is informed otherwise, the Council is unable to further progress the draft Core Strategy.

11. The letter was received the week after the hearings into the CIL were held. All parties were informed of the letter and comments were requested on its significance to the progress of the CIL². I note that an unavoidable impact is delay in the adoption of the draft Core Strategy, and depending on the Secretary of State's conclusions, potential intervention. This may, or may not, result in changes to the draft Core Strategy. Nonetheless, one of the central issues in my consideration of the Community Infrastructure Levy is the quality and robustness of the evidence which has been submitted to justify the rates set out in the Draft Charging Schedule and the assumptions underpinning the viability evidence. The Holding Direction letter does not refer to matters which would have a direct impact on policy costs, and therefore potentially alter the financial viability of future developments. Therefore, these costs are likely to remain constant. Moreover, the substantive submitted viability evidence is based on historic figures. Consequently, I am satisfied that the Holding Direction and the absence of an adopted Core Strategy do not present an obstacle to the progression of the CIL regime.
12. In addition, the Council has submitted two Area Action Plans for examination: the Bradford City Centre and the Shipley and Canal Road Corridor Action Area Plans. Joint hearings took place in mid-October. However, further hearings are provisionally scheduled early in 2017 to consider flood risk matters. The main objective of both plans is to provide a development plan framework in order to realise the regeneration objectives of the CS, including the provision of substantial numbers of housing on previously developed land. A Land Allocations development plan document is also in the early stages of preparation.
13. In terms of statutory provisions, there is nothing contained within either The Planning Act 2008 or The Localism Act 2011 that makes having an up to date and adopted Plan in place a prerequisite of the implementation of a CIL regime. Many of the Councils that have adopted CIL to date have the benefit of recently examined and adopted plans, whilst others have submitted their CIL proposals for examination alongside their development plans (as suggested in paragraph 175 of the Framework). These scenarios are at the ideal end of the spectrum and ensure, in theory at least, that the CIL proposals are conceived in terms of the most up to date strategic policy framework defining the 'development of an area'³ that CIL is intended to support. However, not all prospective charging authorities will be able to present a CIL schedule alongside freshly adopted local plans, due to either the inevitably long gestation period and/ or, in the case of Bradford, if they encounter complexities and delays in the process. Therefore, I consider that it would be appropriate for the Bradford CIL to be adopted in advance of the CS.

² CIL/EX019

³ S.205(2) of The Planning Act 2008

Infrastructure planning evidence

14. The emerging development plans are supported by the Local Infrastructure Plan⁴ (LIP). This has been produced in conjunction with the relevant infrastructure providers. However, it is envisaged to be a 'live' document and, of necessity, includes varying levels of detail. This is because of the length of the time span of the Local Plans, and the variety of funding sources. As such, amendments will be made to it, as and when greater detail is known about specific infrastructure requirements, costs, bidding programmes, and funding streams, or in response to inevitable changing circumstances over the plan period. The most recent version of the LIP was published in March 2016 and includes all the infrastructure and funding information referred to within the two AAPs.
15. I note that criticisms have been made of the lack of detail relating to infrastructure requirements, for example, in relation to flood risk mitigation measures in Silsden. However, there is no evidence before me to suggest that the projects within the document do not represent, as far as possible, an accurate, up to date assessment of the range of infrastructure required to support development across the Metropolitan District. Moreover, for the purposes of my examination of the DCS, my remit is restricted to consideration of whether there is a district wide funding gap which justifies the collection of Community Infrastructure Levy, and whether the proposed rates would undermine the development strategy as a whole, rather than considering in detail whether appropriate levels of infrastructure will be forthcoming in particular locations. Moreover, given the 'live' nature of the document it is open to the Council, to add to, and refine the list as necessary and appropriate.
16. The Council has produced a draft Regulation 123 List (CIL/006) which sets out the categories of development that are to be funded, or part funded through CIL receipts. Within the same document a list sets out where s106 obligations are to continue to be requested. The draft Regulation 123 list appears broad brush in nature with the potential for ambiguity. Whilst I am familiar with the list, consideration of the detail of its contents is not part of my examination of the DCS. However, the Council has committed to updating the list on an annual basis, and has suggested that it would be willing to provide a detailed document on the continued use of S106 obligations prior to the implementation of the DCS. I would strongly suggest that this be progressed and any consequential amendments to the Regulation 123 list be made, so that for example, it is clear how the funding of green space to mitigate the impacts of development on Natura 2000 sites is considered.
17. The Council forecasts that the expected costs of the required infrastructure to support the growth envisaged in the development plans will be around £762 million. The LIP identifies potential funding of around £73 million to be sourced from both the public and private sector, supported by site specific Section 106 contributions. However, this still leaves a funding gap of around £689 million or around a 90% shortfall between the cost of forecast infrastructure and anticipated income.

⁴ CIL/EX009 Local Infrastructure Plan March 2016 Update

18. At the CIL rates set within the Draft Charging Schedule, it is estimated by 2030 that CIL receipts would generate up to £43 million, or 6% towards the funding gap. In the light of the information provided, the proposed charge would therefore make only a modest contribution towards filling the likely funding gap. Nevertheless, the figures demonstrate the need to levy CIL.

Economic viability evidence

19. The Council commissioned a CIL Viability Assessment⁵, dated June 2015 to support the Council's Preliminary Draft Schedule.
20. The Council has used the standard residual valuation approach for both the housing and commercial developments. In other words, if after subtracting all the costs of development, including an adequate developer's profit from the gross development value of the land, the land is worth more than the benchmark site value, then there is overage or headroom for CIL to be collected.
21. Site value thresholds were discounted by 20% to take into account the impact of the introduction of CIL on land values. Due to limited transactions the evidence for site values is considered to be 'somewhat anecdotal'⁶ relying on a limited number of sites⁷, discussion with, and formal consultation with local developers and agents. However, for the purposes of high level CIL testing I consider this to be a reasonable approach.
22. However, the Council has for the most part taken a conservative approach in its assumptions. For example, an allowance for site abnormalities, of at least 10%, has been included within all viability calculations. Generally, such costs are considered to be, by definition, out of the ordinary and site specific, and therefore not included within calculations to set district wide CIL rates. Construction costs were based on BCIS data July 2014 weighted to Yorkshire and Humber region and included a 15% uplift for site externals. The original data was subject to sensitivity testing to reflect increases in construction costs.
23. An addendum to this evidence was published in December 2015⁸ in response to matters raised through the consultation on the Preliminary Draft Schedule and this subsequently informed the submitted DCS. The addendum included amongst others, amended assumptions relating to house size, and housing mix, site changes in sale prices, yields and build costs. During the examination a VA of older persons' specialist housing was provided.
24. Following my request, further alterations were made in September 2016 to provide measurements in metric values and to include an additional appendix setting out the average house price data which had been used to underpin the 5 value band areas⁹ for residential properties.

⁵ CIL/003

⁶ CIL/003 paragraph 4.1.9 page 26

⁷ CIL/EX011 Appendix 3 Benchmark Land Value Evidence

⁸ CIL/004

⁹ CIL/EX011

25. A number of hypothetical residential and commercial developments were tested using the assumptions set out in the viability evidence, including consideration of emerging policy costs. These were then compared against 'real world' sites as a sense check. Generally, industry standard costs have been used as a means of testing the viability of the proposed CIL rates.

Residential modelling

26. Housing density rates are set at 35 dwellings per net ha. Professional fees and contingency fees together are calculated as 11% of construction costs. Marketing, sales, agent and legal fees are set at 3.5% of revenue, and an allowance for purchasers' costs of 5.8% of the purchase price and finance at 6.5% were all factored into the calculation of the viability of the housing development. A mix of housing types was tested. The modelling assumed that residual S106 planning agreement costs would be limited to £1000 per unit on all sites. I find all of the assumptions and rates appear to be generally reasonable.
27. The proportion of affordable housing is consistent with the provisions of Policy H011 of the emerging CS, as proposed to be modified¹⁰. Transfer values are based at 50% of Open Market Area in the highest value areas and 65% elsewhere and have been subject to sensitivity testing. However, following the 2016 Housing and Planning Act, the impact of Starter Homes should be to increase the development value of affordable housing schemes.
28. Profit levels of 20% of Gross Development Value (GDV) for market dwellings and 6% of GDV for affordable housing are at industry standard.
29. Residential site value thresholds relate to 5 value bands, representative of typical net land costs in different parts of the district. The thresholds take into account an uplift to provide an incentive to sell. From the evidence before me these appear justified and based on appropriate evidence.
30. Likely sales values were based on second hand house prices between April 2011- March 2014 defined by post code areas¹¹, and limited new build schemes, net of sales incentives. New build evidence was sourced but this is of necessity limited. I consider this approach to be robust and based on the evidence available.
31. Alterations in sales values were factored into the October 2015 data and detailed data was supplied in relation to Crack Lane Wilsden. However, changes in inputs can have significant impacts on the viability of schemes. Therefore, I have taken these additional figures into account in my consideration of the robustness of the CIL rates, as illustrations of how changes in assumptions, can alter the headroom available within developments.
32. The two worst performing value bands were merged as the original CIL viability evidence demonstrated that there was no difference in the strength of the two zones in relation to the commercial viability of residential

¹⁰ CIL/EX003

¹¹ CIL/EX011 Appendix 5

developments¹².

33. A 350 room flatted scheme of student housing, and a 60 bed care home were tested. Older persons' specialist housing was modelled taking into account the particular sales and design considerations peculiar to this element of the housing market.
34. The approach for residential modelling appears on the whole to be reasonable and based on appropriate available evidence.

Commercial modelling assumptions

35. The Council tested assumed typologies for a wide range of commercial developments. These included industrial/warehouse, office, leisure, hotel, and restaurants. Assumptions relating to density, yields, build costs, rents and developers' profits were amended following consultation responses on the Preliminary DCS in relation to retail warehousing. Further evidence relating to increased rental values and build costs for large supermarkets has also been provided. However, the allowance for site abnormalities at 20% of build costs has been reduced to either 10% or none. I consider this approach to be generally appropriate.

Conclusion

36. The draft Charging Schedule is supported by detailed evidence of community infrastructure needs. I consider following my examination that the evidence provided and assumptions made within the modelling, together with the geographical distribution of the sites which have been tested and used as comparator evidence are generally proportionate, broadly reasonable and robust. Consequently, I conclude that the charging schedule is supported by background documents containing appropriate available evidence.

Are the charging rates informed by and consistent with the evidence?

CIL rates for residential development

Zone 1- £100 psm;

37. Zone 1, includes the high value market areas of the rural villages of Burley in Wharfedale, Menton, Ilkley and Addingham. The revised VA demonstrated that the difference between the residual site value and site threshold value, which is the maximum amount that a development can withstand in terms of a CIL payment, often known as 'headroom', reduced from around £532 to £324 psm. This indicates that the available headroom for CIL could reduce by 81% or, using the revised figures, by 69%, and the CIL charge at £100 psm would still remain viable. During the hearing representatives of a consortium of local housebuilders clarified that their main concern was the lack of consistency from Registered Social Providers in relation to the transfer values and tenure of affordable housing. The Council committed to provide further guidance on

¹² CIL/003 Bradford Community Infrastructure Levy Viability Evidence June 2015, page 62 Figure A6; Council's Response to the Examiner's Initial Observations On the Submitted Bradford Community Infrastructure Levy page 2 CIL/EX004; and Amended Version of Report September 2016 CIL/EX011 Appendix 5.

transfer values through the provision of a Supplementary Planning Document to support the draft Core Strategy affordable housing policy, and made reference to the ability to negotiate the form of tenure that is most appropriate to the viability of the scheme. As a result of which, the Consortium accepted the viability of the CIL figure as being appropriate. Moreover, even if transfer values reduce by 15% as set out in the Council's rebuttal proof, developments should still enjoy headroom of £256 psm¹³.

38. I note that there are concerns relating to infrastructure requirements within the area, and possible variations in costs related to site specific S106 contributions. However, I have not been provided with evidence to suggest that the viability of developments would be prejudiced to the extent that development would not come forward.
39. I have suggested elsewhere that once the Site Allocations development plan is further progressed that the Charging Schedule be reviewed. This would give the opportunity to reappraise assumptions in the context of more detailed development proposals and make any consequential increase or decrease in CIL rates based on viability evidence.

Zone 2- £50

40. Zone 2 includes Baildon, parts of Bingley and Silsden, and the rural villages to the west of the District such as Laycock and Oldfield. At the proposed CIL rate of £50, it provides for healthy headroom ranging from £228 psm to £129 psm (78% to 61%). This falls to £88 (43%), if transfer values reduce by 15%. Nonetheless, this remains a significant buffer.

Zone 3- £20

41. Zone 3 includes areas such as the northern part of Shipley, Haworth, Oxenhope and the southern part of Silsden and Wilsden; a CIL charge of £20 psm is proposed in this zone. At the proposed CIL rate of £20 the headroom varies between £61 and £50 (67% to around 60%). However, if the transfer values are reduced by 15% the headroom reduces to around £23 (13%). Whilst this level of headroom is lower than that generally considered as good practice in the context of CILs, given the conservative approach to site costs, including provision for site abnormalities, development would be unlikely to be put at risk.
42. The Parish Council were concerned that the levels at which CIL was to be set were considerably under that which development could stand and cited the Crack Lane site in Wilsden where sales values and the housing mix generated greater profits than previously modelled. However, by their very nature CIL rates must take a broad brush approach. Therefore, there will be anomalies where individual sites, or pockets of development, achieve considerably higher or lower values than expected. I have also been referred to the issue of whether the A6034 should provide a boundary between different charging zones. Where CIL charges are differentiated geographically boundaries are required. Therefore, whilst there may be sites where similar headroom is achieved on one side of the road as the other, a pragmatic approach is

¹³ CIL/EX016 page 2

required, and is reasonable. Moreover, as set out above, housing within Zone 3 is more sensitive to changes in inputs. Therefore, a conservative approach to setting a CIL rate appears reasonable and founded on evidence.

Zone 4 - £5

43. Zone 4 relates to the urban areas of Bradford, Keighley and the surrounding villages. It includes two value areas (4 and 5) in both of which the original VA indicates that development could not viably pay CIL.
44. It has been argued that a £5 psm charge is nominal and that as a percentage of development costs it is minimal. The original VA study demonstrated that in both value areas there was no headroom for CIL as residual site values were less than the benchmark site value¹⁴. The recent viability evidence demonstrates that viability within Zone 4 is dependent on an increase in sales values. Moreover, as an illustration of the sensitivity of such sites to changes in development costs, I am aware that were transfer values to be reduced, this positive return of £29 psm would alter to a negative value of -£7 psm¹⁵. Therefore, I consider there is a significant risk that in applying this charge, the development strategy of the Council to regenerate and build on brownfield land would be compromised. I cannot agree that the imposition of a charge of £5 psm would not 'realistically put delivery at risk'¹⁶ given that what viability there is, is dependent on increased sales values, and elsewhere within the wider zone the costs of development are consistently greater than the benchmark site value. Therefore, the proposed CIL charge would potentially result in marginally viable development becoming unviable.
45. I note that the Council has taken a very conservative approach to the buffers which are already built into its viability assessments. It may be that, in the future, sales values will continue to increase. However, I must consider the appropriateness of the CIL rates on the evidence before me. Consequently, I conclude that setting a rate of £5 psm within this zone would not be consistent with the viability evidence¹⁷.
46. I therefore recommend that the rate should be reduced to nil (**EM1**). According to the Council's estimates this would reduce forecast CIL income over the plan period by around £10.6 million¹⁸, or around a quarter. However, given the limited viability of the proposed sites, and that the imposition of a CIL charge is likely to impact significantly on the delivery of the sites, the level of forecast CIL revenues from the two value areas appears overly optimistic. Consequently, in reality, setting the charge at zero is unlikely to significantly reduce CIL income.

Care homes and student accommodation

47. The VA testing of care homes demonstrated that currently the residual site value would be less than the benchmark level for care homes and thus a CIL

¹⁴ CIL/003 Page 36 Paragraph 5.4

¹⁵ CIL/EX016 Page 2

¹⁶ CIL/EX012 Page 13

¹⁷ Planning Practice Guidance ID 25-021-20140612

¹⁸ CIL/EX016 Table 1

charge cannot be viably paid by such development.

48. The evidence suggests that there would be negative residual land values for student accommodation. There is little likelihood of further student housing being developed in the future unless directly promoted by the University¹⁹, which is located within Zone 4. Therefore, as I recommend that the levy for residential development be reduced to nil within Zone 4 there would be no requirement to make reference to student accommodation as a separate category within the Charging Schedule.

Specialist retirement housing

49. It had been argued that the Council had not adequately taken into account the increased costs associated with this form of housing. Following my request a meeting took place between the Representor and the Council's consultants. As a result of this, the viability evidence was reappraised using standard inputs for such accommodation. Following this, the evidence demonstrated that in value areas 2-5 developments would be unviable²⁰. Within the highest value area 1, headroom of £223 was demonstrated. However, given that such schemes often compete with higher value developments the Council's consultants concluded that it would be reasonable to justify an exemption against the imposition of CIL in the higher value areas²¹. This conclusion appears sensible.
50. It was agreed within a Statement of Common Ground²² that a footnote be applied to the CIL rate for residential developments exempting specialist older persons' accommodation from the charge. Since this modification is supported by the additional viability testing, I therefore recommend that the rate for specialist older persons' housing should be reduced to nil (**EM2**).

Commercial rate

Zero-Rated commercial development

51. The VA testing²³ of industrial/ warehouse, restaurants, office, leisure and hotel developments demonstrated that none of the development types would be able to support any form of CIL. Therefore, the zero rate is appropriate.

Retail development

52. The Council tested a number of scenarios ranging from a small store at 350 sq m to a large supermarket of up to 4000 sqm. Only, the large supermarket and open A1 retail warehousing exhibited any viability. Rental values and yields within Central Bradford show a positive return for retail warehousing with headroom of around 60%. This contrasts with other retail parks within the district, which using the assumptions provided, are unable to demonstrate a development profit, and therefore cannot sustain any CIL charge. Therefore, the imposition of a CIL rate at £85 psm within Central Bradford, with a nil

¹⁹ CIL/003 Page 126

²⁰ Appendix 2 ibid

²¹ CIL/EX012 Paragraphs 3.3 and 3.4 Appendix 2

²² CIL/EX017

²³ CIL/003

charge elsewhere, as delineated on the accompanying Map, is appropriate and consistent with the evidence.

53. Using the most recent viability evidence, the ability of the large supermarket to absorb CIL at £50 psm is constrained unless allowance for site abnormalities is excluded from the calculation. I concluded in paragraph 22 above, that abnormalities are meant to be just that. Therefore, for the purposes of high level testing the proposed CIL rate at £50 psm is consistent with the evidence.

All other uses

54. In order to achieve clarity and to avoid undue complexity the Council has not tested or considered further uses. Moreover, there is no evidence that such uses would make up a significant component of planned development. I conclude that this is the appropriate approach.

Conclusion

55. Therefore, I conclude from the evidence before me, that the charging rates are informed by, and broadly consistent with the evidence, except in relation to my conclusions relating to housing within Zone 4, and specialist older persons' housing throughout the District.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

56. The Council's decision to set the rates set out within the Draft Charging Schedule is broadly based on reasonable assumptions about development values and likely costs, subject to making the modifications set out in Appendix A.
57. The evidence suggests that residential and commercial development will remain viable across most of the area if the charge is applied subject to the proposed modifications.

Other Matters

58. A number of matters were raised in relation to the collection, and distribution of CIL receipts. For instance, how the CIL receipts are to be shared and spent within the community, for example with the Parish and Town Councils. Whilst, clearly very important matters, these are not matters over which I have any influence and are restricted by the provisions of the CIL regulations. Nonetheless, I would strongly suggest that the Council takes the opportunity to work closely with Parish and Town Council representatives to ensure that there is clarity of expectations. On a more general note, the Council should make every effort to provide information on the mechanics of the collection, and spending of CIL receipts. This would be of benefit to all those involved in the development industry in Bradford, including the general public, Parish and Town Councils, and infrastructure providers.

Conclusion

59. In setting the CIL charging rate the Council has had regard to detailed

evidence on infrastructure planning and the economic viability evidence of the development market in the City of Bradford Metropolitan District. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area. However, in addition to the modifications set out below, I consider it appropriate, given the particular circumstances that have been highlighted through this examination, such as possible significant increases in viability of developments within the Residential Charging Zones, as well as the uncertainty around the emerging Local Plans, that an early review of the Charging Schedule should take place.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the emerging Core Strategy and Local Infrastructure Plan and is supported by an adequate financial appraisal.

60. I conclude that subject to the modifications set out in Appendix A the Draft Bradford District Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

Louise Nurser

Examiner

This report is accompanied by:

Appendix A (attached) – Modifications that the examiner specifies so that the Charging Schedule may be approved.

Appendix A

Modification recommended by the examiner so that the charging schedule may be approved.

Examiner Modification (EM) Number	Reference	Modification
EM1	Draft Charging Schedule Proposed CIL Charging Zone 4	Amend from £5 to £0 and make consequential changes to the key.
EM2	Draft Charging Schedule Proposed CIL Charging Zones 1-3	Insert footnote 'Excludes specialist older persons' housing (also known as Sheltered/Retirement/Extra Care) defined as residential units which are sold with an age restriction typically to the over 50s/55s with design features, communal facilities and support available to enable self-care and independent living.'

Local Plan for the Bradford District

Bradford District Community Infrastructure Levy (CIL)

Charging Schedule



Community Infrastructure Levy Charging Schedule

Approved by Full Council on **[date to be inserted following full council approval]**

Charges Implemented on **1 July 2017**

Under the Planning Act 2008 and
Community Infrastructure Levy Regulations 2010 (as amended)

The City of Bradford Metropolitan District Council is a charging authority for the purposes of Part 11 Section 206 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy in respect of development in the Bradford District.

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i. Statement of Statutory Compliance

The Community Infrastructure Levy Charging Schedule has been approved and published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended 2011, 2012, 2013, 2014 and 2015) and Part 11 of the Planning Act 2008 (as amended by Part 6 of the Localism Act 2011).

In setting the levy rates, the City of Bradford Metropolitan District Council has struck an appropriate balance between:

a) the desirability of funding from CIL in whole or in part the actual and estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and

b) the potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across the District.

This Charging Schedule was approved by Bradford Council on [date to be inserted following full council approval]

This Charging Schedule will come into effect on 1 July 2017

1. Introduction

- 1.1 The Community Infrastructure Levy (CIL) is a levy that local authorities can choose to charge on new developments in their area. The money can be used to support development of the area by funding the infrastructure that the Council, local communities and neighbourhoods deem as necessary.
- 1.2 The City of Bradford Metropolitan District Council (the Council) is a charging authority for the purposes of Part 11 Section 206 of the Planning Act 2008 and may, therefore charge the Community Infrastructure Levy in respect of development in the Bradford District. This document is the Charging Schedule for the Bradford District Community Infrastructure Levy (CIL). The document sets out the Charging Schedule, the general principles of CIL and its links to Section 106 planning obligations. It has been prepared in accordance with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 as amended by the Community Infrastructure Levy (Amendment) Regulations 2011, 2012, 2013, 2014 and 2015

2. General Principles

- 2.1 The CIL is a tariff system that local authorities can choose to charge on new development in their area by setting a Charging Schedule. The Charging Schedule will sit alongside the Bradford District Local Plan, but will not form part of the statutory development plan.
- 2.2 Once adopted, CIL is fixed, non-negotiable and enforceable. CIL will be charged on new development. It is charged per square metre on net additional gross internal floor-space of development. CIL is not charged on affordable housing and buildings used for charitable purposes.
- 2.3 The amount payable will be set at the time planning permission is granted and payment will be due at the commencement of development. Larger

amounts will be payable in instalments over fixed time periods, in-line with any instalment policy.

- 2.4 The process for setting and implementing the Charging Schedule is set out in the CIL Regulations 2010, together with subsequent amended CIL Regulations in 2011, 2012, 2013, 2014 and 2015. Under the CIL Regulations restrictions have come into force for existing planning obligations (Section 106 agreements) from April 2015. This will significantly restrict the current use and pooling of planning obligations.

3. Planning Obligations (Section 106) and CIL

- 3.1 The CIL is intended to provide infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of a planning obligation (Section 106 Agreement). CIL can be collected on a range of developments and then 'pooled' in the style of a tariff. The pooled levy can then be spent on a range of infrastructure, providing greater flexibility in the delivery of local infrastructure.
- 3.2 CIL will not fully replace planning obligations. The existing Section 106 (S106) system will remain in place, but has been scaled back to ensure that CIL is the key mechanism for pooled infrastructure funding. Planning obligations will continue to be the primary mechanism for securing affordable housing through the planning system. In addition, they will still be used to mitigate the direct impact of the development proposed, for site specific measures to make a development acceptable in planning terms.
- 3.3 The CIL Regulations restrict the use of planning obligations to ensure that developments are not charged twice for the same infrastructure type or project (i.e. through both a planning obligation and a CIL charge). The Council is therefore required to publish a list of infrastructure it intends to fund via CIL (Regulation 123 list), to accompany the Charging Schedule. When a CIL charge is introduced S106 requirements will only be used for

those matters directly related to a specific site and which are not set out in the 123 list. Furthermore, from April 2015 the Council can only pool a maximum of five planning obligations towards a particular piece or type of infrastructure, dating back to 6 April 2010.

4. Development Liable for CIL

- 4.1 The levy is generally payable on the following types of development:
- Development comprising 100 square metres or more of new gross internal floor area.
 - Development of less than 100 square metres of new floor space that results in the creation of one or more dwellings.
 - The conversion of a building that is no longer in lawful use.
- 4.2 The owner of land is liable to pay the CIL, unless another party claims liability such as a developer or planning applicant. This is in-keeping with the principle that those who benefit financially from planning permission being granted should share some of that gain with the community. That benefit is transferred when the land is sold with planning permission, which also runs with the land.
- 4.3 The levy's charges will become due from the date that a chargeable development is commenced. The definition of commencement of development for the levy's purposes is the same as that used in planning legislation, unless planning permission has been granted after commencement. When planning permission is granted, the Council will issue a liability notice setting out the amount of the levy that will be due for payment when the development is commenced, the payment procedure and the possible consequences of not following this procedure.

5. Calculating the CIL Charging Rates

- 5.1 The local authority must demonstrate that new or improved infrastructure is needed to support development in their area and what other sources of funding are available. It must also show a funding gap for the necessary infrastructure that demonstrates the need to put in place the levy.
- 5.2 In setting rates in a charging schedule the local authority must also have regard to the potential effects of the imposition of CIL on the economic viability of development across its area and, in its informed judgement, strike an appropriate 'balance' between the desirability of funding infrastructure from the levy and the potential impact on viability.
- 5.3 A charging authority must set out its levy rate(s) in a charging schedule. In order to set the CIL rates the Council has considered evidence on the infrastructure requirements and viability of development across the District. Based on this evidence the Council has made a reasoned judgement as to the appropriate level at which to charge CIL.
- 5.4 The Council submitted the CIL Draft Charging Schedule for independent examination on 11 May 2016. The CIL examination hearing was held on 4 October 2016 and the examination report was received by the Council in December 2016. The examination report recommended approval of the Charging Schedule, subject to two modifications considered necessary to meet statutory requirements. Subject to these modifications the examination concluded that the Bradford District CIL Charging Schedule satisfies the requirements of Section 212 of the 2008 Planning Act and meets the criteria for viability in the CIL Regulations 2010 (as amended). The modifications have been made to the final CIL Charging Schedule. The CIL examination report is available to view on the Council's website: www.bradford.gov.uk/planningpolicy

6. Evidence Documents for CIL

6.1 The following supporting evidence documents informed the production of the Charging Schedule and were made available for inspection / comment:

- Bradford Community Infrastructure Levy Viability Evidence (DTZ, June 2015)
- Bradford CIL Viability Evidence Update (Cushman & Wakefield (formerly DTZ), December 2015)
- Local Infrastructure Plan (CBMDC, June 2015, December 2015 and March 2016 Updates)
- Council responses to representations on the Preliminary Draft Charging Schedule (CBMDC, 2015).
- Council response to representations on the Draft Charging Schedule (CBMDC, 2016).
- Draft Regulation 123 List (CBMDC)

6.2 The Council submitted the Draft Charging Schedule for examination on 11 May 2016. During the examination period further evidence was presented by the Council and considered as part of the examination.

6.3 All the evidence documents are available on the Council's website:
www.bradford.gov.uk/planningpolicy

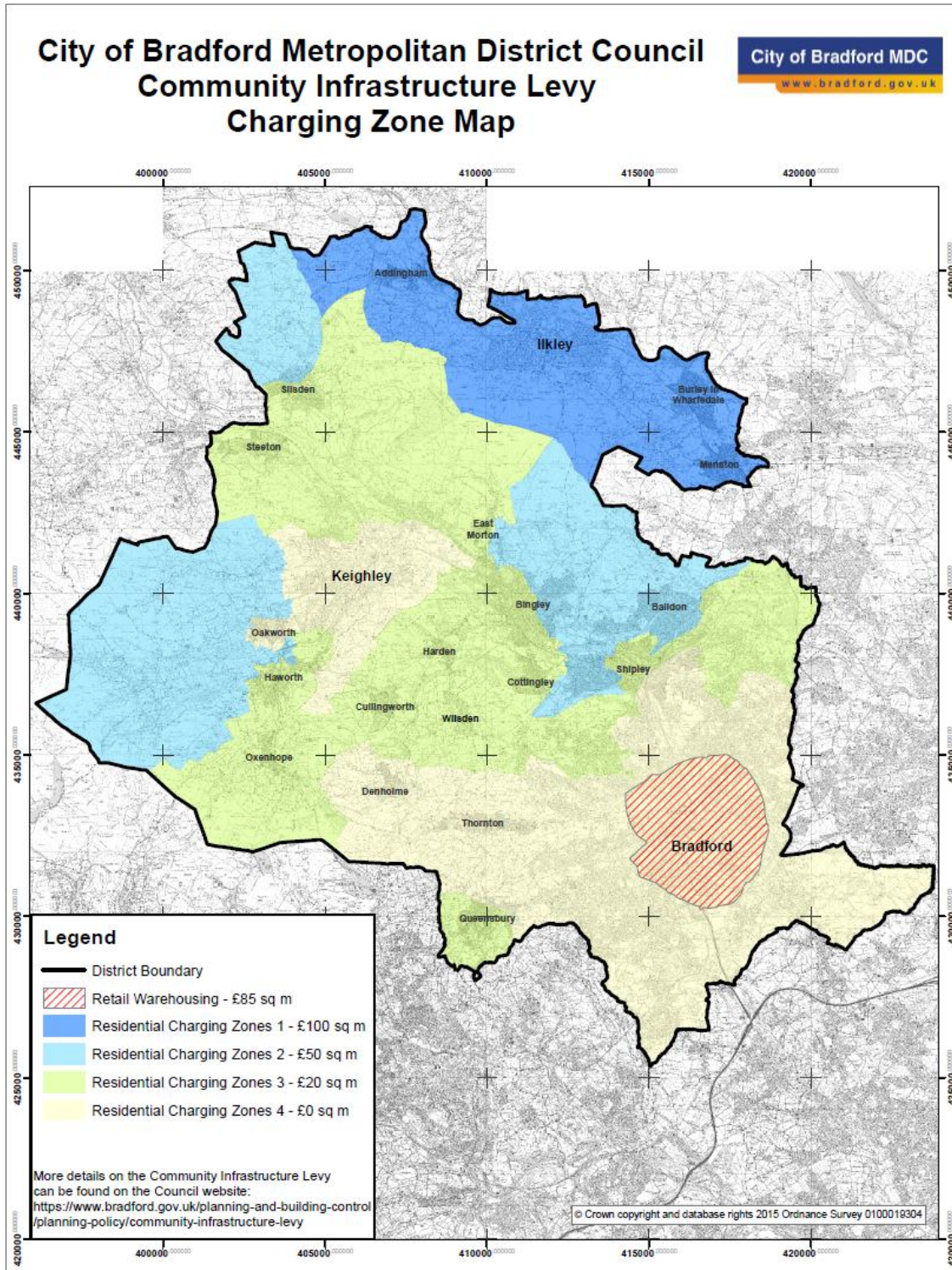
7. The Charging Schedule Rates

7.1 The Council's charging rates are set out in the table below. The Charging Schedule is primarily concerned with the rates proposed rather than the Council's mechanism for allocating the revenue.

Type of Development	Charging Schedule CIL Charging Rates (per sq. m)
Residential- Zone 1 (C3) ¹	£100
Residential - Zone 2 (C3) ¹	£50
Residential - Zone 3 (C3) ¹	£20
Residential - Zone 4 (C3)	£0
Retail warehousing ² - Central Bradford	£85
Large Supermarket (>2000 sq m)	£50
All other uses not cited above	£0
<p>¹ Excludes specialist older persons' housing (also known as Sheltered/Retirement/Extra Care) defined as residential units which are sold with an age restriction typically to the over 50s/55s with design features, communal facilities and support available to enable self-care and independent living.</p> <p>² Retail warehouses are usually large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods. They can be stand-alone units, but are also often developed as part of retail parks. In either case, they are usually located outside of existing town centres and cater mainly for car-borne customers. As such, they usually have large adjacent, dedicated surface parking.</p>	

7.2 The residential and retail warehousing charging zones are shown on the CIL charging zone map. An interactive version of the map is also available on the Council's website at: www.bradford.gov.uk/planningpolicy

CIL Charging Zone Map



8. Regulation 123 List

- 8.1 The Council is required to set out a list of those projects or types of infrastructure that it intends will be, or may be, wholly or partly funded through the CIL. The list does not identify priorities for spending within it, or any apportionment of the CIL funds across the District, and does not signify a commitment from the Council to fund the projects listed through the CIL.
- 8.2 The list is based on the infrastructure requirements set out in the Local Plan Core Strategy and the Council's updated infrastructure planning evidence (LIP). The Regulation 123 List is available to view on the Council's website at: www.bradford.gov.uk/planningpolicy
- 8.3 The Council will review this list at least once a year, as part of the monitoring of CIL collection and spend, and any changes to the list will be justified, clear and subject to appropriate local consultation.
- 8.4 The Council will work with local communities and Parish, Town and Community Councils to agree local priorities for spend. The 'meaningful proportion' held by local communities may be spent on items on the Regulation 123 List, but it does not have to be, provided that it meets the requirement to support the development of the area.
- 8.5 Once the neighbourhood portion of the CIL income has been allocated to the relevant neighbourhood in which the development has taken place, the remaining CIL money will be pooled and spent on strategic infrastructure priorities to support growth and economic development in the District. The infrastructure spending priorities will be informed by the Regulation 123 list. The predicted CIL income will not meet the estimated infrastructure funding gap. Therefore, CIL money will be spent on infrastructure priorities in conjunction with other sources of funding.
- 8.6 The CIL Regulation 123 restricts the use of Section 106 (S106) Obligations to ensure that individual developments are not charged for the

same infrastructure through the duplication of developer contributions. A S106 contribution cannot be made towards infrastructure projects on the Regulation 123 List.

- 8.7 From 6 April 2015, the use of S106 has been scaled back. S106's will still be used to provide affordable housing contributions and site specific matters to make a development acceptable in planning terms. S106 obligations will need to meet the tests in CIL Regulation 122 and 123. There will be a limit of pooling five separate obligations dated back to 6 April 2010 for an infrastructure project or type of infrastructure.
- 8.8 For clarity, the Council will publish a list that will outline the matters that will continue to be secured through S106 Obligations.

9. Exemptions and Payment Terms

- 9.1 The CIL Regulations (as amended 2015) exempt the following from paying the CIL:
- Where the gross internal floor area of new buildings or extensions would be less than 100 square metres (unless the development will result in the creation of one or more dwellings).
 - Development by registered charities of their own land to be used wholly or mainly for their charitable purposes.
 - The conversion of any building previously used as a dwelling house to two or more dwellings.
 - Floorspace resulting from a change of use development where part of the building has been in continuous lawful use for at least six months in the three years prior to the development being permitted.
 - Development of buildings and structures into which people do not normally go (e.g.pylons, wind turbines, electricity sub stations).
 - Buildings into which people go only intermittently for the purpose of maintain or inspecting fixed plant or machinery.
 - Residential extensions, annexes, houses and flats which are built by "self-builders".
 - Social Housing (that meets the relief criteria set in the Regulations).

- A building for which planning permission was granted for a limited period.
- Vacant buildings brought back into the same use.
- Where the levy liable is calculated less than £50 overall.
- Specified types of development as set out in the charging schedule which the Council has decided should be subject to a zero charge rate.

Exceptional Circumstances Relief

9.2 The CIL Regulations allow for the Council to provide further relief, at their discretion, to avoid rendering a site with specific and exceptional cost burdens unviable, should circumstances arise. The Council do not have to offer this relief, but if it chooses to do so, it must adopt a discretionary relief policy. This is not part of the charging schedule and may be published at a different time. Exceptional circumstances should be rare and should not constitute state aid. The Exceptional Circumstances Relief Policy can be viewed as a separate document available on the Council's website. It should be noted that the power to offer relief can be deactivated once a charging schedule is in place, in line with the CIL Regulations.

Phased Payments of CIL

9.3 The CIL Regulations allow for the Council to make provisions for phased payments of CIL. A phased payment approach and / or an instalment policy helps developers with cash flow, assisting in making more development viable, therefore, helping the charging system to be flexible. Phased payments can be permitted where a planning application is subdivided into phases for the purpose of the levy. This is expected to be especially useful for large scale development, which are likely to be brought forward in a number of phases. Each phase would be a separate chargeable development and therefore liable for payment in line with any instalment policy in force. The principle of phased delivery must be

apparent from the planning permission. Bradford Council as a charging authority will consider offering phased payments.

Instalments Policy

- 9.4 The Council may adopt an instalments policy which allows developers to pay their CIL charge in instalments to provide flexibility in the CIL charging regime. Without such a policy, the whole of the CIL charge is liable on the commencement of development. Instalment policies can assist with development viability and delivery by improving the cash flow of a development (as the CIL payment is not paid upfront).
- 9.5 The details of any instalments policy will be set out in a separate document. Any instalments policy is required to be published on the Council's website; and can be revised, or withdrawn as appropriate, in-line with the CIL Regulations.

Payments in Kind

- 9.6 The CIL Regulations allow for the Council to accept payments in kind, in the form of land or infrastructure, to be offset against the CIL liability where agreed by the Council as more desirable instead of monies. The value of both land and infrastructure payments must be equal to the value of the land / infrastructure required.
- 9.7 This must only be done with the intention of using the land to provide, or facilitate the provision of, infrastructure to support the development of the area. The Council does not have to adopt a payment in-kind policy, but should it choose to do so, it must publish a policy document which sets out conditions in detail. This is not part of the charging schedule and may be published separately.
- 9.8 Where a levy is to be paid as land or infrastructure, a land or infrastructure agreement must be entered into before development commences. This

must include the information specified in CIL Regulations and be provided to the same timescales as cash payments. This may be by way of instalments if applicable and practicable. Land paid in kind may contain existing buildings and structures, and land or infrastructure must be valued by an independent valuer who, in the case of land, will ascertain its open market value, and in the case of infrastructure the cost (including related design cost) to the provider. This will determine how much liability it will off-set.

- 9.9 Where land is required within a development to provide built infrastructure to support that specific development, it will be expected that any land transfer will be at no cost to the Council and will not be accepted as a CIL payment in kind.

10. Review of the Charging Schedule

- 10.1 Charging authorities must keep the charging schedule under review and ensure that levy charges remain appropriate over time and may revise the charging schedule in whole or in part. Any revisions must follow the same processes as the preparation, examination, approval and publication of a charging schedule (as specified under the Planning Act 2008, particularly sections 211-214 as amended by the Localism Act 2011 and the CIL Regulations). If the Council wishes to stop charging the levy it may do so at any time by making a formal resolution to do so.
- 10.2 Government does not prescribe when reviews should take place. National Planning Practice Guidance advises that charging authorities should take account of market conditions and infrastructure needs and consider linking a review of their charging schedule to any substantive review of the evidence base for the Local Plan. At this time the Council is unable to set a date for the review of the rates, but it is anticipated that this will be linked to the future progress on the Local Plan. Details of any forthcoming review of the rates will be published on the Council's website, along with the appropriate consultation.

Appendix A.

Calculating the CIL Charge (Regulation 40 as amended)

Key points in calculating the CIL charge:

- The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with the CIL Regulations.
- The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.
- Where that amount is less than £50 the chargeable amount is deemed to be zero.
- The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.
- CIL is charged on the net floor area (gross internal area) of development chargeable.

1. The amount of CIL charge must be calculated by applying the following formula:

$$\text{CIL Charge} = \frac{R \times A \times I_p}{I_c}$$

Where:

A = the deemed net area chargeable at rate R, calculated in accordance with the section below;

I_p = the index figure for the year in which planning permission was granted

I_c = the index figure for the year in which the charging schedule containing rate R took effect

R = the relevant chargeable rate

If it is necessary to apply several rate(s) to a chargeable development, the total amount will equal the sum of the amounts of CIL charge calculated at each relevant rate.

The index is the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors: the figure which should be used for a given year is the figure for 1st November of the preceding year.

2. Calculation of net chargeable area, A

A is calculated by:

$$\text{Net Chargeable Area (A)} = \frac{\text{GR} - \text{KR} - \{ \text{GR} \times \text{E} \}}{\text{G}}$$

Where:

GR = the gross internal area of the part of the chargeable development chargeable at rate R

G = the gross internal area of the chargeable development

KR = the aggregate of the gross internal areas of the following:

- (i) retained parts of in-use buildings, and
- (ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following:

- (i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and
- (ii) for the second and subsequent phases of a phased planning permission, the value Ex (as determined under below), unless Ex is negative, provided that no part of any building may be taken into account under both the above.

Ex is calculated by:

$$\text{EP} - (\text{GP} - \text{KPR})$$

Where:

EP = the value of E for the previously commenced phase of the planning permission;

GP = the value of G for the previously commenced phase of the planning permission; and

KPR = the total of the values of KR for the previously commenced phase of the planning permission.

Produced by the
City of Bradford Metropolitan
District Council



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Community Infrastructure Levy: Draft Regulation 123 List

Community Infrastructure Levy Regulation 123 provides for the Council to set out a list of those projects or types of infrastructure that it intends will be, or may be, wholly or partly funded through the CIL.

In order to ensure that individual developments are not charged for the same infrastructure items through both Section 106 Agreements and the CIL, a S106 contribution or a S278 agreement cannot then be made towards an infrastructure item already on the List. The Draft Regulation 123 List is provided as part of the consultation on the CIL Draft Charging Schedule.

Education including primary and secondary provision
Sustainable transport improvement schemes except where improvements are required as a direct result of development <ul style="list-style-type: none"> • Improvements to strategic pedestrian and cycle routes • The Public Right of Way network • Station improvements
Green infrastructure and public greenspace (e.g. improvements to open space), except for on-site provision required by Core Strategy policies
Habitat mitigation including Suitable Alternative Natural Greenspace, except for on-site provision required by Core Strategy policies
Community sports and recreation facilities (e.g. children's and young people's play areas, playing pitches), except improvements which are directly related to a development.
Cultural facilities (e.g. libraries, built community space), except improvements which are directly related to a development.
Public realm improvements, except for on-site provision or where this is required as a direct result of an adjacent development
Environmental improvements (e.g. recycling, local flood risk alleviation, pollution abatement), except improvements which are directly related to a development.
Cemeteries
District heating networks
Community safety and health projects, including <ul style="list-style-type: none"> • Emergency services (police, fire, ambulance) • Public health facilities

The above list is based on the infrastructure requirements set out in the Local Plan and the Council's infrastructure planning evidence. The list does not identify priorities

for spending within it, or any apportionment of the CIL funds across the District, and does not signify a commitment from the Council to fund the projects listed through the CIL.

The Council will review this list at least once a year, as part of monitoring of CIL collection and spend, and any changes will be justified and subject to appropriate local consultation. The Council will work with local communities and parish/town councils to agree local priorities for spend. The 'meaningful proportion' held by local communities can be spent on the Regulation 123 List, but it does not have to be.

Continued use of Section 106 Obligations

For clarity, the list below provides an outline of the matters which will continue to be secured through S106 or S278 Agreements, meeting the planning obligation tests as set out in the NPPF and CIL Regulations 2010 (as amended):

- Affordable Housing
- Employment and skills agreement e.g. local employment, training or apprentice contracts
- Site specific matters needed to make the development acceptable in planning terms including (but not exhaustive):
 - Highway works: access into the site, local junction / highway improvements
 - Sustainable transport: New bus connections or services, cycle / pedestrian routes and connections if directly related to the development, metro cards, cycle parking/storage, travel plans and monitoring fee / coordinator posts
 - On-site drainage and flood requirements
 - On-site renewable energy, sustainable construction and efficient use of resources policy requirements
 - On-site greenspace provision and public realm improvements
 - On-site designing out crime measures
 - Air quality mitigation measures
 - On-site bin provision for new developments

S106 contributions cannot be sought for specific infrastructure projects on the 123 List. From April 2015 S106 contributions can only be pooled for up to five separate planning obligations dated back to 6 April 2010 for an infrastructure project or type of infrastructure. Any planning obligation must meet the tests in Regulation 122.

Community Infrastructure Levy (CIL): Draft Instalments Policy

PLEASE NOTE: The Council are considering introducing an instalments policy. This draft policy is provided for comment as part of the CIL Draft Charging Schedule consultation. Any approved version will be placed on the Council's website following adoption of the CIL by the Council.

The responsibility to pay the levy, also known as a CIL liability, is with the landowner of the site on which the proposal granted planning permission (and subject to the levy) is to be situated. The CIL regulations define 'the landowner' as a person who owns a 'material interest' in the relevant land to be developed.

This Draft Instalments Policy is made in line with Regulation 69B and 70 of the CIL regulations 2010 (as amended) and is as follows:

- a) This instalments policy will take effect on the adoption of CIL by the Council.
- b) Payment days (the day on which an instalment payment will be due) are calculated from the commencement of development on site. This date will be taken to be the date advised by the developer in the Commencement Notice as laid out in CIL regulation 67.
- c) Payment of instalments are as follows:

Instalments Provision	
Total CIL Liability	Proportion Payable and Payment Period
£0 - 24,999	Full payment within 3 months of the commencement date.
£25,000 - £149,999	50% at 6 months after the commencement date 50% at 12 months after the commencement date
£150,000 and above	25% at 6 months 25% at 12 months 25% at 18 months after the commencement date 25% at 24 months after the commencement date

In order to be eligible to pay a CIL liability by instalments all relevant statutory forms (including the Assumption of Liability form and the Commencement Notice) must be submitted to the Council prior to the commencement of the chargeable development and all payments must be made in accordance with this CIL instalment policy and other regulatory requirements. Where these requirements are not met the unpaid balance of CIL liability becomes payable in full immediately as laid out in CIL regulation 70(8)(a).

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Community Infrastructure Levy (CIL): Draft Exceptional Circumstances Relief Policy

PLEASE NOTE: The Council are considering introducing an Exceptional Circumstances Relief policy. This draft policy is provided for comment as part of the Draft Charging Schedule consultation. Any approved version will be placed on the Council's website following adoption of the CIL by the Council.

This Policy document gives notice that City of Bradford Metropolitan District Council has determined to make relief for exceptional circumstances available in the Bradford District with effect from (insert date) ,in accordance with Regulations 55 to 58 of the Community Infrastructure Levy Regulations 2010 (as amended).

This document sets the policy criteria for exceptional circumstances.

- Use of an exceptional circumstances policy enables the Council to avoid making individual sites with specific and exceptional cost burdens unviable should exceptional circumstances arise. It is a mechanism to enable growth and deliver development where CIL and S106 conflict. The Regulations state that the Council may grant full or partial relief from liability to pay CIL if it appears to the Council that there are exceptional circumstances which justify doing so, and the Council considers it expedient to do so. However, there is no statutory definition of what constitutes the economic viability of a development. Each case will be considered individually by the Council, which retains the discretion to make judgements about the viability of the scheme in economic terms and whether the exceptional circumstances policy applies.
- The Council expects that this policy will be rarely used because the Bradford District CIL rates have been set to already take into account viability issues, development costs, and full policy requirements across the District. This includes that it is reasonable to assume that any S106 signed by an applicant reflects viability of the scheme, including consideration of the CIL rates applicable at the time.
- Before granting exceptional circumstances relief for an individual scheme, the Council also has to be satisfied that the relief would not constitute notifiable State Aid. The State Aid requirements do allow small amounts of public funding (i.e. exceptional circumstances relief) to a single recipient, called the de minimis block exemption. The de minimis threshold is set at 200,000 euros over a rolling three fiscal year period (gross before tax or any other charge). The threshold applies cumulatively to all public assistance received by the organisation from all sources across the UK. Therefore the threshold does not just apply to each individual development. Recipients are responsible for keeping records of any de minimis aid they receive over any rolling three fiscal year period.
- The CIL Regulations specify the requirements that must be met in making the exceptional circumstances assessment: Reg 55(3) A charging authority may grant relief for exceptional circumstances if –

(a) It has made relief for exceptional circumstances available in its area; (b) A planning obligation under S106 of TCPA 1990 has been entered into in respect of the planning permission which permits the chargeable development; and (c) The charging authority- (i) Considers that to require payment of the CIL charged by it in respect of the chargeable development would have an unacceptable impact on the economic viability of the chargeable development, and (ii) Is satisfied that to grant relief would not constitute a State aid which is required to be notified to and approved by the European Commission.

- In addition, City of Bradford Metropolitan District Council may make a judgement in individual cases that exceptional circumstances are not solely based on economic viability. Even where the CIL may give rise to an unacceptable impact on the economic viability of the chargeable development, the Council may also require demonstration of wider regeneration benefits and/or the need for the applicant to show that a particular site has to be brought forwards imminently for wider benefits.
- The person claiming relief must be an owner of a material interest in the relevant land. A claim for relief must be submitted in writing on the appropriate form and be received and approved by the Council before commencement of the chargeable development. It must be accompanied by:
 - a) An assessment carried out by an independent person of the economic viability of the chargeable development and the cost of complying with the planning obligation,
 - b) An explanation of why payment of the chargeable amount would have an unacceptable impact on the economic viability of that development,
 - c) An apportionment assessment (if there is more than one material interest in the relevant land), and,
 - d) A declaration that the claimant has sent a copy of the completed claim form to the owners of the other material interests in the relevant land (if any).

For the purposes of point a) an independent person is a person who is appointed by the claimant with the agreement of the Council and who has appropriate qualifications and experience. It is expected that the claimant will be responsible for any remuneration required by this independent person.

- A chargeable development ceases to be eligible for relief for exceptional circumstances if, before it commences, there is a disqualifying event as laid out below:
 - a) Charitable or social housing relief is granted,
 - b) The site (or part of the site) is sold, or,
 - c) The development does not commence within 12 months.
- It should be noted that the CIL Regulations give the Council the ability to withdraw this policy at any time with two weeks notice. This could occur, for example, if it is considered that the policy is being misused, including if too many applicants apply for relief without proper exceptional circumstances applying.

Report of the Director of Human Resources to the meeting of Council to be held on 21 March 2017

Z

Subject:

Pay Policy Statement 2017/18

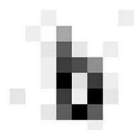
Summary statement:

In accordance with the Localism Act 2011 Local Authorities are required to produce and publish a Pay Policy Statement for each financial year. The Pay Policy Statement must be approved by full Council before publication.

Sue Dunkley
Director of Human Resources

Portfolio:
Corporate

Report Contact: Michelle Moverley,
Head of HR
Phone: (01274) 437883
E-mail: michelle.moverley@bradford.gov.uk



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 2017 to 31 March 2018 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 2015 where applicable.
- 1.3 This report provides details of the proposed Pay Policy Statement for the financial year 2017/18.

2. BACKGROUND

- 2.1 Section 38 of the Localism Act 2011 requires 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 2017/18 Pay Policy Statement must be prepared and approved before 31 March 2017. 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 2017/18 can be found at **Appendix 1**. The proposed Statement is based on the approved 2016/17 statement which has been updated and amended in relation to the following:
- The value of the 'pay multiple' between the highest paid salary and the median earnings figure of the whole of the Council's workforce has slightly increased to from 9.0:1 to 9.1:1.
 - Under the current recruitment provisions, approval has been given for the post of Assistant Director - Finance & Procurement to be covered under an interim arrangement by an individual on a 'contract for service' basis until the normal recruitment process has been completed and an appointment is made.
 - Employer's pension contributions will increase to 17.5% from 1 April 2017.
 - Employees contribution bandings are also increasing as follows :-
 - Employees earning up to £13,700 contribute 5.5%
 - Employees earning between £13,701 and £21,400 contribute 5.8%
 - Employees earning between £21,401 and £34,700 contribute 6.5%
 - Employees earning between £34,701 and £43,900 contribute 6.8%
 - Employees earning between £43,901 and £61,300 contribute 8.5%
 - Employees earning between £61,301 and £86,800 contribute 9.9%
 - Employees earning between £86,801 and £102,200 contribute 10.5%.
 - Employees earning between £102,201 and £153,300 contribute 11.4%.
 - Employees earning more than £153,301 contribute 12.5%.

3. FULL COUNCIL CONSIDERATION

- 3.1 Full Council will consider this report and the draft Pay Policy Statement at **Appendix 1** on 21 March 2017.

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.

Under the Enterprise Act 2016, regulations are to be introduced restricting public sector exit payments to £95,000. Whilst the detail of when and how these regulations are to be implemented is not available yet, these regulations will necessitate changes

to the Council's Discretionary Compensation Policy and the LGPS Pension Discretion Policy Statements that are referenced in the Pay Policy Statement.

Regulations are also to be introduced requiring those earning £80,000 pa or more who leave public sector employment and then return to work in the public sector within 12 months, to repay some or most of their redundancy payment, depending on how soon they gain new employment. Exact details and when the provisions will be brought into force have yet to be announced. This will necessitate changes to the Appendix to the Pay Policy Statement (the section entitled "Re-employment of Chief Officers in receipt of a LGPS Pension or a redundancy/severance payment".)

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 2017/18 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 2017/18 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 2017/18 must be prepared and approved before 31 March 2017. 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 2015 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 2017/18, as set out at Appendix 1 to this report, be approved.

12. APPENDICES

Appendix 1: Proposed Pay Policy Statement 2017/18

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 2015
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408386/150227_PUBLICATION_Final_LGTC_2015.pdf

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PAY POLICY STATEMENT

FOR THE FINANCIAL YEAR

2017/2018



Statement of Pay Policy for the year 1 April 2017 to 31 March 2018

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 2015 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 2016/2017 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 - Health & Wellbeing who is the Authority's designated Director of Adult Social Services.
 - Strategic Director - Corporate Services 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 Directors 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:

Pay Policy Statement

- 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.

The Authority seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint Negotiating Committees (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 as at 1 April 2017 is £182,064 p.a. which has been increased in accordance with the nationally agreed pay award as determined by the national Joint Negotiating Committee for Chief Executives of Local Authorities.

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.

Pay Policy Statement

The grade ranges and salary levels as at 1 April 2017 are:

Strategic Director 1	£132,798 - £139,223 (SD1)
Strategic Director 2	£109,239 - £119,947 (SD2)
Director 1	£102,010 - £112,211 (Dir 1)
Assistant Director 1	£ 92,852 - £ 98,315 (AD1)
Assistant Director 2	£ 81,928 - £ 92,852 (AD2)
Assistant Director 3	£ 71,005 - £ 81,928 (AD3)

The post of Deputy Director Education Employment and Skills is employed on a fixed salary of £100,990 as at 1 April 2017 (not a grade range) and this salary is increased in accordance with nationally agreed pay awards 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 and remain 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 JNC 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 and remain 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. In these cases, appropriate tax and national insurance deductions will be assessed and deducted as required in accordance with HMRC IR35 regulations. The Council is currently undertaking

Pay Policy Statement

a procurement process for an interim Assistant Director - Finance and Procurement to be engaged under a contract for service until the recruitment process for this vacant post has been completed and an appointment made.

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 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 6 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 £15,019 p.a. and can be expressed as an hourly rate of pay of £7.78 as at 1 April 2017 and which apply from that date. 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. 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. The Executive on 23 June 2015 adopted the then level of UK living wage of £7.85 per hour with effect from 1st October 2015. The difference between spinal column point 6 and 7 and £7.85 is paid as a supplement to all employees and casual workers 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 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 2015 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 £182,064 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 £19,939 p.a. The ratio between the two salaries, the 'pay multiple' is 9.1:1. 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

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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) 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 Regulations 2015 and the Local Government Transparency Code 2015 [Statement of Accounts | Bradford Council](#)

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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.

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Aspect of Chief Officer Remuneration	Authority Policy
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 17.5% (1 April 2017) 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 employee contribution rates from 1 April 2017 are:</p> <p>Employees earning up to £13,700 contribute 5.5% Employees earning between £13,701 and £21,400 contribute 5.8% Employees earning between £21,401 and £34,700 contribute 6.5% Employees earning between £34,701 and £43,900 contribute 6.8% Employees earning between £43,901 and £61,300 contribute 8.5% Employees earning between £61,301 and £86,800 contribute 9.9% Employees earning between £86,801 and £102,200 contribute 10.5%. Employees earning between £102,201 and £153,300 contribute 11.4%. Employees earning more than £153,301 contribute 12.5%.</p>
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 Discretionary Compensation Policy.doc</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 LGPS Pension Discretion Policy Statements. 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 Regulations 2015. Statement of Accounts Bradford Council</p>

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Aspect of Chief Officer Remuneration	Authority Policy
Re-employment of Chief Officers in receipt of a LGPS Pension or a redundancy/severance payment	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.
Car allowance payment	Chief Officers will be paid Car Allowances in accordance with HMRC rates.
Provision of Mobile Telephones/Communication device/ICT equipment	Where appropriate these will be provided for business use and any work related costs will be met by the Authority.
Professional subscriptions	The Authority pays the annual subscription to one relevant professional body.