

## Agenda for a meeting of the Health and Social Care Overview and Scrutiny Committee to be held on Thursday, 23 March 2017 at 4.30 pm in Committee Room 1 - City Hall, Bradford

### Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Carmody Gibbons	Greenwood A Ahmed Duffy Mullaney Sharp	N Pollard

### Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Barker Poulsen	Berry S Hussain T Hussain H Khan	Griffiths

### NON VOTING CO-OPTED MEMBERS

Susan Crowe	Strategic Disability Partnership
Trevor Ramsay	Strategic Disability Partnership
G Sam Samociuk	Former Mental Health Nursing Lecturer
Jenny Scott	Older People's Partnership

### Notes:

- This agenda can be made available in Braille, easy read, large print or tape format on request by contacting the Agenda contact shown below.
- 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 who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **INTERESTED PARTIES ARE ASKED TO NOTE THAT ITEM 8 (CALL-IN DECISION OF THE EXECUTIVE HELD ON 7 MARCH 2017) WILL NOT BE CONSIDERED BEFORE 6PM**

### From:

Parveen Akhtar  
City Solicitor

Agenda Contact: Palbinder Sandhu/Claire Tomenson

Phone: 01274 432269/432457

E-Mail: [claire.tomenson@bradford.gov.uk](mailto:claire.tomenson@bradford.gov.uk)

### To:



## **A. PROCEDURAL ITEMS**

### **1. ALTERNATE MEMBERS (Standing Order 34)**

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

### **2. 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.*

### **3. MINUTES**

**Recommended –**

**That the minutes of the meeting held on 8 December 2016 be signed as a correct record (previously circulated).**

(Claire Tomenson – 01274 432457)



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

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

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

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

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

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

(Claire Tomenson - 01274 432457)

#### 5. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

Any referrals that have been made to this Committee up to and including the date of publication of this agenda will be reported at the meeting.

### B. OVERVIEW AND SCRUTINY ACTIVITIES

#### 6. CARE QUALITY COMMISSION UPDATE

1 - 54

The report of the Care Quality Commission (**Document “AH”**) provides an update from each of the inspection directorates.

**Recommended –**

**That the report be noted.**

(Sarah Drew – 0300 0616161)

#### 7. HEALTH AND SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17

55 - 60

The City Solicitor will submit **Document “AI”** which presents the work programme 2016/17.

**Recommended –**

**That the information in Appendix 1 and 2 of Document “AI” be noted.**

(Caroline Coombes – 01274 432313)



Interested parties are asked to note that the following item will not be considered before 18.00

8. **CALLED-IN DECISION - REVIEW OF THE OPERATION AND EFFECTIVENESS OF THE 12 MONTH TRIAL BAN OF PAVEMENT OBSTRUCTIONS**

61 - 102

At its meeting on 7 March 2017 the Executive received a report of the Strategic Director, Place (**Executive Document "BM"**) and additional information that was tabled at the meeting (**Addendum to Executive Document "BM"**) which updated the Executive on the effectiveness and practicality issues of the 12 month trial ban on pavement obstructions in Bradford City Centre, Saltaire, Ilkley and on A647 Leeds Road between Thornbury Gyratory and Bradford City Centre.

On the basis of the trial's findings a number of potential options for the continuation, revocation or amendment of the policy related to pavement obstructions in the future were presented for the Executive's consideration and determination.

Executive resolved –

**That the retention of the pavement obstruction ban be approved with the following modifications:**

- a) **The current trial zone ban areas be retained;**
- b) **Arrangements to allow licensing of pavement obstructions be incorporated into the Council's approach.**
- c) **That the development of details of the licensing arrangements including the approval of policy for determining locations suitable for placement of obstructions and levels of license fee to be charged be delegated to the Strategic Director: Place in consultation with the Portfolio Holder.**

*ACTION: Strategic Director, Place*

The decision of the Executive has been called in by Councillors Dale Smith and Sharp

(i) **The reasons for Cllr Dale Smith requesting the call-in are:**

*The proposals give scant regard to the Equality Impact Assessment and subsequently do not sufficiently ameliorate the disadvantage those most affected particularly those with Visual Impairment or the need to use wheelchairs etc.*



*The evidence presented and upon which the decision was partially based, regarding the charge for a Licence is unrealistic, containing conflicting figures and presented alongside unconvincing evidence submitted by businesses regarding their claimed financial losses due to the removal of A-Boards, with the latter having been given too much emphasis.*

*A letter from the Ilkley Chamber of Trade was tabled but not circulated to members of the public and thus could not be challenged.*

*The loss of the Mobility and Inclusion Officer reduced the Council's contact with service users, with the result that awareness of the decision to be taken at the Executive meeting was poorly advertised, thus reducing the opportunity of those whose mobility is to be most affected, to get quick access to the report in an appropriate format and have their voices heard.*

*The costing information provided for both the trial and the proposals are inadequate.*

*The absence of adequate, detailed information detailing which other Local Authorities were implementing an A-Board ban or making a charge for any Licence, along with the outcomes, undermines the validity of the report upon which the decision was based, as this information would provide a much clearer picture of what to expect.*

*The absence of criteria for identifying areas where A-Boards can and cannot be placed undermines the validity of the decision taken, as this information would again provide the Executive and the vulnerable citizens who should benefit from any new policy.*

*The report did not adequately address the recommendations from the Health and Social Care O&S meeting.*

**(ii) The reason for Cllr Sharp requesting the call-in are:**

*I wish to call in the Executive decision of 7<sup>th</sup> March 2017, Review of the Operation and Effectiveness of the 12 Month Trial Ban of Pavement obstructions (Document BM) to Health and Social care Overview and Scrutiny Committee.*

*The reasons for the call in are:*

- 1. The Executive document contains information not made available to the Health and Social Care O & S Committee when we carried out an extensive review of the trial ban in meetings last year so this new information needs to be considered by the Committee.*



2. *The executive report itself does not reflect views of the O & S Committee for proper consideration by the Executive. In part this is demonstrated by the scarcity of the views expressed by disability organisations (2 paragraphs only) in the Executive report.*
3. *The long term operational costs of either scheme are not clearly evidenced in the Executive report.*
4. *The call in needs to happen to allow O & S Committee to consider the differences between the report we received and the report submitted to Exec to allow the committee to make an informed choice as to whether we maintain our decision of December last year or accept the decision made by the Executive.*

In response to the Call-In, the Strategic Director, Place will submit Document "AJ".

**In accordance with Paragraph 8.6.9 of Part 3E of the Constitution Members of the Overview and Scrutiny Committee can, following consideration of the matter, resolve to:**

- (1) Release the decision for implementation.**
- (2) Refer all or part of the decision back to the Executive to reconsider it in the light of any representations the Committee may make. The decision may not be implemented until the Executive has met to reconsider its earlier decision.**
- (3) Refer the decision to full Council for consideration, in which case the decision may not be implemented until the Council has met to consider the matter.**

**If the Committee makes no resolution, in accordance with paragraph 8.6.9 of the Constitution, the decision may be implemented.**

(Richard Gelder – 01274 436703)

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



**Report of the Care Quality Commission to the meeting  
of the Health and Social Care Overview & Scrutiny  
Committee to be held on 23 March 2017**

**AH**

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**Subject: An update from the Care Quality Commission**

**Summary statement:**

**CQC are providing an update on the findings of CQC's strategy.**

**Each inspection directorate has provided a current update of their inspection activity.**

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**Portfolio:**

**Health & Wellbeing**

Report Contact: Sarah Drew  
Phone: 03000616161 /07789876498  
E-mail: sarah.drew@cqc.org.uk



1. **Summary**

- This report provides a current update from each of the inspection directorates of CQC. This is based upon published reports.

2. **Background**

- The CQC last attended a meeting of the Health and Social Care Overview and Scrutiny Committee to provide an update on the work of all inspection directorates on 3 March 2016.

3. **Report issues**

- This report reflects the current inspection activity in the Bradford area only.
- Appendices 1-5 provide updates on regulatory activity in the Bradford District across Adult Social Care, Hospitals, Mental Health and Primary Care Services.
- Appendix 1 provides a report as of 1 March 2017. Adult Social Care Manager Sarah Drew will be attending the meeting of 23 March 2017 and will be happy to provide additional information in relation to this report.

4. **Options**

- 4.1 Members may wish to comment on aspects of this report.

5. **Recommendations**

- That the report be noted.

7. **Background documents**

None

8. **Not for publication documents**

None

9. **Appendices**

- 9.1 Appendix 1 CQC update from the Adult Social Care Directorate in the Bradford district.  
Appendix 2 CQC update from the Hospitals Inspection Directorate in the Bradford district.  
Appendix 3 Update from CQC Hospitals Directorate in Bradford and District  
Appendix 4 CQC update from the Mental Health Directorate in the Bradford district.  
Appendix 5 CQC update from the Primary Care Services in the Bradford district.



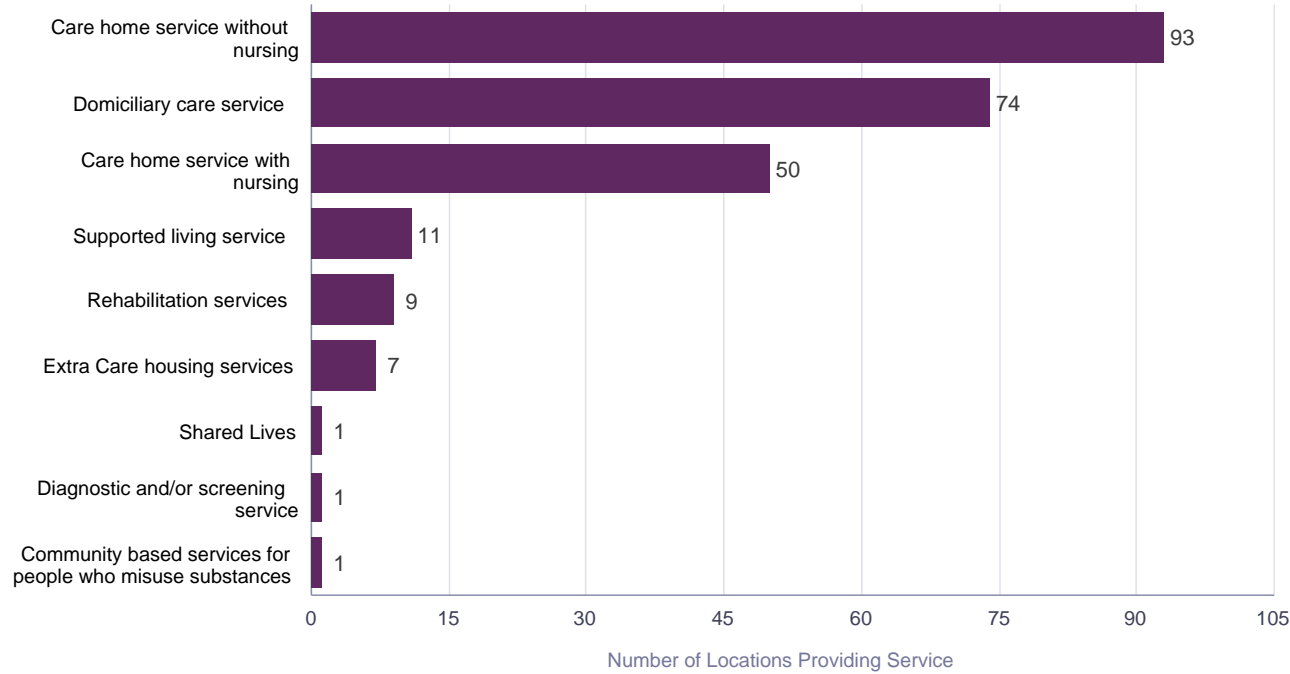
**Local Authority: Bradford**

**Sector: Social Care Org**

**Date: 01 March 2017**

## Active locations in Bradford providing the following services

N.B. Locations can provide more than one type of service



Page 4

**Total active Social Care Org locations: 213**

### Care homes with nursing in Bradford

N.B: Care homes can register both as a care home service with nursing and care home service without nursing. Those have been classified as a Care Home with Nursing in this section of the report

Care Homes With Nursing	Number of Locations	Number of Beds*
Nursing home	50	2,129

\*Some of these beds may not be categorised as nursing

### Care homes without nursing in Bradford

Care Homes Without Nursing	Number of Locations	Number of Beds
Residential home	88	2,336

### Number of Social Care Org locations that have closed in Bradford

Service Type	2011	2012	2013	2014	2015	2016	2017
Care home service with nursing	3	4	2	2	4	3	2
Care home service without nursing	8	6	5	8	4	10	5
Community based services for people who misuse substances	0	0	1	1	0	0	0
Community health care services - Nurses Agency only	0	0	1	1	1	2	0
Community healthcare service	0	0	0	0	0	1	0
Domiciliary care service	6	13	15	12	12	16	1

Service Type	Total
Care home service with nursing	20
Care home service without nursing	46
Community based services for people who misuse substances	2
Community health care services - Nurses Agency only	5
Community healthcare service	1
Domiciliary care service	75

<b>Service Type</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Extra Care housing services	0	2	0	0	1	2	0
Rehabilitation services	2	1	0	0	1	1	0
Residential substance misuse treatment and/or rehabilitation service	0	0	1	0	0	0	0
Supported living service	0	1	2	1	1	3	0

Service Type	Total
Extra Care housing services	5
Rehabilitation services	5
Residential substance misuse treatment and/or rehabilitation service	1
Supported living service	8

### Social Care Org locations that have closed in Bradford in last 31 days

Location ID	Location Name	Location Postcode	Provider ID	Provider Name	Location End Date
1-129737963	Duchess Gardens Care Centre	BD16 4AP	1-118175873	Elder Homes Bradford Limited	22 February 2017
1-127503708	Knowles Court Care Home	BD4 9SN	1-116865247	Bupa Care Homes (CFHCare) Limited	03 February 2017
1-123487231	Parkfield Rest Home	BD8 7AB	1-101714342	Mrs Letitia Fehintola	07 February 2017
1-128596196	Salroyd Villa	BD12 0JN	1-101714369	Mrs K Ellwood & Mr I P Ellwood	22 February 2017
1-128288705	Straven House Care Home	LS29 9QL	1-116865206	Bupa Care Homes (GL) Limited	03 February 2017
1-128288722	The Borrins Care Home	BD17 6NW	1-116865206	Bupa Care Homes (GL) Limited	03 February 2017



### Number of Social Care Org locations that have opened in Bradford

The number of newly activated locations is higher for 2010 and 2011 due to the reregistration process under the Health and Social Care Act

Service Type	2010	2011	2012	2013	2014	2015	2016	2017
Care home service with nursing	22	32	3	0	2	1	7	2
Care home service without nursing	43	54	13	6	5	3	12	3
Community based services for people who misuse substances	0	1	0	1	0	1	0	0
Community health care services - Nurses Agency only	0	1	1	2	1	0	0	0
Community healthcare service	0	0	0	0	0	1	0	0
Diagnostic and/or screening service	0	1	0	0	0	0	0	0
Domiciliary care service	27	39	23	19	14	12	13	0
Extra Care housing services	3	4	2	0	0	2	1	0
Rehabilitation services	11	2	1	0	0	0	0	0
Residential substance misuse treatment and/or rehabilitation service	0	1	0	0	0	0	0	0
Shared Lives	1	0	0	0	0	0	0	0

<b>Service Type</b>	<b>Total</b>
Care home service with nursing	69
Care home service without nursing	139
Community based services for people who misuse substances	3
Community health care services - Nurses Agency only	5
Community healthcare service	1
Diagnostic and/or screening service	1
Domiciliary care service	147
Extra Care housing services	12
Rehabilitation services	14
Residential substance misuse treatment and/or rehabilitation service	1
Shared Lives	1

Service Type	2010	2011	2012	2013	2014	2015	2016	2017
Supported living service	3	8	0	1	1	2	4	0

Service Type	Total
Supported living service	19

**Social Care Org locations that have opened in Bradford in last 31 days**

Location ID	Location Name	Location Postcode	Provider ID	Provider Name	Location Start Date
1-3299902800	Duchess Gardens Care Centre	BD16 4AP	1-2845518101	Qualia Care Limited	22 February 2017
1-3121936751	Knowles Court Care Home	BD4 9SN	1-2953247678	Bupa Care Homes Limited	31 January 2017
1-3017909815	Silverlea Care Home Limited	BD3 7JG	1-2955302447	Silverlea Care Home Limited	20 February 2017
1-3110630161	Straven House Care Home	LS29 9QL	1-2953247678	Bupa Care Homes Limited	31 January 2017
1-3110297372	The Borrins Care Home	BD17 6NW	1-2953247678	Bupa Care Homes Limited	31 January 2017



## New manager registrations at currently active Social Care Org locations in Bradford in last 31 days

May include locations where manager was already registered and added a new regulated activity

Location ID	Location Name	Location Postcode	Registered Manager Name	Registered Manager Start Date	Provider ID	Provider Name
1-207504800	Abbeydale Residential Care Home	LS29 9QE	Dey, Francesca Louise	17 February 2017	1-127507751	Abbeydale (Ilkley) Limited
1-1931929281	Allied Healthcare Keighley	BD21 3DU	Kain, Helen Louise	25 February 2017	1-102643096	Nestor Primecare Services Limited
1-835652983	Assisted Lives	BD8 7JF	Ahmed, Tariq	20 February 2017	1-287194006	Assisted Lives Ltd
1-148398939	Burger Court	BD3 9AU	Kharadi, Saira Jane	27 February 2017	1-131400567	Mrs H M Vincent and Mr B W Vincent
1-3299902800	Duchess Gardens Care Centre	BD16 4AP	Hammond, Susan	22 February 2017	1-2845518101	Qualia Care Limited
1-3121936751	Knowles Court Care Home	BD4 9SN	Hermann, Louisa	13 February 2017	1-2953247678	Bupa Care Homes Limited
1-3017909815	Silverlea Care Home Limited	BD3 7JG	Marlow, Jean Elizabeth Laurina	27 February 2017	1-2955302447	Silverlea Care Home Limited

Location ID	Location Name	Location Postcode	Registered Manager Name	Registered Manager Start Date	Provider ID	Provider Name
1-3110630161	Straven House Care Home	LS29 9QL	Pearson, Andrea Louise	13 February 2017	1-2953247678	Bupa Care Homes Limited
1-3110297372	The Borrins Care Home	BD17 6NW	Byrne, Jacqueline	06 February 2017	1-2953247678	Bupa Care Homes Limited
1-122317254	Woodward Court	BD15 7YT	Justins, Evette	31 January 2017	1-101640436	City of Bradford Metropolitan District Council



### Manager deregistrations at currently active Social Care Org locations in Bradford in last 31 days

May include locations where manager remains registered but cancelled their registration for one or more regulated activities

Location ID	Location Name	Location Postcode	Registered Manager Name	Registered Manager End Date	Provider ID	Provider Name
1-122193096	Allerton Park Care Centre	BD15 7RT	Mwamba, Charity Muyambo	24 February 2017	1-101667649	Park Homes (UK) Limited
1-122317194	Holme View	BD4 9DT	Justins, Evette	31 January 2017	1-101640436	City of Bradford Metropolitan District Council
1-138852463	Silverlea Residential Home	BD3 7JG	Marlow, Jean Elizabeth Laurina	27 February 2017	1-101714378	Kevin Casey

**Summary of latest published new approach ratings of active Social Care Org locations in Bradford**

	<b>Latest Rating</b>	<b>Number of Active Locations</b>
1	Outstanding	1
2	Good	90
3	Requires improvement	62
4	Inadequate	10
Total		163

### Latest published new approach ratings of active Social Care Org locations in Bradford

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
1-323930881	06 Care Ltd	<a href="http://www.cqc.org.uk/location/1-323930881">http://www.cqc.org.uk/location/1-323930881</a>	BD21 3BB	Requires improvement	22 June 2016
1-207504800	Abbeydale Residential Care Home	<a href="http://www.cqc.org.uk/location/1-207504800">http://www.cqc.org.uk/location/1-207504800</a>	LS29 9QE	Good	07 January 2016
1-126243399	Acorn Nursing Home	<a href="http://www.cqc.org.uk/location/1-126243399">http://www.cqc.org.uk/location/1-126243399</a>	BD5 0NJ	Requires improvement	28 January 2017
1-344695709	Affinity Trust - Domiciliary Care Agency - Shipley and Airedale	<a href="http://www.cqc.org.uk/location/1-344695709">http://www.cqc.org.uk/location/1-344695709</a>	BD18 3DZ	Good	24 August 2016
1-122193096	Allerton Park Care Centre	<a href="http://www.cqc.org.uk/location/1-122193096">http://www.cqc.org.uk/location/1-122193096</a>	BD15 7RT	Requires improvement	06 October 2015
1-1931929281	Allied Healthcare Keighley	<a href="http://www.cqc.org.uk/location/1-1931929281">http://www.cqc.org.uk/location/1-1931929281</a>	BD21 3DU	Requires improvement	29 April 2016
1-141606488	Ambler Way Support Services	<a href="http://www.cqc.org.uk/location/1-141606488">http://www.cqc.org.uk/location/1-141606488</a>	BD22 0EN	Good	09 June 2016
1-126240140	Ashcroft Nursing Home - Bradford	<a href="http://www.cqc.org.uk/location/1-126240140">http://www.cqc.org.uk/location/1-126240140</a>	BD2 3EF	Good	21 December 2015
1-117961368	Ashville Care Home	<a href="http://www.cqc.org.uk/location/1-117961368">http://www.cqc.org.uk/location/1-117961368</a>	BD10 8PN	Requires improvement	26 May 2016
1-141446846	Assist Home Care Limited	<a href="http://www.cqc.org.uk/location/1-141446846">http://www.cqc.org.uk/location/1-141446846</a>	BD8 7JF	Good	21 April 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
1-408979494	Audley Care Ilkley	<a href="http://www.cqc.org.uk/location/1-408979494">http://www.cqc.org.uk/location/1-408979494</a>	LS29 8AQ	Good	01 September 2016
1-1786412825	Avail - Bradford	<a href="http://www.cqc.org.uk/location/1-1786412825">http://www.cqc.org.uk/location/1-1786412825</a>	BD3 9BD	Good	24 January 2017
1-181470164	Beacon House	<a href="http://www.cqc.org.uk/location/1-181470164">http://www.cqc.org.uk/location/1-181470164</a>	BD6 3DQ	Good	14 October 2015
1-122317094	Beckfield	<a href="http://www.cqc.org.uk/location/1-122317094">http://www.cqc.org.uk/location/1-122317094</a>	BD2 4BN	Requires improvement	08 November 2016
1-971016431	Beckside Lodge	<a href="http://www.cqc.org.uk/location/1-971016431">http://www.cqc.org.uk/location/1-971016431</a>	BD6 3NU	Outstanding	08 November 2016
1-1213942068	Bingley Wingfield Nursing Home	<a href="http://www.cqc.org.uk/location/1-1213942068">http://www.cqc.org.uk/location/1-1213942068</a>	BD16 4TE	Requires improvement	24 May 2016
1-125964655	Bluebird Care (Bradford North)	<a href="http://www.cqc.org.uk/location/1-125964655">http://www.cqc.org.uk/location/1-125964655</a>	BD18 3QN	Requires improvement	12 February 2016
1-443000814	Box Tree Cottage	<a href="http://www.cqc.org.uk/location/1-443000814">http://www.cqc.org.uk/location/1-443000814</a>	BD8 0AQ	Good	12 October 2016
1-110924055	Bradnet	<a href="http://www.cqc.org.uk/location/1-110924055">http://www.cqc.org.uk/location/1-110924055</a>	BD3 8LP	Requires improvement	23 July 2016
1-111223750	Britannia Care Home	<a href="http://www.cqc.org.uk/location/1-111223750">http://www.cqc.org.uk/location/1-111223750</a>	BD8 9NU	Requires improvement	22 September 2016
1-125501545	Bronte Park Residential Home	<a href="http://www.cqc.org.uk/location/1-125501545">http://www.cqc.org.uk/location/1-125501545</a>	BD22 8QE	Requires improvement	01 April 2016
1-117541987	Brookfield Care Home	<a href="http://www.cqc.org.uk/location/1-117541987">http://www.cqc.org.uk/location/1-117541987</a>	BD18 4EJ	Good	24 January 2017
1-148398939	Burger Court	<a href="http://www.cqc.org.uk/location/1-148398939">http://www.cqc.org.uk/location/1-148398939</a>	BD3 9AU	Good	24 August 2015
1-128272473	Burley Hall Care	<a href="http://www.cqc.org.uk/lo">http://www.cqc.org.uk/lo</a>	LS29 7DP	Requires	28 February 2017

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	Home	cation/1-128272473		improvement	
1-125960898	Care 24-7 Limited	<a href="http://www.cqc.org.uk/location/1-125960898">http://www.cqc.org.uk/location/1-125960898</a>	BD18 1JD	Good	20 May 2015
1-110241402	Care Unique Limited	<a href="http://www.cqc.org.uk/location/1-110241402">http://www.cqc.org.uk/location/1-110241402</a>	BD3 9TX	Good	26 October 2016
1-1974615919	Caremark (Bradford)	<a href="http://www.cqc.org.uk/location/1-1974615919">http://www.cqc.org.uk/location/1-1974615919</a>	BD4 8PW	Requires improvement	17 June 2016
1-114429093	Carers and Companions Limited	<a href="http://www.cqc.org.uk/location/1-114429093">http://www.cqc.org.uk/location/1-114429093</a>	LS29 9EP	Good	17 December 2015
1-142654639	Carlton And Pelham House	<a href="http://www.cqc.org.uk/location/1-142654639">http://www.cqc.org.uk/location/1-142654639</a>	BD2 3DB	Good	02 September 2016
1-115043788	Carlton Home Care	<a href="http://www.cqc.org.uk/location/1-115043788">http://www.cqc.org.uk/location/1-115043788</a>	BD18 1BX	Requires improvement	22 December 2016
1-142697141	Carlton Manor Care Home	<a href="http://www.cqc.org.uk/location/1-142697141">http://www.cqc.org.uk/location/1-142697141</a>	BD8 7AB	Good	18 March 2016
1-113827273	Cliffe Vale Residential Home Limited	<a href="http://www.cqc.org.uk/location/1-113827273">http://www.cqc.org.uk/location/1-113827273</a>	BD18 3AN	Requires improvement	21 June 2016
1-126476544	Cooper House Care Home	<a href="http://www.cqc.org.uk/location/1-126476544">http://www.cqc.org.uk/location/1-126476544</a>	BD6 3NJ	Inadequate	13 January 2017
1-418189651	Copwood Respite Unit	<a href="http://www.cqc.org.uk/location/1-418189651">http://www.cqc.org.uk/location/1-418189651</a>	BD4 0DJ	Good	16 July 2015
1-126434135	Cottingley Hall Care Home	<a href="http://www.cqc.org.uk/location/1-126434135">http://www.cqc.org.uk/location/1-126434135</a>	BD16 1TX	Good	07 May 2016
1-632906186	Creative Support - Bradford Service	<a href="http://www.cqc.org.uk/location/1-632906186">http://www.cqc.org.uk/location/1-632906186</a>	BD8 9TF	Good	13 June 2016
1-110242637	Croft House	<a href="http://www.cqc.org.uk/location/1-110242637">http://www.cqc.org.uk/location/1-110242637</a>	BD20 7SJ	Requires	25 August 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	Care Home Limited	cation/1-110242637		improvement	
1-144221566	Crossley House	<a href="http://www.cqc.org.uk/location/1-144221566">http://www.cqc.org.uk/location/1-144221566</a>	BD8 0HH	Good	19 January 2016
1-117541953	Currergate Nursing Home	<a href="http://www.cqc.org.uk/location/1-117541953">http://www.cqc.org.uk/location/1-117541953</a>	BD20 6PE	Good	15 November 2016
1-1514463335	Dignicare	<a href="http://www.cqc.org.uk/location/1-1514463335">http://www.cqc.org.uk/location/1-1514463335</a>	BD16 1PE	Requires improvement	17 July 2015
1-108306728	Elderthorpe Residential Home	<a href="http://www.cqc.org.uk/location/1-108306728">http://www.cqc.org.uk/location/1-108306728</a>	BD18 3AN	Good	14 October 2016
1-123935405	Elmar Home Care Limited	<a href="http://www.cqc.org.uk/location/1-123935405">http://www.cqc.org.uk/location/1-123935405</a>	BD20 9JS	Inadequate	06 October 2016
1-115039110	Elmhurst Residential Care Home	<a href="http://www.cqc.org.uk/location/1-115039110">http://www.cqc.org.uk/location/1-115039110</a>	BD2 4RW	Good	10 September 2016
1-125113971	Emm Lane Care Home	<a href="http://www.cqc.org.uk/location/1-125113971">http://www.cqc.org.uk/location/1-125113971</a>	BD9 4JH	Requires improvement	20 May 2016
1-926435499	Emmandjay Court	<a href="http://www.cqc.org.uk/location/1-926435499">http://www.cqc.org.uk/location/1-926435499</a>	LS29 8PF	Good	14 April 2016
1-117541908	Fairmount Nursing Home	<a href="http://www.cqc.org.uk/location/1-117541908">http://www.cqc.org.uk/location/1-117541908</a>	BD18 4EJ	Good	28 October 2016
1-218450370	Ghyll Court Residential Home	<a href="http://www.cqc.org.uk/location/1-218450370">http://www.cqc.org.uk/location/1-218450370</a>	LS29 9LH	Good	25 June 2015
1-117965646	Glen Rosa & Kitwood House	<a href="http://www.cqc.org.uk/location/1-117965646">http://www.cqc.org.uk/location/1-117965646</a>	LS29 9PH	Good	16 September 2015
1-115026792	Green Gables Residential Care	<a href="http://www.cqc.org.uk/location/1-115026792">http://www.cqc.org.uk/location/1-115026792</a>	BD12 0TX	Good	05 February 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	Home				
1-243530394	Greys Nursing Limited	<a href="http://www.cqc.org.uk/location/1-243530394">http://www.cqc.org.uk/location/1-243530394</a>	BD1 3HT	Good	18 October 2016
1-298693161	Greystones Nursing Home	<a href="http://www.cqc.org.uk/location/1-298693161">http://www.cqc.org.uk/location/1-298693161</a>	BD9 4DW	Requires improvement	02 September 2016
1-1041032166	HF Trust - Bradford DCA	<a href="http://www.cqc.org.uk/location/1-1041032166">http://www.cqc.org.uk/location/1-1041032166</a>	BD4 6DN	Good	14 November 2014
1-325393706	Handsale Limited - Bierley Court	<a href="http://www.cqc.org.uk/location/1-325393706">http://www.cqc.org.uk/location/1-325393706</a>	BD4 6AD	Good	07 July 2016
1-325402520	Handsale Limited - Shakespeare Court Care Home	<a href="http://www.cqc.org.uk/location/1-325402520">http://www.cqc.org.uk/location/1-325402520</a>	BD3 9ES	Requires improvement	11 September 2015
1-127478084	Hawkstone House	<a href="http://www.cqc.org.uk/location/1-127478084">http://www.cqc.org.uk/location/1-127478084</a>	BD20 6NA	Good	19 November 2016
1-122224601	Hazel Bank Care Home	<a href="http://www.cqc.org.uk/location/1-122224601">http://www.cqc.org.uk/location/1-122224601</a>	BD9 6BN	Good	13 May 2015
1-137463788	Heaton Grange Residential Home	<a href="http://www.cqc.org.uk/location/1-137463788">http://www.cqc.org.uk/location/1-137463788</a>	BD9 5NN	Inadequate	19 November 2016
1-112501975	Herncliffe Care Home	<a href="http://www.cqc.org.uk/location/1-112501975">http://www.cqc.org.uk/location/1-112501975</a>	BD20 6LH	Requires improvement	22 June 2016
1-122224618	Holly Park Care Home	<a href="http://www.cqc.org.uk/location/1-122224618">http://www.cqc.org.uk/location/1-122224618</a>	BD14 6BB	Requires improvement	13 January 2016
1-2273220270	Hollycroft Care Home	<a href="http://www.cqc.org.uk/location/1-2273220270">http://www.cqc.org.uk/location/1-2273220270</a>	LS29 9QH	Requires improvement	20 August 2016
1-122317194	Holme View	<a href="http://www.cqc.org.uk/location/1-122317194">http://www.cqc.org.uk/location/1-122317194</a>	BD4 9DT	Good	13 September

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
		cation/1-122317194			2016
1-122317209	Holmewood	<a href="http://www.cqc.org.uk/location/1-122317209">http://www.cqc.org.uk/location/1-122317209</a>	BD22 6AB	Requires improvement	12 October 2016
1-1745293950	Home Instead Senior Care	<a href="http://www.cqc.org.uk/location/1-1745293950">http://www.cqc.org.uk/location/1-1745293950</a>	LS29 8PB	Good	23 December 2016
1-128219136	Homecroft Residential Home	<a href="http://www.cqc.org.uk/location/1-128219136">http://www.cqc.org.uk/location/1-128219136</a>	LS29 9BW	Good	14 December 2016
1-125497873	Housing & Care 21 - Staveley Court	<a href="http://www.cqc.org.uk/location/1-125497873">http://www.cqc.org.uk/location/1-125497873</a>	BD22 7EB	Good	28 June 2016
1-310212539	Howgate House	<a href="http://www.cqc.org.uk/location/1-310212539">http://www.cqc.org.uk/location/1-310212539</a>	BD10 9RD	Inadequate	01 March 2017
1-307138236	Ivy House Nursing Home	<a href="http://www.cqc.org.uk/location/1-307138236">http://www.cqc.org.uk/location/1-307138236</a>	BD18 4LG	Inadequate	11 February 2015
1-1111859903	Kalcrest Care (Northern) Limited	<a href="http://www.cqc.org.uk/location/1-1111859903">http://www.cqc.org.uk/location/1-1111859903</a>	BD1 3AZ	Inadequate	14 December 2016
1-133987472	Kirkwood Care Home	<a href="http://www.cqc.org.uk/location/1-133987472">http://www.cqc.org.uk/location/1-133987472</a>	LS29 8BL	Good	23 September 2015
1-120342068	Ladies In Waiting	<a href="http://www.cqc.org.uk/location/1-120342068">http://www.cqc.org.uk/location/1-120342068</a>	LS29 9EJ	Good	16 March 2016
1-114958578	Langdale Residential Home	<a href="http://www.cqc.org.uk/location/1-114958578">http://www.cqc.org.uk/location/1-114958578</a>	BD4 6AB	Requires improvement	09 November 2016
1-120675587	Laurel Bank Care Home	<a href="http://www.cqc.org.uk/location/1-120675587">http://www.cqc.org.uk/location/1-120675587</a>	BD15 0JR	Good	18 March 2016
1-117042879	Laurel Mount	<a href="http://www.cqc.org.uk/location/1-117042879">http://www.cqc.org.uk/location/1-117042879</a>	BD20 6JB	Requires improvement	03 March 2016



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1-1992211695	Leylands Rest Home	<a href="http://www.cqc.org.uk/location/1-1992211695">http://www.cqc.org.uk/location/1-1992211695</a>	BD9 5PX	Inadequate	16 April 2016
1-137789675	Lindisfarne Care Home Limited	<a href="http://www.cqc.org.uk/location/1-137789675">http://www.cqc.org.uk/location/1-137789675</a>	BD22 8QE	Good	08 November 2016
1-109775435	Lister House Nursing Home	<a href="http://www.cqc.org.uk/location/1-109775435">http://www.cqc.org.uk/location/1-109775435</a>	BD8 8RA	Requires improvement	12 May 2016
1-121037323	Local Care Services Limited	<a href="http://www.cqc.org.uk/location/1-121037323">http://www.cqc.org.uk/location/1-121037323</a>	BD13 2NY	Requires improvement	26 October 2016
1-530762441	Longfield House	<a href="http://www.cqc.org.uk/location/1-530762441">http://www.cqc.org.uk/location/1-530762441</a>	BD14 6NP	Good	09 January 2015
1-122199751	Malvern Nursing Home	<a href="http://www.cqc.org.uk/location/1-122199751">http://www.cqc.org.uk/location/1-122199751</a>	BD9 5NN	Inadequate	28 January 2017
1-112964155	Manor Park Care Home	<a href="http://www.cqc.org.uk/location/1-112964155">http://www.cqc.org.uk/location/1-112964155</a>	BD21 1JB	Good	13 October 2016
1-1344637700	Medacs Healthcare PLC - Leeds	<a href="http://www.cqc.org.uk/location/1-1344637700">http://www.cqc.org.uk/location/1-1344637700</a>	BD1 4ES	Good	28 July 2016
1-319264754	Mill Lodge Care Centre	<a href="http://www.cqc.org.uk/location/1-319264754">http://www.cqc.org.uk/location/1-319264754</a>	BD3 8DR	Good	15 April 2016
1-1477142310	Mill View	<a href="http://www.cqc.org.uk/location/1-1477142310">http://www.cqc.org.uk/location/1-1477142310</a>	BD2 4BN	Requires improvement	08 December 2016
1-1441005926	Moorfields Lodge	<a href="http://www.cqc.org.uk/location/1-1441005926">http://www.cqc.org.uk/location/1-1441005926</a>	BD22 8EN	Good	02 March 2015
1-230646946	Morton Close	<a href="http://www.cqc.org.uk/location/1-230646946">http://www.cqc.org.uk/location/1-230646946</a>	BD20 6RP	Requires improvement	23 April 2016
1-1491017059	Newline Care Home	<a href="http://www.cqc.org.uk/location/1-1491017059">http://www.cqc.org.uk/location/1-1491017059</a>	BD10 9AS	Requires improvement	24 November 2016
1-122317138	Norman Lodge	<a href="http://www.cqc.org.uk/location/1-122317138">http://www.cqc.org.uk/location/1-122317138</a>	BD6 1EX	Requires improvement	05 October 2016

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1-154685378	Norwood House Nursing Home	<a href="http://www.cqc.org.uk/location/1-154685378">http://www.cqc.org.uk/location/1-154685378</a>	BD20 6DZ	Good	20 October 2016
1-1654859587	Oak Mount Care Home	<a href="http://www.cqc.org.uk/location/1-1654859587">http://www.cqc.org.uk/location/1-1654859587</a>	BD3 0JP	Good	25 March 2016
1-117564145	Oakleigh Care Home	<a href="http://www.cqc.org.uk/location/1-117564145">http://www.cqc.org.uk/location/1-117564145</a>	BD14 6NP	Requires improvement	28 January 2017
1-916410437	Oakworth Manor	<a href="http://www.cqc.org.uk/location/1-916410437">http://www.cqc.org.uk/location/1-916410437</a>	BD22 7PB	Requires improvement	28 February 2017
1-1015909323	Oasis Care	<a href="http://www.cqc.org.uk/location/1-1015909323">http://www.cqc.org.uk/location/1-1015909323</a>	BD16 2LT	Requires improvement	07 July 2016
1-419446102	Old Park Road Respite Unit	<a href="http://www.cqc.org.uk/location/1-419446102">http://www.cqc.org.uk/location/1-419446102</a>	BD10 9BG	Good	06 September 2016
1-106171754	Park House Nursing Home	<a href="http://www.cqc.org.uk/location/1-106171754">http://www.cqc.org.uk/location/1-106171754</a>	BD13 1QJ	Good	10 September 2016
1-121612571	Park View	<a href="http://www.cqc.org.uk/location/1-121612571">http://www.cqc.org.uk/location/1-121612571</a>	BD9 4NB	Good	29 February 2016
1-364380063	Park View Road	<a href="http://www.cqc.org.uk/location/1-364380063">http://www.cqc.org.uk/location/1-364380063</a>	BD9 4PA	Good	23 February 2016
1-115984728	Parkfield House Care Home	<a href="http://www.cqc.org.uk/location/1-115984728">http://www.cqc.org.uk/location/1-115984728</a>	BD21 4SW	Requires improvement	17 May 2016
1-130134864	Pollard House	<a href="http://www.cqc.org.uk/location/1-130134864">http://www.cqc.org.uk/location/1-130134864</a>	BD2 4RW	Good	10 November 2015
1-842083566	Redburn House	<a href="http://www.cqc.org.uk/location/1-842083566">http://www.cqc.org.uk/location/1-842083566</a>	BD18 3AP	Requires improvement	01 September 2016
1-369877595	Reevy Road Care Home	<a href="http://www.cqc.org.uk/location/1-369877595">http://www.cqc.org.uk/location/1-369877595</a>	BD6 3LH	Good	29 October 2016
1-138289660	Regency Court	<a href="http://www.cqc.org.uk/location/1-138289660">http://www.cqc.org.uk/location/1-138289660</a>	BD21 4NA	Requires improvement	19 August 2016
1-120124978	Riddlesden Rest	<a href="http://www.cqc.org.uk/location/1-120124978">http://www.cqc.org.uk/location/1-120124978</a>	BD20 5HR	Inadequate	20 October 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	& Convalescent Home	cation/1-120124978			
1-115045144	Riverview Nursing Home	<a href="http://www.cqc.org.uk/location/1-115045144">http://www.cqc.org.uk/location/1-115045144</a>	LS29 9BG	Requires improvement	17 June 2016
1-369921832	Rix House	<a href="http://www.cqc.org.uk/location/1-369921832">http://www.cqc.org.uk/location/1-369921832</a>	BD22 6AR	Good	28 June 2016
1-1082758137	Rose Cottage	<a href="http://www.cqc.org.uk/location/1-1082758137">http://www.cqc.org.uk/location/1-1082758137</a>	BD13 3EL	Good	21 November 2014
1-126940833	Rosegarland Residential Home Limited	<a href="http://www.cqc.org.uk/location/1-126940833">http://www.cqc.org.uk/location/1-126940833</a>	BD8 0JN	Good	25 June 2015
1-110970705	Rosegarth Residential Home	<a href="http://www.cqc.org.uk/location/1-110970705">http://www.cqc.org.uk/location/1-110970705</a>	LS29 8TT	Good	09 March 2015
1-1156155659	Routes Healthcare Yorkshire	<a href="http://www.cqc.org.uk/location/1-1156155659">http://www.cqc.org.uk/location/1-1156155659</a>	BD6 3EW	Requires improvement	31 March 2016
1-117965729	Rowanberries	<a href="http://www.cqc.org.uk/location/1-117965729">http://www.cqc.org.uk/location/1-117965729</a>	BD14 6PN	Good	13 August 2016
1-135667878	Safehands Services Limited	<a href="http://www.cqc.org.uk/location/1-135667878">http://www.cqc.org.uk/location/1-135667878</a>	BD8 8BD	Requires improvement	28 October 2016
1-125046556	Saint John of God Hospitaller Services - 1 Bedes Close	<a href="http://www.cqc.org.uk/location/1-125046556">http://www.cqc.org.uk/location/1-125046556</a>	BD13 3NQ	Good	09 February 2016
1-125046572	Saint John of God Hospitaller Services - 1-2 Cuthbert Close	<a href="http://www.cqc.org.uk/location/1-125046572">http://www.cqc.org.uk/location/1-125046572</a>	BD13 2DF	Good	18 June 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
1-125046591	Saint John of God Hospitaller Services - 3/4 Cuthberts Close	<a href="http://www.cqc.org.uk/location/1-125046591">http://www.cqc.org.uk/location/1-125046591</a>	BD13 2DF	Good	07 April 2016
1-125058801	Saint John of God Hospitaller Services - Bedes Close	<a href="http://www.cqc.org.uk/location/1-125058801">http://www.cqc.org.uk/location/1-125058801</a>	BD13 3NQ	Good	14 December 2015
1-787337976	Sentinel Homecare Limited	<a href="http://www.cqc.org.uk/location/1-787337976">http://www.cqc.org.uk/location/1-787337976</a>	BD8 9TB	Inadequate	25 January 2017
1-122317080	Shared Lives Adult Placement Scheme	<a href="http://www.cqc.org.uk/location/1-122317080">http://www.cqc.org.uk/location/1-122317080</a>	BD16 1AQ	Good	31 August 2016
1-419566370	Sheldon Ridge	<a href="http://www.cqc.org.uk/location/1-419566370">http://www.cqc.org.uk/location/1-419566370</a>	BD4 6EE	Good	02 March 2016
1-109775451	Sherrington House Nursing Home	<a href="http://www.cqc.org.uk/location/1-109775451">http://www.cqc.org.uk/location/1-109775451</a>	BD8 8RA	Requires improvement	12 May 2016
1-138852463	Silverlea Residential Home	<a href="http://www.cqc.org.uk/location/1-138852463">http://www.cqc.org.uk/location/1-138852463</a>	BD3 7JG	Good	25 November 2015
1-120591195	Southfield Care Home	<a href="http://www.cqc.org.uk/location/1-120591195">http://www.cqc.org.uk/location/1-120591195</a>	BD7 3LF	Requires improvement	14 August 2015
1-2301340253	Sova Healthcare Ltd	<a href="http://www.cqc.org.uk/location/1-2301340253">http://www.cqc.org.uk/location/1-2301340253</a>	BD1 5EE	Good	25 June 2016
1-281868881	Spring Mount	<a href="http://www.cqc.org.uk/location/1-281868881">http://www.cqc.org.uk/location/1-281868881</a>	BD9 4DW	Good	04 January 2017
1-126242109	Springfield Nursing Home	<a href="http://www.cqc.org.uk/location/1-126242109">http://www.cqc.org.uk/location/1-126242109</a>	BD6 2UB	Good	27 April 2016

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
1-1088250864	St Anne's Bradford Supported Living Services	<a href="http://www.cqc.org.uk/location/1-1088250864">http://www.cqc.org.uk/location/1-1088250864</a>	BD8 8JY	Requires improvement	25 May 2016
1-117541937	Staveley Birkleas Nursing Home	<a href="http://www.cqc.org.uk/location/1-117541937">http://www.cqc.org.uk/location/1-117541937</a>	BD18 4HD	Good	07 October 2016
1-119721767	Steeton Court Nursing Home	<a href="http://www.cqc.org.uk/location/1-119721767">http://www.cqc.org.uk/location/1-119721767</a>	BD20 6SW	Good	01 October 2015
1-2334208813	Stonham Bradford	<a href="http://www.cqc.org.uk/location/1-2334208813">http://www.cqc.org.uk/location/1-2334208813</a>	BD8 8BD	Requires improvement	25 February 2016
1-225796762	Summerfield Private Residential Home	<a href="http://www.cqc.org.uk/location/1-225796762">http://www.cqc.org.uk/location/1-225796762</a>	BD20 9DA	Requires improvement	29 October 2016
1-122007536	Sunningdale EMI Care Home	<a href="http://www.cqc.org.uk/location/1-122007536">http://www.cqc.org.uk/location/1-122007536</a>	BD9 4NB	Requires improvement	17 August 2016
1-319449751	Sunshine Care (Yorkshire) Limited	<a href="http://www.cqc.org.uk/location/1-319449751">http://www.cqc.org.uk/location/1-319449751</a>	BD13 1PL	Good	21 September 2016
1-249066496	Supported Lives	<a href="http://www.cqc.org.uk/location/1-249066496">http://www.cqc.org.uk/location/1-249066496</a>	BD1 2RX	Good	15 December 2016
1-1929062100	Sutton House	<a href="http://www.cqc.org.uk/location/1-1929062100">http://www.cqc.org.uk/location/1-1929062100</a>	BD4 8LJ	Requires improvement	23 July 2016
1-120690704	The Beeches Care Home	<a href="http://www.cqc.org.uk/location/1-120690704">http://www.cqc.org.uk/location/1-120690704</a>	BD6 3DP	Requires improvement	20 May 2016
1-294590228	The Cedars	<a href="http://www.cqc.org.uk/location/1-294590228">http://www.cqc.org.uk/location/1-294590228</a>	BD17 6QA	Good	20 February 2016
1-1790539111	The Flowers	<a href="http://www.cqc.org.uk/lo">http://www.cqc.org.uk/lo</a>	BD7 4LZ	Requires	28 October 2015

Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	Care Home Limited	cation/1-1790539111		improvement	
1-352813815	The Gables Nursing Home	<a href="http://www.cqc.org.uk/location/1-352813815">http://www.cqc.org.uk/location/1-352813815</a>	BD20 9LN	Good	29 November 2016
1-2235535718	The Gateway Care Home	<a href="http://www.cqc.org.uk/location/1-2235535718">http://www.cqc.org.uk/location/1-2235535718</a>	BD4 8RD	Requires improvement	16 December 2016
1-1195529037	The Glen Nursing Home	<a href="http://www.cqc.org.uk/location/1-1195529037">http://www.cqc.org.uk/location/1-1195529037</a>	BD17 5DX	Good	02 December 2014
1-119614435	The Heathers	<a href="http://www.cqc.org.uk/location/1-119614435">http://www.cqc.org.uk/location/1-119614435</a>	BD8 7LU	Requires improvement	03 September 2016
1-132477065	The Links Care Centre	<a href="http://www.cqc.org.uk/location/1-132477065">http://www.cqc.org.uk/location/1-132477065</a>	BD3 7NJ	Requires improvement	18 February 2016
1-307138353	The Mount Nursing Home	<a href="http://www.cqc.org.uk/location/1-307138353">http://www.cqc.org.uk/location/1-307138353</a>	BD2 4LP	Requires improvement	15 March 2016
1-122007499	The Raikes Residential Home	<a href="http://www.cqc.org.uk/location/1-122007499">http://www.cqc.org.uk/location/1-122007499</a>	BD20 9JN	Requires improvement	16 July 2016
1-122317163	Thompson Court	<a href="http://www.cqc.org.uk/location/1-122317163">http://www.cqc.org.uk/location/1-122317163</a>	BD16 2EP	Requires improvement	13 August 2016
1-127478098	Thornfield House	<a href="http://www.cqc.org.uk/location/1-127478098">http://www.cqc.org.uk/location/1-127478098</a>	BD10 8QY	Good	01 November 2016
1-1482500032	Three Sisters & Bronte View	<a href="http://www.cqc.org.uk/location/1-1482500032">http://www.cqc.org.uk/location/1-1482500032</a>	BD22 9PH	Good	13 August 2016
1-124000067	Troutbeck Care Home	<a href="http://www.cqc.org.uk/location/1-124000067">http://www.cqc.org.uk/location/1-124000067</a>	LS29 9JP	Requires improvement	27 September 2016
1-1488272345	Turning Point - Bradford	<a href="http://www.cqc.org.uk/location/1-1488272345">http://www.cqc.org.uk/location/1-1488272345</a>	BD1 4HR	Requires improvement	25 November 2016
1-568147038	United Response -	<a href="http://www.cqc.org.uk/location/1-568147038">http://www.cqc.org.uk/location/1-568147038</a>	BD5 8HH	Requires improvement	24 March 2016

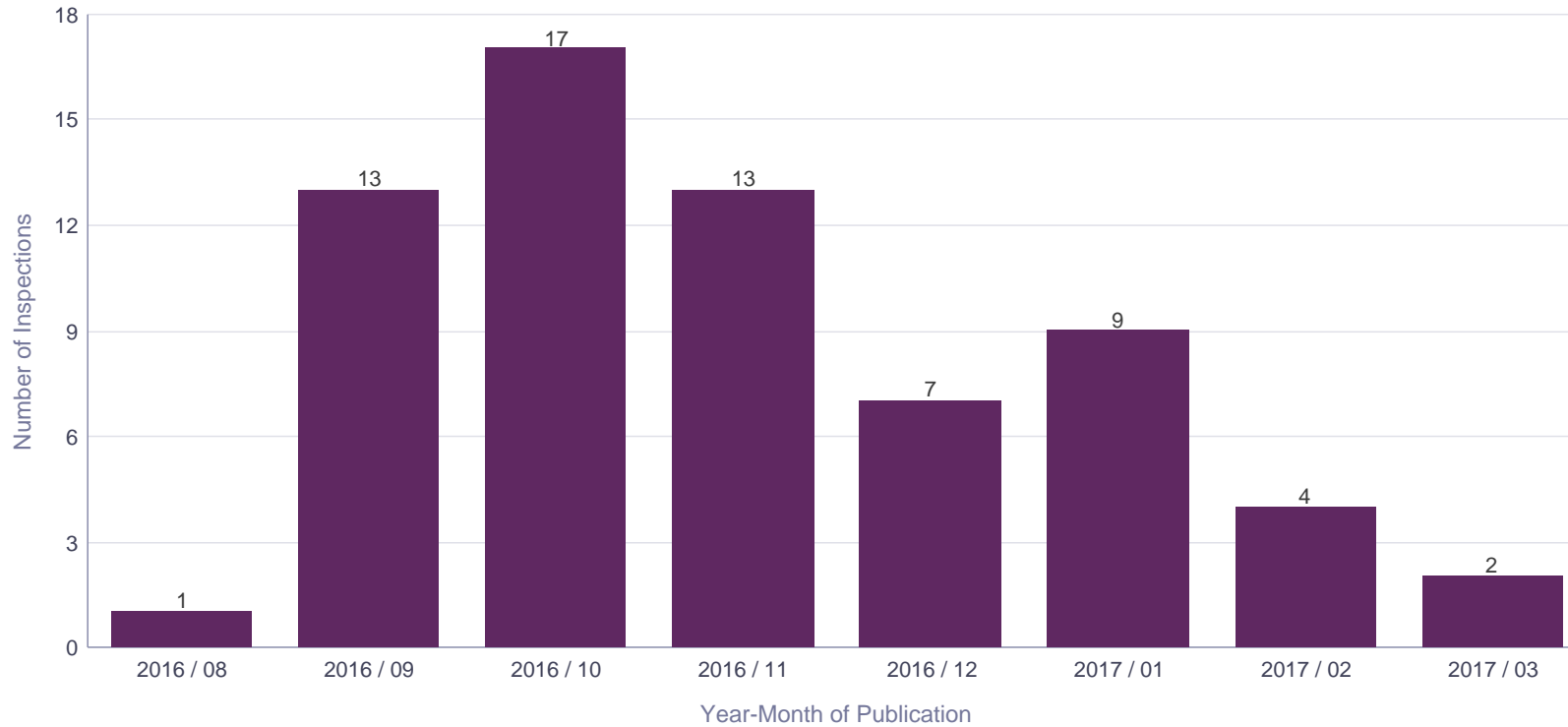
Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
	Bradford Community Support				
1-432764782	United Response - Bradford Supported Living Services	<a href="http://www.cqc.org.uk/location/1-432764782">http://www.cqc.org.uk/location/1-432764782</a>	BD5 8HH	Good	27 February 2016
1-120266690	Vision Homes Association - 2 Ouzel Drive	<a href="http://www.cqc.org.uk/location/1-120266690">http://www.cqc.org.uk/location/1-120266690</a>	BD6 3YN	Good	16 June 2016
1-122317270	Wagtail Close	<a href="http://www.cqc.org.uk/location/1-122317270">http://www.cqc.org.uk/location/1-122317270</a>	BD6 3YJ	Requires improvement	21 February 2017
1-106748043	Walmer Lodge Residential Home	<a href="http://www.cqc.org.uk/location/1-106748043">http://www.cqc.org.uk/location/1-106748043</a>	BD8 7ET	Good	21 September 2016
1-369921717	Weaver Court	<a href="http://www.cqc.org.uk/location/1-369921717">http://www.cqc.org.uk/location/1-369921717</a>	BD10 9TL	Good	04 May 2016
1-109813723	Well Springs Nursing Home	<a href="http://www.cqc.org.uk/location/1-109813723">http://www.cqc.org.uk/location/1-109813723</a>	BD9 5QU	Good	26 October 2015
1-113532149	Wellington House Nursing Home	<a href="http://www.cqc.org.uk/location/1-113532149">http://www.cqc.org.uk/location/1-113532149</a>	BD18 3LU	Good	11 January 2016
1-123449640	West Bank Care Home	<a href="http://www.cqc.org.uk/location/1-123449640">http://www.cqc.org.uk/location/1-123449640</a>	BD8 0AN	Requires improvement	10 February 2017
1-125046701	West Lane	<a href="http://www.cqc.org.uk/location/1-125046701">http://www.cqc.org.uk/location/1-125046701</a>	BD13 3JB	Good	31 July 2015
1-2969293218	Westfield Manor	<a href="http://www.cqc.org.uk/location/1-2969293218">http://www.cqc.org.uk/location/1-2969293218</a>	BD10 8PY	Good	01 March 2017



Location ID	Location Name	Website URL	Location Postcode	Overall Rating	Publication Date
1-401860649	Whiteoak	<a href="http://www.cqc.org.uk/location/1-401860649">http://www.cqc.org.uk/location/1-401860649</a>	BD2 3QF	Good	14 November 2014
1-120690719	Willow Bank Care Home	<a href="http://www.cqc.org.uk/location/1-120690719">http://www.cqc.org.uk/location/1-120690719</a>	BD15 7WB	Good	25 June 2015
1-142190858	Woodleigh Rest Home Limited	<a href="http://www.cqc.org.uk/location/1-142190858">http://www.cqc.org.uk/location/1-142190858</a>	BD13 2SR	Requires improvement	05 November 2016
1-122317254	Woodward Court	<a href="http://www.cqc.org.uk/location/1-122317254">http://www.cqc.org.uk/location/1-122317254</a>	BD15 7YT	Good	05 August 2015
1-284382921	Worth Valley Care Services Ltd	<a href="http://www.cqc.org.uk/location/1-284382921">http://www.cqc.org.uk/location/1-284382921</a>	BD22 8LR	Good	04 August 2016



## Number of new approach inspections of Social Care Org locations in Bradford published in the last 183 days



## The number of compliance actions, requirement notices and published warning notices served on Social Care Org locations in Bradford in inspections published in the last 12 months

Each warning notice, compliance action and requirement notice is counted separately for every regulation breached as part of a published inspection

Action Type	Number of Actions
Compliance action	1
Requirement	145
Warning notice	34

**The number of published other civil actions served on Social Care Org locations in Bradford in inspections published in the last 12 months\***

There have been no published other civil actions served on social care org locations in this local authority in inspections published in the last 12 months.

\*The following types of regulatory actions are excluded as they are not reportable from the inspection record: Fixed penalty, simple caution, prosecution, urgent cancellation.

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## **Update from CQC Hospitals Directorate in Bradford and District**

### **Bradford Teaching Hospitals NHS Foundation Trust**

A comprehensive inspection was conducted in October 2014. A follow up inspection was conducted in January 2016. The inspection reports from this were published in June 2016.

We included four locations as part of this inspection

- Bradford Royal Infirmary
- St Luke's hospital
- Westbourne Green
- Westwood Park

Overall the trust was rated as requires improvement. With safe, responsive and well led requires improvement. Effective and caring were rated good.

The trust was found to be non-compliant with a number of Regulations during the inspection and corresponding compliance actions were implemented. The trust developed an action plan to address the areas of non-compliance which is being monitored via monthly engagement.

Particular areas of concern identified in the inspection were:

- Infection prevention and control practices in relation to hand hygiene and cleaning of equipment.
- Compliance with the WHO surgical safety checklist and five steps to safer surgery.
- Staff shortages and staff with the appropriate skills and experience, linked with mandatory training and appraisal rates.
- Governance in relation to reporting and assurance mechanisms to enable the identification and management of risks.

From the comprehensive inspection significant improvements had been made in relation to the care of patients being treated with non-invasive ventilation, with all patients being cared for in one area.

The child stabilisation area had also undergone significant improvements.

Lisa Cook  
Inspector - West Yorkshire  
10 March 2015

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## **Update from CQC Hospitals Directorate in Bradford and District**

### **Airedale NHS Foundation Trust**

We carried out a comprehensive inspection on 15-18 March 2016 and unannounced inspections on 31 March and 11 May 2016 as part of our comprehensive inspection programme.

The report was published on 10 August 2016.

We previously inspected Airedale General Hospital in September 2013. This was part of our pilot for the comprehensive programme. The hospital was not rated at that time.

We included the following locations as part of this 2016 inspection:

- Airedale General Hospital
- Community services including adult community services, community inpatients and end of life care.

Following our inspection in March 2016, the Trust informed us of a serious incident that had occurred on the critical care unit at Airedale General Hospital. On further analysis of other evidence, we undertook a further unannounced focussed inspection on 11 May 2016. The focus of the inspection was staffing levels, training and competency of staff, equipment checks and patient care within the critical care unit.

We rated Airedale General Hospital overall as requires improvement. We rated caring, effective and responsive as good. Safe and well-led were rated as requires improvement.

We rated emergency and urgent care, maternity and gynaecology, services for children and young people, end of life care and outpatients and diagnostics as good. We rated critical care, medical care and surgery as requires improvement.

Within the community services, we rated adult community services, community inpatients and end of life care as good. We rated well-led for adult community services as outstanding.

Our key findings were as follows:

- The trust was inspected in September 2013 and our inspection report at the time demonstrated good quality of services generally with some concerns relating to critical care in particular.
- Our inspection of March 2016 showed that whilst the majority of services were good, the trust requires improvement and we have seen deterioration in some services namely critical care, surgery and medicine.
- Most staff reported a positive culture and we found that staff were caring and treated patients and their families with dignity. However, we saw evidence that there were areas of the trust that whilst staff reported feeling proud to work at Airedale, some staff described a less open and positive culture. We had some concern over leadership and the relationship with and management of staff, particularly in critical care.

- Nurse staffing levels in many clinical areas within Airedale General Hospital were regularly below the planned number. This was a particular concern in critical care, medical care, surgery and children's services. Planned nurse staffing levels in critical care were below the levels recommended in national guidance.
- Medical staffing numbers did not meet national guidance in the emergency department and there were insufficient intensivists in critical care. We saw the trust were committed to further recruitment of ED consultants and had five intensivists employed.
- We found a culture of continual service improvement and innovation in adult community services. There were several examples of enhanced integration between health and social care within community services for adults.
- The management of medicines required improvement in several areas across the hospital.
- We had concerns about the escalation process of deteriorating patients particularly with medical care and surgery; systems used were not always effective.
- We found governance systems and processes were not always effective and, in some areas within Airedale General Hospital. Risks were not always identified and where these were, there was not always sufficient assurance in place.
- Mandatory training compliance did not meet the trust's target of 80% in several areas including medical care and surgery. This was monitored within business groups, at the Mandatory Training Group and at the Executive Assurance Group.
- We found the hospital was clean and observed that most staff adhered to infection control principles. Between March 2015 and March 2016 there were three incidents of MRSA at the trust. Incidents of MSSA and Clostridium difficile had been mainly in line with the England average.
- Mortality indicators showed no evidence of risk.
- We found that patients were assessed and supported with food and drink to meet their nutritional needs.
- A new emergency department had been opened to meet the increase in patient numbers and new models of working.
- The trust had a 'Right Care' vision. The majority of staff understood the vision. Directorate plans were in place which supported the trust's vision and strategy.

We saw several areas of outstanding practice including:

- Telemedicine services provided at the digital care hub were outstanding. The telemedicine service provided remote video consultations between Airedale staff and patients in their own homes, care homes and in prisons. Clinical staff in the hub speak to residents directly whilst viewing them on the screen. They provided advice and support on the most appropriate action to take. If necessary, they could call for emergency services on the patient's behalf whilst continuing to give advice and reassurance. This service was available 24 hours a day 365 days a year.
- The community-based collaborative care teams were an outstanding example of multidisciplinary team working. The teams worked across acute and community services and in collaboration with other agencies to provide a responsive service for patients 24 hours a day, 7 days a week. The teams aimed to support patients in crisis to remain in



their own homes and avoid unnecessary hospital admission as well as supporting early discharge from hospital.

- Within end of life care, there were innovative ways to ensure care was patient centred for example the Gold Line Service, and ‘flags’ on electronic records; when patients with additional needs were admitted at the end of life, specialist staff were alerted and could respond in a timely way.
- Through the use of an electronic record and an integration system, a shared record could be accessed securely by partners across all the care settings to obtain a tailored view of an individual’s information.

However, there were also areas of poor practice where the trust needed to make improvements. Importantly, the trust must:

- The trust must ensure that, during each shift, there are a sufficient number of suitably qualified, competent, skilled and experienced staff deployed to meet the needs of the patients.
- The trust must ensure that the remote telemetry monitoring of patients is safe and effective.
- The trust must review the governance arrangements and management of risks within critical care to ensure that arrangements for assessing, monitoring and improving the quality and safety of the service are effective.
- The trust must review the effectiveness of controls and actions on the local and corporate risk register, particularly in medical care and children and young people’s services.
- The trust must continue to improve engagement with staff and respond appropriately to concerns raised by staff.
- The trust must ensure that staff complete their mandatory training including safeguarding training.
- The trust must ensure that guidelines are up to date and meet national recommendations within NICE guidance or guidance from similar bodies.
- The trust must ensure that physiological observations and NEWS are calculated, monitored and that all patients at risk of deterioration are escalated in line with trust guidance.
- The trust must ensure the safe storage and administrations of medicines.
- The trust must improve compliance in medicines reconciliation.
- The trust must ensure records are stored and completed in line with professional standards, including an individualised care plan.
- The trust must ensure an effective system is in place to ensure that community paediatric letters are produced and communicated in a timely manner.
- The trust must ensure that resuscitation and emergency equipment including neonatal resuscitaires, is checked on a daily basis in line with trust guidelines.
- The trust must ensure the five steps for safer surgery including the World Health Organisation (WHO) safety checklist is consistently applied and practice audited.
- The trust must ensure that were the responsibility for surgical patients is transferred to another person, the care of these patients is effectively communicated.

- The trust must ensure there are sufficient numbers of intensivists deployed in accordance with national guidance.
- The unit must ensure a minimum of 50% of nursing staff have a post registration qualifications in critical care.
- A multi-disciplinary clinical ward round within Intensive Care must take place every day, in accordance with national guidance, to share information and carry out timely interventions.

Following our inspection in March 2016, the Trust informed us of a serious incident that had occurred on the critical care unit. A further unannounced inspection showed insufficient action had been taken to prevent recurrence. Consequently, we spoke with the Chief Executive to gain assurance that additional actions were taken to ensure safety.

### **Inspection carried out on 5 Sept 2016**

The Care Quality Commission (CQC) carried out an unannounced inspection of Airedale General Hospital on the 5 September 2016. The purpose was to look at specific areas in relation to the safe and well-led domains on the Critical Care Unit (CCU) and on some of the medical wards.

The areas inspected in September 2016 included a selection of wards/departments that were identified as a concern during the March 2016 comprehensive inspection, as well as areas where concerns were not identified during the previous inspection but where local intelligence suggested that risks may have increased in those areas. This included concerns regarding risks of patients deteriorating without appropriate monitoring or escalation, and nurse staffing levels.

CQC will not be providing a rating to Airedale General Hospital for this inspection. The reason for not providing a rating was because this was a very focused inspection carried out to assess whether the trust had made significant improvement to services within the prescribed time frame.

In Medical care our key findings were:

- Daily checks of emergency equipment on ward 15 had not been completed daily when patients had been cared for on the ward. The resuscitation trolley had not been checked for the previous six days and there was no oxygen on the trolley. This had been recently replaced and was stored elsewhere on the unit, which meant in an emergency situation staff may not have all the appropriate equipment available for them to use.
- On the ward there was a signposted male toilet area and a disabled toilet and shower cubicle. There was no dedicated female bathroom on the ward on the day of inspection.
- Ward 15 did not store controlled drugs; these were provided by ward 14. Therefore if a patient on ward 15 required controlled drugs the nurse would be given assistance of a registered nurse from ward 14 to check and administer the drug. If ward 14 was busy, the nurse would bleep for the assistance of a matron.

- On the day of inspection we found records were not stored securely on ward 15. Medical and nursing notes were stored in cardboard boxes on the nurses' station, and were left unattended whilst staff cared for patients.
- Monitoring of patients on the ward with telemetry varied dependent on clinical need and the patients National Early Warning Score (NEWS). The ward would undertake their own observations of a patient and record on a NEWS chart; however, staff told us there was no guidance as to how often this would be done other than the nurses clinical judgement. We found there was no set guidance from the trust on what ward monitoring should be undertaken for these patients.
- Staff described NEWS and clinical judgement as factors when escalating concerning patients. All staff we spoke with were able to describe the process they would follow. However we found in six patient records that clinical observations had not always been completed in the specified time-frame.
- Following the inspection the trust informed CQC that ward 10 had opened on one occasion on 29 September 2016. The opening of the additional 4 beds was in response to a surge in acute activity. To ensure the area was staffed safely, the decision was made to open the doors between the wards 9 and 10. Ward 9 staff had cared for the four patients located on ward 10 in addition to the patients on ward 9. This meant there were two registered nurses with support from Health care assistants for a total of 33 patients for the night shift.

In Critical Care our key findings were:

- Staff told us that sharing information and learning from incidents had improved on the unit.
- The unit had closed beds since our inspection in March 2016 to support safer nurse staffing levels. We reviewed staffing data for three months and saw there was a general improvement in nurse staffing levels however there still remained shortfalls on some shifts and the unit did not have a supernumerary co-ordinator.
- There had been a process of two person equipment checks introduced in critical care following a serious incident in April 2016. Staff were required to check 'high risk' equipment with another nurse at the beginning of each shift or for each new admission. However we observed three care charts and one chart did not have a countersign for one shift out of three opportunities to do so.
- Since our inspection in March 2016 the trust had introduced a new process for the monitoring of telemetry patients and the nurse co-ordinator on the critical care unit had oversight of telemetry patients.
- The unit had developed a process for monitoring staff compliance with medical device training. The ward educator was managing the training and the lead nurse had oversight of this. We saw there was a good level of compliance with the training.
- Changes had been made at a senior leadership level and support had been put into place on the unit. There was now a dedicated lead nurse, matron and nurse consultant working on the unit.

- Staff we spoke with felt that safety had been given greater priority and that incidents and lessons learnt had been shared in an open and transparent way at staff meetings. Staff spoke positively about the new management team.
- There was an improved process and system for appraisal of staff across the unit. The new lead nurse and nurse consultant had achieved 81% of all staff appraisals over three months, with planned dates in place for the remaining team.
- The clinical nurse educator had been given more time to fulfil the expectations of the role and worked alongside staff or released staff to attend training. There was co-ordination of all staff commencing and completing the critical care STEPS training programme in order to evidence competence and knowledge of the team.
- Following our inspection in March 2016 the trust had put in place a critical care action plan. We reviewed the action plan and found that of a total of 23 recommendations, 19 had been delivered, three were on track to be delivered and one was partially delivered.

Ruth Dixon  
Inspector  
March 10 2017.

## **Update from CQC Hospitals - Mental Health Directorate in Bradford and District**

We have now completed our comprehensive programme of inspecting all NHS mental health hospitals and independent mental health services that were registered with us from April 2014.

We have also completed our comprehensive inspection programme of substance misuse services that were registered after April 2015. We have not rated substance misuse services at these inspections whilst we ensure the new methodology used for both NHS and independent hospitals is applicable to these services. We have inspected these services against the regulations.

Inspections of NHS and independent hospitals, as well as substance misuse services, that have registered with us since these dates will continue over the coming months. We will also continue to revisit those services where we have identified breaches of regulations to ensure that those providers have taken the required actions.

We have seen some excellent examples of good practice over the last year, with 16 out of 47 NHS trusts rated as good as at 31 July 2016. Two NHS trusts were rated as outstanding in September 2016. The majority of NHS mental health trusts were rated as requires improvement overall. This was 30 out of the 47 inspected and reported on, or 64%. One NHS mental health trust was rated as inadequate. The safety of patients in NHS trusts remains an area of concern, with 40 rated as requires improvement and four rated as inadequate for the key question 'are services safe?'.

We have also seen good and outstanding practice in independent mental health providers, with 103 rated as good and seven rated as outstanding. However, 43 were rated as requires improvement and 8 as inadequate.

Further information about what our inspections have found in NHS mental health services, independent mental health services, and substance misuse services so far is available for reading in our latest State of Care report.

On a local level, at the time of writing this commentary the Bradford District Care NHS Foundation trust is rated as good overall. We have regular engagement meetings with the trust and they provide us with regular intelligence updates and quarterly monitoring information to evidence the level of treatment and care delivered by the organisation. We have two independent mental health services in Bradford; Cygnet Hospital Wyke and Cygnet Hospital Bierley. Both these independent hospitals have been rated as good overall but have breaches of regulations in the

safe domain which we monitor through reviewing action plans at engagement meetings. We also maintain oversight of these services from the intelligence and information we receive about these services from stakeholders, as well quarterly monitoring.

There has been a change in provider at an independent health provider in Keighley in November 2016. It was Priory Hospital Keighley that was rated as good overall. It is now Three Valleys Hospital provided by Elysium Healthcare. CQC aims to inspect all newly registered services within 12 months of the registration.

We inspected three substance misuse services across Bradford in 2016 that were registered with the Care Quality Commission, including Addaction Bradford Clinical Support Services, Lifeline Piccadilly Project (alcohol services) and Oasis Recovery Communities (detoxification services). These were not rated. Both Addaction Bradford Clinical Support Services and Lifeline Piccadilly Project had breaches of regulation in the safe domain. Oasis Recovery Communities had no breaches of regulation.

Breaches of regulation in the independent mental health services and substance misuse services will be followed up in 2017/18 to confirm the providers have taken action to meet the regulations.

#### Next phase of Mental Health inspections

As part of the CQC strategy for 2016-2021, we published a summary document detailing what our strategy means for each of the sectors we regulate.

We have been reviewing the methodology used for inspecting NHS mental health hospitals. Providers have had the opportunity to input into these changes through a consultation which ended in February 2017. Over half of our provider responded. We will publish the outcomes.

We are considering a number of potential changes including:

- Principles for assessing new care models and complex providers
- Change from 11 to 2 assessment frameworks
- Approaches to include additional services, including mental health services in acute hospitals
- Proposals for using accreditation schemes

The changes proposed are to ensure the following change the key lines of enquiries and the inspection methodology in order to:

- Focus our inspections where we have the greatest concerns or services that might have improved
- Develop our local relationships with providers, with Healthwatch and local and regional public organisations
- Accommodate new models of care
- Align our approach with NHS Improvement to avoid duplication.

There will be changes from May 2017 in the way we inspect NHS mental health services. There will be no changes at this time for the way we inspect independent mental health services or substance misuse services. However, there are plans to rate substance misuse services in the coming year.

Kate Gorse-Brightmore

Inspection Manager, Mental Health

9 March 2017

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## **Update from CQC Primary Medical Services Directorate in Bradford and District**

We have now completed our comprehensive programme of inspecting all GP practices in England that were registered before 1 October 2014. Inspections of GP practices that have registered with us since that date will continue over the coming months. We will also continue to revisit those GP practices where we have identified breaches of regulations to ensure that those providers have taken the required actions. In total, including inspections which have been carried out in response to risk, we have carried out over 8,000 inspections within GP practices nationally.

We are working on ensuring that all of our completed inspections are published in a timely way as well as undertaking further analysis of our findings to date for reporting on later in the year.

Further information about what our inspections have allowed us to find out within GP practice's nationally so far is available for reading in our latest State of Care report.

On a local level, at the time of writing this commentary we have no practices in Bradford District or City CCGs that are in special measures. We have one GP practice that is currently subject to enforcement action and we will be revisiting this practice before the planned date of this meeting. The attached slide provides you with a picture of the latest published overall ratings awarded to GP practices (by %) across Bradford District and City CCGs as of 17 January 2017. The comparative figures for the North region as a whole, along with each of the CCGs that lie within the Yorkshire and Humber area, have also been provided for your information.

We continue to have positive engagement with the Bradford District and City CCGs and look forward to this continuing in the future.

### Next phase of PMS inspections

As part of the CQC strategy for 2016-2021, we published a summary document detailing what our strategy means for each of the sectors we regulate.

For Primary Medical Services inspections, we will:

- Move to a maximum interval of five years for inspecting GP practices rated good or outstanding – subject to general practices providing accurate and full data, and our confidence that quality has not changed significantly.
- Focus on areas where there may be emerging risks, or where we need to understand more about innovative models of care, for example independent doctors or digital health providers.
- For federations and other new care models, focus on how well-led they are at corporate level, and consider inspecting a sample of locations, alongside looking at local area data to understand potential risks.
- For urgent and emergency care – including out-of-hours, walk-in centres and NHS 111 services – inspect related services at the same time and strengthen how we work with our hospital inspection teams.
- Continue our current approach to joint inspections, such as the multi-agency work with HMI Prisons, HMI Constabulary, Ofsted and HMI Probation for children’s services and in the criminal justice system, and look for opportunities to develop future joint inspection programmes.

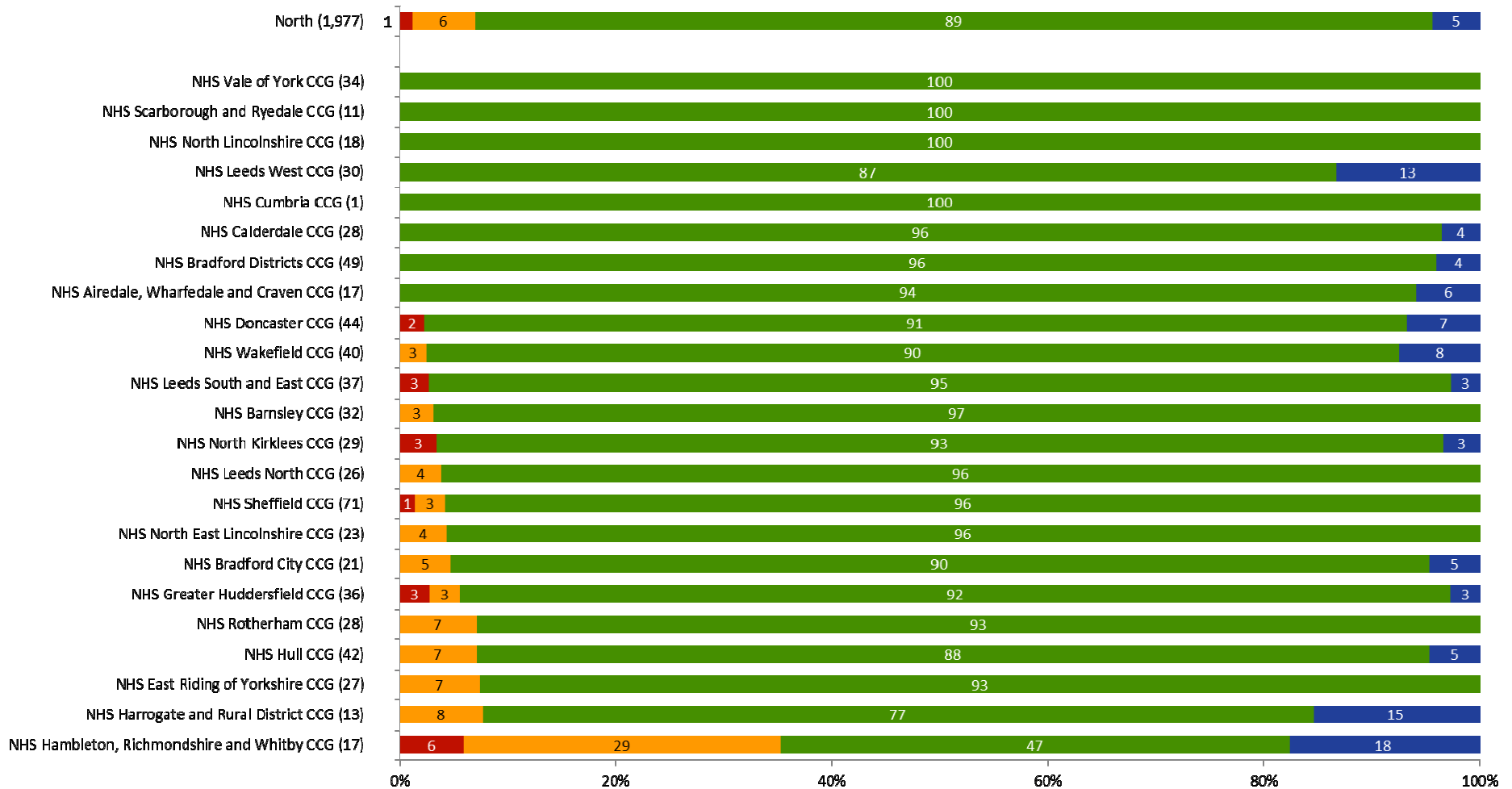
Formal consultation on our assessment frameworks for all sectors ended on 14 February 2017, though discussions will continue internally. We will publish our response to feedback from this first consultation in May, when we also plan to launch our next consultation on primary medical services.

David Ross

Inspection Manager

01 March 2017

# Current overall ratings: Yorkshire and The Humber CCGs



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## Report of the City Solicitor to the meeting of the Health and Social Care Overview & Scrutiny Committee to be held on 23 March 2017

# AI

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**Subject: Health and Social Care Overview and Scrutiny Committee Work Programme 2016/17**

**Summary statement:**

This report presents the work programme 2016/17

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Parveen Akhtar  
City Solicitor

**Portfolio:**

Health and Wellbeing

Report Contact: Caroline Coombes  
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E-mail: [caroline.coombes@bradford.gov.uk](mailto:caroline.coombes@bradford.gov.uk)



1. **Summary**

1.1 This report presents the work programme 2016/17.

2. **Background**

2.1 The Committee adopted its 2016/17 work programme at its meeting of 14 July 2016.

3. **Report issues**

3.1 **Appendix 1** of this report presents the work programme 2016/17. It lists issues and topics that have been identified for inclusion in the work programme and have been scheduled for consideration over the coming year. **Appendix 2** lists items for inclusion in the work programme that have not yet been scheduled.

4. **Options**

4.1 Members may wish to amend and / or comment on the work programme at **Appendix 1** and **2**.

5. **Contribution to corporate priorities**

5.1 The Health and Social Care Overview and Scrutiny Committee Work Programme 2016/17 reflects the ambition of the District Plan for 'all of our population to be healthy, well and able to live independently for a long as possible' (District Plan: Better health, better lives).

6. **Recommendations**

6.1 That the Committee notes the information in **Appendix 1** and **2**

7. **Background documents**

7.1 Constitution of the Council

8. **Not for publication documents**

None

9. **Appendices**

9.1 **Appendix 1** – Health and Social Care Overview and Scrutiny Committee work programme 2016/17

9.2 **Appendix 2** – Unscheduled items for inclusion in Committee's work programme 2016/17

# Democratic Services - Overview and Scrutiny

Appendix 1

## Health and Social Care O&S Committee

Scrutiny Lead: Caroline Coombes tel - 43 2313

### Work Programme

Agenda	Description	Report	Comments
<b>Thursday, 6th April 2017 at City Hall, Bradford.</b>			
<b>Chair's briefing 22/03/2017. Report deadline 24/03/2017</b>			
1) Outcome Of Consultation On The Proposed Change To Bradford Council's Contributions Policy For Non-Residential Services	Update including consideration of ways to improve consultation with vulnerable groups.	Bev Maybury (Bev Tyson)	resolution of 8 Sept 2016
2) Safeguarding Adults	Details to be confirmed	Bev Maybury	
3) Bradford District Suicide Prevention Plan 2017 - 2021	A draft Bradford District Plan has been produced in line with Public Health England Guidance	Sarah Muckle	
4) Respiratory Health in Bradford and Airedale	Report to cover the high level areas outlined in the 'Bradford Breathing Better' programme and to include an update on self care	Toni Williams	resolution of 3 March 2016
<b>Thursday, 11th May 2017 at City Hall, Bradford.</b>			
<b>Report deadline 28/04/2017</b>			
1) Presentation from self advocates on the Supported Living Survey	Details to be confirmed	Contact: Darryl Smith	
2) Draft Daytime Strategy	Details to be confirmed	Bev Maybury	resolution of the Joint CSOSC & HSCOSC mtg of 27 March 2016 'that a report on the draft Daytime Strategy be presented to the HSCOSC by the end of the 2016/17 Municipal year'
3) Great Places to Grow Old programme	Update	Lyn Sowray	resolution of 3 March 2016

Page 57

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# Democratic Services - Overview and Scrutiny

## Scrutiny Committees Forward Plan

### Unscheduled Items

## Appendix 2

### Health and Social Care O&S Committee

Agenda item	Item description	Author	Management comments
0 111 service / out of hours primary care	Update on performance and previous resolution around tagging of patient notes and promotion	Commissioners (Greater Huddersfield CCG)	
0 Independent Complaints Advocacy Team (ICAT) Bradford & District	Annual update	Andrea Beever	
0 Update on the progress made by Airedale and partners enhanced health in care homes Vanguard	Update	Helen Bourner	
0 Diabetes	Details to be confirmed	Public health / CCGs	
0 Domiciliary Care	See resolution of 21 Jan 2016	Bernard Lanigan	

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## **Report of the Strategic Director of Place to the meeting of Executive to be held on Tuesday 7<sup>th</sup> March 2017**

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**BM**

**Subject:**

**Review of the operation and effectiveness of the 12 month trial ban of pavement obstructions.**

**Summary statement:**

This report updates the Executive on the effectiveness and practicality issues of the 12 month trial ban on pavement obstructions in Bradford City Centre, Saltaire, Ilkey and on A647 Leeds Road between Thornbury Gyratory and Bradford City Centre.

On the basis of the trial's findings a number of potential options for the continuation, revocation or amendment of the policy related to pavement obstructions in the future are presented for the Executive's consideration and determination.

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Steve Hartley  
Strategic Director of Place

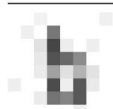
**Portfolio:**

Regeneration, Planning & Transport

Report Contact: Richard Gelder  
Highways Services Manager  
Phone: (01274) 437603  
E-mail: [Richard.Gelder@bradford.gov.uk](mailto:Richard.Gelder@bradford.gov.uk)

**Overview & Scrutiny Area:**

Environment & Waste



## EXECUTIVE SUMMARY

1. A trial ban on the placing of obstructions on pavements in Bradford city centre, Saltaire, Ilkley and on the A647 Leeds Road between Thornbury gyratory and Bradford city centre was introduced in January 2016 following its approval by Executive. For the past twelve months businesses failing to comply with the ban have been subject to enforcement action by Council officers to remove obstructions to the highway. A series of enforcement days were held over 4 separate occasions throughout 2016 which saw a 95% level of compliance with the ban within each of the trial areas.
2. During the trial information was gathered in relation to various metrics of the approach which identified the following issues:
  - a) Levels of compliance with the ban and the costs of its enforcement;
  - b) Issues of parity in enforcement in between the different areas and types of areas;
  - c) Difficulties in identifying the extents of highway / private curtilage;
  - d) Specialist difficulties associated with the Saltaire World Heritage Site; and
  - e) Alternative approaches to advertising of businesses.Each of these metrics is explored in greater detail within the report.
3. During the operation of the ban staffing resources equivalent to 2.52FTEs were allocated to activities associated with its operation at a staff and plant cost of £61,400. Further extension of the ban would place increasing pressures on reducing budgets within the Planning, Transportation & Highways Service.
4. The ban was reviewed by the Health and Social Care Overview & Scrutiny Committee in December 2016 who made the following recommendation to Executive:

**Following completion of the trial ban of advertising boards Executive approve the formalisation of the ban across all clearly defined urban centres of the district.**

5. This report therefore presents a number of options for Executive's consideration in relation to the future operation of any ban including:
  - a) Retain the ban in the current 4 areas;
  - b) Retain the ban but widen to include other urban centres;
  - c) Increase the ban to include all roads and pavements within the district;
  - d) Revert to the previous Code of Practice approach; and
  - e) Retain a modified ban with an element of licensing of obstructions.
6. The costs of 5(b) and 5(c) have been calculated based on the experience gained during the trial and further work has been done on considering the licensing option as has the potential for income from the licensing proposal under 5(e). Based on this work the report therefore recommends that Executive:
  - a) Retaining the ban across the trial zones with arrangements to allow licensing of pavement obstructions included.
  - b) That the development of the licensing arrangements be devolved to the Strategic Director: Place in consultation with the Portfolio Holder.

## 1. SUMMARY

1.1. This report updates the Executive on the effectiveness and practicality issues of the 12 month trial ban on pavement obstructions in:

- a) Bradford City Centre;
- b) Saltaire;
- c) Ilkley; and
- d) A647 Leeds Road between Thornbury gyratory and Bradford City Centre.

which was introduced in January 2016.

1.2. Based on the evidence which has been collated during the trial in relation to the effectiveness of the policy, the level of observed compliance, complexities of enforcement and impact on businesses within the trial zones the report considers options for the continuation, revocation or amendment of the policy in the future for Executive's determination.

## 2. BACKGROUND

2.1. At its meeting of 6<sup>th</sup> February 2014 the Health and Social Care Overview and Scrutiny Committee considered a report into the Council's current arrangements for dealing with obstructions on the highway under Section 137 of the Highways Act 1980. The Health and Social Care Overview and Scrutiny committee resolved that:-

### **Resolved -**

**That the Council be urged to use its best resources to bring about a change in the Authority's available powers to deal more effectively with obstruction of the highway and that all the relevant policies be referred for consideration by the Council's Executive.**

2.2. Following this resolution a report outlining potential options for improving compliance with highway law in relation to pavement obstructions was presented to Executive for consideration on 16 October 2014. Executive resolved that:

### **Resolved –**

**That a report be presented to Executive with further information and options on the Council's approach to dealing with pavement obstruction on the highway.**

2.3. This report outlining detailed options for the potential approach to dealing with pavement obstructions was presented to Executive on 13 October 2015. Executive resolved inter alia that:

### **Resolved –**

**(1) That the introduction of a zero tolerance approach in three district centres of Bradford City Centre, Saltaire and Ilkley and along the A647 Leeds Road between Thornbury Gyratory and Bradford City Centre be**

**approved for the initial trial period of twelve months commencing in January 2016.**

- (2) That prior to the implementation of the trial ban reasonable steps be taken to contact all local businesses within the zones likely to be affected to advise of the Council’s intentions and the effective date of the implementation of the ban. That in the period running up to the introduction of the trial in January 2016 all businesses be offered appropriate advice and support in relation to making alternative arrangements for their advertising.**
  - (3) That training sessions for the Council’s Warden Service be arranged by the Council’s Mobility & Inclusion officer to ensure that enforcement staff possess an appropriate basic understanding of differing disabled people’s access needs prior to the commencement of the trial.**
  - (4) Subject to the performance of this trial in addressing the concerns of disabled user groups, a further report be presented to the Health and Social Care Overview & Scrutiny Committee to review the findings of the trial and make recommendations as to any amendment to the scope of the zero tolerance policy following the initial trial period.**
- 2.4. Prior to the implementation of the trial Council Wardens undertook a survey of all the areas identified in the Executive resolution to identify businesses that were utilising advertising boards and shop displays on adopted highway in order that a list of business names and addresses could be compiled. In November/December 2015 letters advising businesses of the introduction of the ban and its extents were issued over a four week period commencing on 21 November by Council wardens. This notification resulted in 34 businesses contacting the Council to express their concerns about the potential impact of the ban on their trading.
- 2.5. In line with Executive’s resolution the Council’s Mobility & Inclusion Officer undertook a series of training briefings with Council Wardens to increase awareness difficulties experienced by disabled highway users, together with briefing wardens on how the enforcement of the ban would operate. As part of this briefing a number of operational issues were identified including:
- a) How the enforcement of the ban would operate amongst staff from Neighbourhoods and Highways Services.
  - b) How Wardens would have access to appropriate information related to identifying areas of adopted highway whilst out on patrol.
  - c) The arrangements for collation of evidence necessary to support the potential removal of advertising boards which had previously been warned of their contravention of the ban; and
  - d) The ability of the service to effectively commence the ban on all areas in January 2016.

2.6. Following these discussions the trial ban was introduced in Bradford city centre on 4<sup>th</sup> January 2016 and rolled out, in sequence, to Saltaire, Ilkley and Leeds Road corridor over the following eight week period. It was agreed that the enforcement protocol for the ban would comprise the following actions:

- a) Wardens would patrol the area of the ban and where any advertising boards were found to be in contravention of the ban a warning sticker would be affixed to the advertising board. Photographic evidence of the board, its location and the presence of the warning sticker would be taken and details passed to the Mobility & Inclusion officer.
- b) All queries from businesses related to issues of advertising boards being placed on private land rather than adopted highway were passed to Highways Service who undertook checks of the Council's adoption records in an attempt to clarify the highway status of the location in question. Where advertising boards were found to be located on private land an appropriate record of this was placed on the enforcement record submitted by the Wardens in order to avoid removal of any boards not on highway.
- c) Each trial zone would receive a number of enforcement visits where advertising boards which had not been removed after the issue of warning notices would be physically removed. Each visit would occur two weeks after the warning notice was affixed to the advertising board or warning letters were issued to businesses.
- d) Advertising boards which were removed would be taken to one of the Council's depots (Wakefield Road or Stocksbridge) for temporary storage. The facility was provided, via the Council's website, for businesses to recover confiscated advertising boards upon payment of a release fee (£200).

2.7 In accordance with Executive's resolution (as described in paragraph 2.3 (4)) a report on the findings of the trial was presented to the Health and Social Care Overview & Scrutiny committee on the 8<sup>th</sup> December 2016. The committee considered the findings of the trial as reported and heard representations from both the business community and disabled user groups before resolving, inter alia as follows:-

**Resolved –**

**(1) That the Committee recommend to Executive that:**

- a) **Following completion of the trial ban of advertising boards Executive approve the formalisation of the ban across all clearly defined urban centres of the district.**
- b) **That opportunities for additional signposting in the District, including, for example the Instaplanta scheme, and possible measures to deal with other pavement obstructions be investigated by officers in conjunction with local businesses including those affected by the loss of advertising boards.**

- c) A further approach is made to all businesses within the trial zones to seek information in relation to the impact of the ban on trading levels prior to Executive’s consideration of the ultimate approach.**

### **3. OTHER CONSIDERATIONS**

#### **Pre-trial Situation**

- 3.1. Prior to the introduction of the ban an audit of the numbers of advertising boards on the highway was undertaken by Council wardens. Within Bradford city centre 120 advertising boards were located within the trial zone, whilst in the smaller Ilkley zone some 132 advertising boards were identified as being placed on the highway. Within Saltaire the level of advertising boards identified was 47 and along the Leeds Road corridor only 17 boards were recorded. The numbers of businesses with more than one advertising board were similarly more prevalent in the small urban centres of Ilkley and Saltaire. Photographs of examples of advertising board placement observed during this audit are included in Appendix B of this report.

#### **Level of Compliance during the Trial**

- 3.2. Each of the four trial zones were subject to three enforcement action days comprising activities as outlined in paragraph 2.5.d)2.5.d) above. In general a two week period was observed between the issue of warning notices and the subsequent enforcement action in order to allow businesses to comply with the requirements of the ban (i.e. the removal of the advertising board).
- 3.3. As anticipated the first phase of enforcement resulted in the largest number of removals of advertising boards with a total of 42 advertising boards being removed, however due to difficulties in arranging police attendance no removals took place during the first phase of enforcement in both Saltaire and Ilkley. On this phase the 21% of the boards which were issued with a warning notice in Bradford city centre were ultimately removed whilst in contrast over 70% of the boards issued with a warning on Leeds Road corridor ended up being removed. Following the enforcement in Bradford city centre a number of advertising boards had to be returned free of charge to businesses as they had been incorrectly removed without previously being subject to a warning notice.
- 3.4. The second phase of enforcement in all four zones was more co-ordinated based on the experience of the previous enforcement action and took place in May 2016. The overall numbers of advertising boards issued with a warning notice on this occasion had reduced from 316 to 69 (a 78% reduction in infringements) and of these boards ultimately subject to removal drastically fell to 17 (a 60% reduction). Following this phase of enforcement each zone was again monitored as to the level of compliance achieved and maintained. In September 2016 the levels of advertising boards re-appearing within Bradford City Centre were noticed to have increased and therefore the third phase of enforcement was arranged for October 2016.
- 3.5. In the third and final phase of enforcement the levels of contraventions in Bradford city centre had increased with 12 warning notices issued (an increase



of 6 notices over the phase 2 levels) whilst in Ilkley, Saltaire and Leeds Road corridor the trend of reduced contraventions with a minor decrease in the number of warning notices being issued was recorded. In this phase only 11 advertising boards were removed from all zones with the largest number being removed from Ilkley. Of all the advertising boards removed there have been no requests made for the return of any advertising board.

- 3.6. Overall, as a result of the three phases of enforcement the numbers of advertising boards which could be subject to enforcement within each of the trial zones was observed to reduce indicating a broad level of compliance with the ban had been achieved. The full detailed analysis of activities is included in Appendix A of this report.

### **Difficulties in Relation to Adopted Highway & Highway Records**

- 3.7. One key difficulty which was identified with ensuring effective and appropriate enforcement of the ban related to the availability and accuracy of highway records for the trial areas.
- 3.8. Whilst the Council's records of adopted / un-adopted highways are currently stored in its computerised graphical information system (GIS) this information was not available to the wardens whilst on patrol. Because this information could not be accessed by wardens broad training on identification of areas of highway and possible private land was provided sufficient to ensure that the majority of locations where boards were observed could be appropriately assessed by the wardens prior to any enforcement action taking place. The warden's confidence with the application of this training was identified as a continuing concern during the early stages of the trial as unlike enforcement of parking restrictions where there is a clear contravention of a restriction (e.g. parking on a double yellow line), the extent of the highway is generally not as obvious on site. As a result of this continuing concern the approach was adopted to have all advertising boards issued with warning notices and any appeals to these notices would be referred to highway officers for determination.
- 3.9. As a result of this approach a number of businesses contacted the Council to contest that their advertising boards were placed on private land rather than adopted highway. In general this belief arose from the respective property deeds which showed ownership of land extending to the moiety of the road. To resolve each complaint highways officers had to undertake an extensive search of highway records to determine the actual line of highway in the immediate vicinity. These searches were often protracted given the need to refer to historic plans where the Council's electronic GIS records were inconclusive and in a small number of cases the records and street infrastructure were ambiguous such that a determination of highway status currently remains unresolved.

### **Alternative Advertising Approaches**

- 3.10. As part of the initial notification letter regarding the introduction of the trial businesses within each of the zones were offered advice on possible alternative advertising solutions which they may wish to explore in place of the use of advertising boards. Details of how to access potential sources of advice on the internet including:

- a) the Council's Shop Front Design Guide;
- b) Saltaire Shop Front Design Guide; and
- c) The Communities & Local Government – Outdoor Advertisement and Signs: A Guide for Advertisers publications

were included within the letter. These publications suggested a range of potential alternative approaches which could be adopted to the design of the front of shops, which would be acceptable to the Council, to increase the visibility of businesses on the streetscape.

3.11. During the trial some alternate methods of advertisement of businesses' presence were observed, particularly within Bradford city centre including the use of members of shop staff advertising the location of their business to passing shoppers during peak trading hours through handheld signs. Information relating to alternative communication channels used by local businesses affected by the trial was sought as part of the feedback exercise undertaken to review the impacts of the trial.

3.12. Officers also became aware of an alternative advertising scheme which is operated in both Kirklees and Leeds by a company called Instaplanta. This scheme provides advertising space within a fixed item of street furniture (a standard design wooden planter as shown in Photograph 1) which is located in an appropriate location which will have previously been subject to a detailed risk assessment by a Council highways officer. Under this scheme the company identify appropriate locations around the district where a planter could be placed without causing an obstruction to pedestrians or obscuring vehicle sight lines and offer advertising space on the planter to small local businesses for an annual fee. From this fee the maintenance of the planting, including watering and replacement of bedding flowers is undertaken at no cost to the Council.

It is suggested that a trial of the Instaplanta scheme be implemented within the urban centres of Bradford City Centre, Ilkley and Keighley for a period of twelve months and that subject to satisfactory performance of this trial delegated authority be given to the Strategic Director in consultation with the Portfolio Holder to approve further urban centres where the scheme may be adopted.



**Photograph 1:** A Typical Instaplanta Installation

### **Saltaire World Heritage Site (WHS) Issues**

- 3.13. Following the introduction of the trial in Saltaire the World Heritage Site Officer (WHSO) also reviewed its operation within the context of the WHS and the Access Audit Report which was undertaken in August 2014. The WHSO noted a number of issues related to accessibility within Saltaire which the trial did not address including:
- a) Enforcement of the ban has not been as equitably applied as believed as a number of non-retail businesses who use advertising boards are perceived to have escaped enforcement action.
  - b) Obstructions on the pavement outside Gordon Terrace tend to be caused largely by unlicensed pavement café tables and chairs rather than advertising boards.
  - c) Traders in Saltaire face additional challenges to providing alternative advertising for their businesses whilst still complying with the restrictions associated with the WHS status of Saltaire. Businesses could be encouraged to consider developing schemes such as those in Keighley where groups of traders pool their advertising funds and co-operatively decide how to advertise through either printed media, on-line services or physical means. Similarly, the previously trialled Saltaire Traders Loyalty Card scheme could be reinstated.

### **Experience of disabled users**

- 3.14. As evidenced by the meetings of the Health and Social Care Overview & Scrutiny committee on 1<sup>st</sup> September and 8<sup>th</sup> December where representatives of the disabled community and their associated organisations presented their perspective on the trial the general feedback in relation to the introduction of the ban has been unanimously positive. Many disabled users are now able to move around the pavements of the district with increased confidence due to the removal of the temporary obstructions which were caused by advertising boards.
- 3.15. However, there remains frustration amongst these groups that this approach has not been rolled out across this District and that the trial itself has not been confirmed as continuing.

### **Experience of Businesses**

- 3.16. The greatest proportion of complaints from businesses within the trial zones related to the impact of the introduction of the ban on their trading through loss of footfall. Of the complaints and objections during the trial 13 businesses in Bradford city centre, 10 Ilkley businesses, 10 businesses in Saltaire and one business on Leeds Road raised this issue as a particular concern, together with seeking clarification as to why the ban was introduced by the Council.
- 3.17. All businesses contacting the Council were asked in the responses back to their complaint if they would be willing to share details of their financial accounts both

pre-trial and during the trial in order that a comparison of the impact of the loss of income could be made. This request resulted in one business providing unsubstantiated evidence to officers relating to the impact of the ban on their business trading.

- 3.18. Another concern raised by businesses within the trial zones related to the equity of enforcement of the ban within the vicinity of their business. Businesses perceiving that their neighbours were not receiving the same level of enforcement treatment reported contraventions of the ban to the Council with requests for action. However, where the Council was perceived as being slow to take action it was noted that this led to a number of complying businesses returning to the use of advertising boards.
- 3.19. Following the consideration of this issue by the Health and Social Care Overview & Scrutiny committee in December 2016 and in response to their resolution a standardised questionnaire was developed and issued to businesses by post and email in December 2016. Across all of the trial zones a total of 386 questionnaire letters were issued together with 36 email questionnaires. This approach has resulted in 10 responses from businesses representing a return rate of 2.3%. The summary of the feedback received from this consultation is shown in Appendix C of this report.
- 3.20. Of these responses all bar two were from businesses in Ilkley where the greatest use of advertising boards was observed prior to the start of the trial; the other returns included a single from Saltaire and one from Bradford City Centre. There have been no returns received from businesses on the Leeds Road corridor.

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

- 4.1. As has been noted previously the Council currently employs a single Highway Enforcement Officer who in addition to having responsibility for dealing with the enforcement of highway obstructions also deals with enforcement of all other aspects of general highway legislation. Funding for enforcement of highways legislation derives from existing revenue budgets. Under the recent restructure of the Planning, Transportation & Highways Service an additional Highway Enforcement Officer post was added to the structure bringing the total Highway Enforcement resource to 2FTE's although at the time of writing this report it remains unfilled.
- 4.2. Enforcement of the trial during the past 12 months has required redirection of a significant level of staff resources to administer the scheme as well as to undertake enforcement activities both from within the Planning, Transportation & Highways Service and Neighbourhood Service. The level of resources which has been applied to this trial equates to an average requirement of 2.52FTE's per year (including resources necessary for the 4 enforcement days) and represents a revenue staff and plant cost of £61,400 during the life of the trial.
- 4.3. Sustaining, or increasing, this level of resource, in the future is likely to become increasingly difficult in the face of reducing Council budgets. Therefore, any expansion into wider areas of the district will need to have due regard to the associated resource requirements and their funding.

- 4.4. Based on the details of officer time spent on operation of the trial it is predicted that expanding the ban to other urban centres would require resources equivalent to 4FTE's per year with a revenue cost of approximately £200,000p.a. whilst expansion to the whole district would require resources equivalent to 4.67FTE's and funding of £287,000p.a. to operate.
- 4.5. Introduction of a licensing arrangement allowing businesses to legitimately place one advertising board on the highway in a pre-agreed location could potentially be used to off-set the running costs of on-going enforcement. Based on a potential level of 25% of businesses taking up a license an annual cost of £182 per permit (equivalent to £3.50 per week) would cover the costs of running the scheme.
- 4.6. It is worthy of note the final sanction for repeated breaches of section 137 Highways Act 1980 is by way of criminal prosecution for a summary offence before the Magistrates court . The offence carries a level 3 (£1,000) fine. To date no prosecutions have been necessary due to the forced or voluntary removal of the A Board advertising signs by the Council's enforcement action. However ultimately some prosecutions may be required which will have staff resource implications for the Council's Legal service.

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

- 5.1. Responsibility for maintaining the safe operation of the highway under Section 130 of the Highways Act 1980 rests with the Council as local Highway Authority. Licencing of trading activities on consent and licensed streets is the responsibility of the Council's licensing team who consult with highways about each application for a new consent or license.
- 5.2. The close working relationship which has been established between the officers of Planning, Transportation & Highways Service and Neighbourhood Services (both of which are now under the Department of Place) has helped ensure that this trial has delivered the level of compliance described previously. The trial has demonstrated that whilst Council wardens are able to perform the function of the "eyes and ears" of the Council and issue appropriate warning notices to businesses contravening the trial ultimate responsibility for co-ordination of positive enforcement action remains with Highways officers.

## **6. LEGAL APPRAISAL**

- 6.1. The Council has a dual role in the control of obstructions arising from advertisements on the highway, that of:

**Local Planning Authority** who have the powers and duties under the Town and Country Planning Act 1990 (as amended)

As the Local Planning Authority the Council is responsible for the day-to-day operation of the advertisement control system, and for deciding if a particular advertisement should be permitted or not. The advertisement control system in England are part of the planning control system. The present regulations are contained in the Town and Country Planning (Control of Advertisements) Regulations 2007. It should be noted that A-boards located on private land

contained within the forecourt of a premises will require neither express consent under the planning system nor approval under the Highways Act as these are deemed to have consent under the deemed consent provisions.

The Council as **Highway Authority** has powers and duties under the Highways Act 1980 (the 1980 Act) and responsibility for street scene enforcement.

The Council is under a duty to maintain the use of public highways in its district under the provisions of section 41 the 1980- Act which is augmented by section 149 Equality Act 2010 mentioned in Para. 7.1 below.

The Council has power to order by notice the removal of obstructions under s143 and 149 of the 1980 Act.

The offence of ‘obstruction of the public highway’ arises under section 137 of the 1980 Act. The presence of ‘A boards’ or other types of advertising which causes an obstruction to the general public may subject to sufficient evidence give rise to the commission of this offence.

The option of licensing “ A Board” obstruction which is contemplated by option 5 below is lawful subject to the matters below.

The Council as highways authority can licence an obstruction to a public highway only if it is no more than a minor inconvenience to the use of the highway. Primarily a highway is a route which all persons can use to pass and re pass along as often and whenever they wish without hindrance and without charge. This definition includes the road or carriageway and the footway or pavement and bridleways and footpaths. In order to preserve these rights of way it is necessary to ensure that they are not obstructed either wilfully or without consideration.

Sections 115A to K of the 1980 Act permits features and structures to be licensed so long as they do not obstruct or endanger pedestrians; eg those with impaired vision, those using wheelchairs and parents with prams.

Further legal advice on this issue needs to be sought and a policy approved prior to any licences been issued.

## **7. OTHER IMPLICATIONS**

### **7.1. EQUALITY & DIVERSITY**

Section 149 of the Equalities Act 2010 states that the Council must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and other conduct prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between such persons.

Having due regard to (a) above involves having due regard, in particular, to the need to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and take steps to meet the needs of persons who share a relevant protected characteristic that are different from those who do not share it. A relevant protected characteristic is defined as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In the case of the issue of highway obstructions the most relevant characteristic would be visually impaired or blind persons, those with mobility issues, the elderly and parents with young children in prams or push chairs.

By the development of the various policies and Codes of Practice described in this report the Council has endeavoured to established balanced criteria which are fair to licence holders of existing street trading licences and pavement cafes, future applicants for consents, owners and occupiers of business premises fronting onto the highway, all customers and persons who will be using the streets concerned for any lawful purpose, (including those with special requirements).

## **7.2. SUSTAINABILITY IMPLICATIONS**

There are no apparent sustainability implications arising from matters contained in this report.

## **7.3. GREENHOUSE GAS EMISSIONS**

There are no apparent greenhouse gas emission impacts arising from the contents of this report.

## **7.4. COMMUNITY SAFETY IMPLICATIONS**

As the Highway Authority the Council has a statutory duty to protect the rights of its citizens to the safe use and enjoyment of the highway.

Obstructions to the highway invariably can interfere with this enjoyment to varying degrees depending upon the size of the obstruction and its actual location. As the local Highway Authority the Council has the power to remove obstructions and prosecute through the Courts persistent or intransigent offenders.

## **7.5. HUMAN RIGHTS ACT**

A fair balance must be struck between the rights of property owners to make beneficial use of their properties and any need to restrict such rights in the overall public interest.

By the development of the various policies and Codes of Practice described in this report the Council has endeavoured to established balanced criteria which are fair to licence holders of existing street trading licences and pavement cafes, future applicants for consents, owners and occupiers of business premises fronting onto the highway, all customers and persons who will be using the streets concerned for any lawful purpose, (including those with special

requirements).

#### 7.6. **TRADE UNION**

There are no Trade Union implications arising from this report.

#### 7.7. **WARD IMPLICATIONS**

Activities associated with the removal of obstruction of the highway impact on all wards within the District. However, given the nature of most obstructions being centred in retail centres activity tends to be concentrated in the city centre and outlying town and village centres.

#### 8. **NOT FOR PUBLICATION DOCUMENTS**

None.

#### 9. **OPTIONS**

9.1. There are a number of options which the Executive may consider as the potential permanent approach to dealing with advertising boards and shop displays on the District's highway network including:

a) **Retain ban in current form** – the current four enforcement zones of the trial have demonstrated a significant reduction in the numbers of advertisement boards on the highway. Initial problems associated with the introduction of the trial in each zone have now by in large been resolved although a few land ownership issues still remain unresolved, particularly around Ilkley. However, the four zones which were initially selected may no longer represent the key “hot spots” of the district.

b) **Retain ban with modification** – The four enforcement zones which were initially selected by Executive have demonstrated that in general the greatest proliferation of advertising boards is centred in urban centres. The numbers of boards on Leeds Road corridor for example are significantly lower than those found in Saltaire. Therefore the Executive may wish to retain the ban in urban centres and expand these to include other urban centres whilst allowing advertising boards on the connecting transport network.

Within the definition of urban centres the following areas of the district could be identified:

Baildon, Bingley, Bradford City Centre, Greengates, Haworth, Ilkley, Keighley, Queensbury, Saltaire, Shipley, Silsden, Thornton and Wyke.

Adopting such an approach would ensure that the maximum benefit of enforcement can be achieved whilst minimising the on-going revenue costs to the Council.

c) **Expand the ban to whole district** – The Executive may feel that the benefits demonstrated by the trial are such that for the sake of consistency the ban should be extended to include all roads and urban



centres within the district. However, the revenue costs and staff time associated with this option will place an excessive burden on existing staff resources and revenue budgets and may lead to unrealistic expectations being raised with disabled interest groups in relation to the level of enforcement that the Council can realistically provide.

- d) **Revert to previous Code of Practice approach** – This is the least favourable option from the perspective of disabled users who have enjoyed the benefit of obstruction free footways that have been established by the trial. Whilst a limited introduction of advertising boards would be welcomed by some businesses the complexities of enforcement of this policy are well known and as such long-term continued compliance with the requirements of the code is unlikely to be maintained.
- e) **Retain the ban with modification and the introduction of licencing in selected areas** – This option would involve retention of the ban on pavement obstructions in the trial zone areas but would allow businesses to apply for a license to display a single advertising board adjacent to their business premises. The income from these licenses could provide an appropriate revenue stream to fund the necessary staff resources to enforce this policy.

Benchmarking the level of licensing with adjacent West Yorkshire Authorities results in a base level of licence charge of £105 for a single advertising board per year. At this level of cost the income from advertising board applications based on the four priority zones alone would be sufficient to fund a further full-time Highway Enforcement Officer but insufficient to provide funding for the levels of resources required for an expansion of the ban.

- 9.2. The Executive may choose a different permutation of the above options as its recommended approach. Appropriate officer advice on the merits of any approach proposed will be given to the Executive as appropriate.
- 9.3. The Executive may also wish to consider endorsing the recommendation of the Health and Social Care Overview & Scrutiny committee in relation to the use of alternative advertising approaches as described in this report as a way of assisting businesses affected by the loss of advertising boards.

## 10. RECOMMENDATIONS

- 10.1. Executive approve the retention of the pavement obstruction ban with the following modifications:
  - a) The current trial zone ban areas be retained;
  - b) Arrangements to allow licensing of pavement obstructions be incorporated into the Council's approach.
  - c) That the development of details of the licensing arrangements including the approval of policy for determining locations suitable for placement of obstructions and levels of license fee to be charged be delegated to the

Strategic Director: Place in consultation with the Portfolio Holder.

## **11. APPENDICES**

- 11.1. Appendix A – Record of Advertising Board enforcement action.
- 11.2. Appendix B – Examples of obstructions of streets pre- the trial.
- 11.3. Appendix C – Questionnaire Response Summary.

## **12. BACKGROUND DOCUMENTS**

- 12.1. Highways Act 1980
- 12.2. Local Government (Miscellaneous Provisions) Act 1982
- 12.3. Statutory Instrument 2004 No. 3701
- 12.4. Town and Country Planning Act 1990 (as amended)
- 12.5. Countryside and Rights of Way Act 2000
- 12.6. Report of the Strategic Director (Regeneration) to the Health and Social Care Overview & Scrutiny Committee to be held on 8<sup>th</sup> December 2016, Review of the Operation of the Council's 12 month trial ban of pavement obstructions.
- 12.7. Report of the Assistant Director Environmental & Regulatory Services to the meeting of Regulatory and Appeals Committee to be held on 28 August 2013, Proposed changes to the current street trading restrictions within the Bradford District and adoption of a district wide street trading policy.
- 12.8. Report of the Strategic Director, Regeneration & Culture to the meeting of Health & Social Care Overview & Scrutiny Committee to be held on 6 February 2014, The Council's approach to dealing with 'A' boards and other obstructions on the highway under the Highways Act 1980.
- 12.9. 'A' Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Environment and Waste Management Overview and Scrutiny Committee, 1 September 2011.
- 12.10. 'A' Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Executive on 4 February 2011
- 12.11. 'A' Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Environment & Waste Management Overview and Scrutiny Committee, 18 January 2011.
- 12.12. City of Bradford Metropolitan District Council Transportation, Design & Planning Director Decision Sheet 80/04
- 12.13. City of Bradford Metropolitan District Council Transportation, Design & Planning Director Decision Sheet 17/05

- 12.14. Report of the Transportation, Design & Planning Director to the meeting of Executive 17 October 2005.
- 12.15. Minutes of Executive's meeting held on Monday 17 October 2005
- 12.16. Kent City Council A-Board Guidance and Application Form
- 12.17. A-Boards on the Highway – Policy and Guidance, Kirklees Metropolitan Council, October 2014
- 12.18. Kirklees Metropolitan District Council Cabinet Report, 17 December 2013, Proposed controls on street based advertising such as A-boards and goods for sale
- 12.19. Who Put That There! The barriers to blind and partially sighted people getting out and about, February 2015, RNIB Campaigns.

**Record of Enforcement Activities / Actions**

<b>Bradford City Centre</b>		
<b>Date</b>	<b>Action</b>	<b>Quantity</b>
<b>Phase 1</b>		
21/11/15	Street Warden Audit & Warning Notices Issued	120
21/03/16	Enforcement Action / Removals	25
<b>Phase 2</b>		
13/05/16	Street Warden Audit & Warning Notices Issued	6
	Warning Letters Issued	7
25/05/16	Enforcement Action / Removals	4
<b>Phase 3</b>		
05/10/16	Street Warden Audit & Warning Notices Issued	12
20/10/16	Enforcement Action / Removals	4
	New Warning Notices Issued	5
<b>Ilkley</b>		
<b>Date</b>	<b>Action</b>	<b>Quantity</b>
<b>Phase 1</b>		
16/11/15	Street Warden Audit & Warning Notices Issued (see note 1)	132
<b>Phase 2</b>		
13/05/16	Street Warden Audit & Warning Notices Issued	11
	Warning Letters Issued	19
25/05/16	Enforcement Action / Removals	5
<b>Phase 3</b>		
05/10/16	Street Warden Audit & Warning Notices Issued	10
20/10/16	Enforcement Action / Removals	6
<b>Saltaire</b>		
<b>Date</b>	<b>Action</b>	<b>Quantity</b>
<b>Phase 1</b>		
15/12/15	Street Warden Audit & Warning Notices Issued (see note 1)	47
<b>Phase 2</b>		
13/05/16	Street Warden Audit & Warning Notices Issued	6
	Warning Letters Issued	10
24/05/16	Enforcement Action / Removals	4
<b>Phase 3</b>		
05/10/16	Street Warden Audit & Warning Notices Issued	5
20/10/16	Enforcement Action / Removals	1

**Leeds Road Corridor**

Date	Action	Quantity
<b>Phase 1</b>		
22/12/15	Street Warden Audit & Warning Notices Issued	17
28/03/16	Enforcement Action / Removals	12
<b>Phase 2</b>		
13/05/16	Street Warden Audit & Warning Notices Issued	6
	Warning Letters Issued	4
25/05/16	Enforcement Action / Removals	4
<b>Phase 3</b>		
05/10/16	Street Warden Audit & Warning Notices Issued	0
20/10/16	Enforcement Action / Removals	0
	New Warning Notices Issued	2

**Notes:**

1. Enforcement action was not undertaken during this phase of the trial due to difficulties associated with co-ordination of Council and police resources.

**Examples of Placement of Advertising Boards (pre-trial)**



**Photograph 2:** The Grove, Ilkley (Source: Bradford Association of Visually Impaired (BAVIP))



**Photograph 3:** Leeds Road, Ilkley (Source: Bradford Association of Visually Impaired (BAVIP))



**Photograph 4: Ivegate, Bradford**



**Photograph 5: Leeds Road Corridor**

**TRIAL ZONE AREA: Ilkley**

Total Returns: 8

Business A – Food Supplies

- Prior to the trial Business A used a single advertising board (0.5m x 1.0m) adjacent to their shop entrance.
- They were aware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they held appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- No financial information was given in the return due to concerns about confidentiality with the exception of advertising costs which during the period of the ban had doubled in value.
- Alternative advertising was used including social media, local magazines and support for local events. These were not perceived to have been as useful as advertising boards as the owner perceived that the advertising board was also used to indicate that the business was open.

Business B – Charity

- Prior to the trial Business B used a single advertising board (0.8m x 0.5m) adjacent to their shop entrance.
- They were aware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they held appropriate third party public liability insurance for the use of advertising boards.
- The company had previously been subject to enforcement action by the Council but were aware of the Council's previous Code of Practice.
- During the trial they did not have any advertising boards removed by the Council.
- No financial information was given in the return.
- Alternative advertising was used by displaying the company name on a board in the nearby car park. However, this was not perceived to be as effective as the advertising board as it was only visible to cars entering the car park.

Business C – Charity

- Prior to the trial Business C used advertising board(s) (0.8m x 0.5m) on land adjacent to their shop.
- They were aware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they DID NOT hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- Financially information presented records a net downturn of trade of 14% over pre-trial levels.



- No alternative advertising was considered / used during the trial as the company believed that this was too expensive.

### Business D – Food Retail

- Prior to the trial Business D used two advertising boards (4ft x 2ft) at locations remote from their shop entrance.
- They were unaware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did not hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- No financial information was given in the return. However information on trading levels by month was provided which demonstrated a general downward trend in the numbers of transactions during the period of the trial.
- Alternative advertising was used including social media, local magazines and newspaper advertising. These alternates were not perceived to have been as useful as the "free" advertising boards. Comments highlighted that businesses not located on the main streets see the use of advertising boards as essential to attracting passing trade.

### Business E – Fashion Retail

- Prior to the trial Business E used one advertising board (0.8m x 0.5m) outside the shop entrance.
- They were unaware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- Financial returns for an equivalent four month period between 2016, 2015 and 2014 show a net reduction of 6.7% trading values in 2016 over 2015 however a net increase in trading of 7.2% when compared to 2014 values. However, the business does point out that prior to the trial's introduction the business was growing year on year and hence comparison between 2016 and 2014 figures should be considered within this context.
- Alternative advertising was used including radio advertising, increased expenditure on social media, Google advertising and use of local magazines and newspaper advertising. These alternates were not perceived to have been as useful as the "free" advertising boards. Comments highlighted that businesses not located on the main streets see the use of advertising boards as essential to attracting passing trade.

### Business F – Food Retail

- Prior to the trial Business F used one advertising board (0.8m x 0.5m) within the shop entrance.
- They were aware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.

- They were not subject to previous enforcement action / complaints prior to the ban's introduction and also held an café license.
- During the trial their advertising board was subject to removal but was recovered by a staff member prior to removal by the Council.
- No financial information was given in the return.
- Comments highlighted that businesses used the advertising board to advise passing trade that they were open.

### Business G – Clothing Retail

- Prior to the trial Business G used two advertising boards (0.8m x 0.5m) outside the shop entrance (located in an arcade) and one at the entrance to the arcade.
- They were unaware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- Detailed financial information was not provided by the business however levels of transactions between July and August for 2015 and 2016 were given showing a 13 – 22% drop in the volume of transactions.
- Alternative advertising was considered but the cost of placing an advertisement in the local paper was considered too expensive. Comments were also made that most visitors to the premises do not buy the local paper also.

### Business H – Retail (Other)

- Prior to the trial Business H used one advertising board (0.85m x 0.6m) which was placed in alternative locations on the Grove (outside WH Smiths) or in front of "The Moors Shopping Centre".
- They were unaware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- The business believes that the impact of the trial has not had a detrimental impact on their trading however recent changes to their premises to expand the trading space may have offset any impact. The business has advised that whilst the number of transactions during the trial has decreased the value of each transaction has increased.
- The business already used social media but during the trial expanded into paid advertising and including adverts in lifestyle publications in Leeds and surrounding area. The use of social media and advertising requires shoppers to research the business before shopping in Ilkley and the loss of advertising boards in the area is believed to have led to a missed opportunity to catch passing trade.

**Business J – Retail (Other)**

- Prior to the trial Business J used four advertising boards (1m x 0.6m) which were placed immediately outside the shop, two in the car park and one on The Grove.
- The business confirmed that they were unaware of the Council's Code of Conduct in relation to the usage of advertising boards but confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- The business believes that the impact of the trial has resulted in a loss of £1,000 per week between January – November and £8,000 per week in December. However, no evidence was presented to allow verification of these figures.
- The business increased investment in social media but during the trial as well as expanding into radio advertising, Google advertising and magazine/press advertising. The business believes that these channels are not as good as advertising boards as they had previously used their advertising boards to direct customers to their premises.

**TRIAL ZONE AREA: Bradford City Centre**

Total Returns: 1

**Business A – Food Retail**

- Prior to the trial Business A used two advertising boards (4ft x 2ft) at locations within 1 metre of their shop entrance.
- They were unaware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did not hold appropriate third party public liability insurance for the use of advertising boards.
- They were not subject to previous enforcement action / complaints prior to the ban's introduction
- During the trial they did not have any advertising boards removed by the Council.
- The limited financial information provided indicated that the business spent the same amount on advertising in the 12 months of the ban as in the preceding 12 month period.
- Alternative advertising was used including social media, leaflets and newspaper advertising. These alternatives were not perceived to have been as useful as the use of advertising boards as they were not as easy for shoppers to see.

**TRIAL ZONE AREA: Saltaire**

Total Returns: 1

**Business A – Takeaway Food**

- Prior to the trial Business A used advertising board(s) on footway adjacent to their shop.
- They were aware of the Council's Code of Conduct in relation to the usage of advertising boards and confirmed that they did hold appropriate third party public liability insurance for the use of advertising boards.
- Prior to the ban they had not received any complaints about the placement of their advertising

board and were not subject to previous enforcement action.

- During the trial they did not have any advertising boards removed by the Council.
- Financially information presented records a net downturn of trade of 8% over their 2015 trading levels and 4% over their 2014 trading levels.
- Alternative advertising was used including social media and leaflet. These were not considered as effective as advertising boards as they did not attract passing trade which forms a significant part of their trade.

**TRIAL ZONE AREA: Leeds Road Corridor**

Total Returns: 0

Yusuf Patel

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**From:** David Blackburn <david@blackburnbuiltheritage.eclipse.co.uk>  
**Sent:** 05 March 2017 17:55  
**To:** Yusuf Patel  
**Subject:** FW: PAVEMENT OBSTRUCTIONS

**Importance:** High

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**From:** Helen Kidman [<mailto:helen.kidman3@btinternet.com>]  
**Sent:** 05 March 2017 10:16  
**To:** 'Richard.Gelder@bradford.gov.uk'; [Yusuf.patel@bradford.gov.uk](mailto:Yusuf.patel@bradford.gov.uk)  
**Subject:** PAVEMENT OBSTRUCTIONS  
**Importance:** High

FTAO Richard Gelder & Yusuf Patel

My e mail of 16<sup>th</sup> February 2017 refers.

Ilkley Civic Society has noted that the subject of Pavement Obstructions is to be item 4 on the Agenda of the Executive on 7<sup>th</sup> March 2017.

We support the new approach of including a recommendation to the committee that a licensing system be implemented for Pavement Obstructions therefore allowing business and charities to apply for various advertising systems. However, we are concerned about the following matters:

- The report makes no acknowledgement of the position statement issued by our society to yourselves suggesting a more equitable solution, in particular the issue of obstructions owned by CBMC. It would appear our document has not been circulated to councilors?
- Secondly the document BM refers to a questionnaire issued by the council to all businesses (but does not include the questionnaire itself). As of the end of January ICS found none of the sample of 6 independent businesses had been consulted by the council

We suggest this matter needs further work before an equitable solution can be reached and that the councilors making the decisions need to be made fully aware of all the issues.

Helen Kidman  
Chair  
Ilkley Civic Society



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# Report of the Strategic Director of Place to the Meeting of Health and Social Care Overview & Scrutiny Committee to be held on 23 March 2017

**AJ**

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**Subject:**

**Review of the Operation and Effectiveness of the 12 month trial ban of Pavement Obstructions**

**Summary statement:**

Attached is the response to reasons cited for the call in of the decision of the Executive Committee, 7 March 2017, relating to Agenda Item BM, Review of the Operation and Effectiveness of the 12 month trial ban of pavement obstructions.

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Steve Hartley  
Strategic Director of Place

Report Contact: Richard Gelder  
Highways Services Manager  
Tel: 01274 437603  
Email: Richard.gelder@bradford.gov.uk

**Portfolio:**

Regeneration, Planning & Transport

**Overview & Scrutiny Area:**

Health & Social Care

## 1. INTRODUCTION

- 1.1 In accordance with Paragraph 8.6.2 (Part 3E of the Constitution) the decision of the Executive held on Tuesday 7 March 2017 regarding the operation and effectiveness of the 12 month trial ban of pavement obstructions (Executive Document BM) has been called-in.
- 1.2 Councillor Arshad Hussain (Chair of the Corporate O&S) has called-in the decision, as requested to do so by Councillors Dale Smith and Joanne Sharp. The call-in relates to the following resolution and the reasons for the call-in are set out below:

## 2. REVIEW OF THE OPERATION AND EFFECTIVENESS OF THE 12 MONTH TRIAL BAN OF PAVEMENT OBSTRUCTIONS

**Resolved –**

**That the retention of the pavement obstruction ban be approved with the following modifications:**

- a) The current trial zone ban areas be retained;**
- b) Arrangements to allow licencing of pavement obstructions be incorporated into the Council's approach;**
- c) That the development of details of the licensing arrangements including the approval of the policy for determining locations suitable for placement of obstructions and levels of license fee to be charged be delegated to the Strategic Director, Place in consultation with the Portfolio Holder.**

*ACTION: Strategic Director, Place*

(Environment & Waste Overview & Scrutiny Committee)

## 3. THE REASONS FOR CLLR DALE SMITH REQUESTING THE CALL IN ARE:

- The proposals give scant regard to the Equality Impact Assessment and subsequently do not sufficiently ameliorate the disadvantage those most affected particularly those with Visual Impairment or the need to use wheelchairs etc.
- The evidence presented and upon which the decision was partially based, regarding the charge for a Licence is unrealistic, containing conflicting figures and presented alongside unconvincing evidence submitted by businesses regarding their claimed financial losses due to the removal of A-Boards, with the latter having been given too much emphasis.
- A letter from the Ilkley Chamber of Trade was tabled but not circulated to members of the public and thus could not be challenged.
- The loss of the Mobility and Inclusion Officer reduced the Council's contact with service users, with the result that awareness of the decision to be taken at the Executive meeting was poorly advertised, thus reducing the opportunity of those



whose mobility is to be most affected, to get quick access to the report in an appropriate format and have their voices heard.

- The costing information provided for both the trial and the proposals are inadequate.
- The absence of adequate, detailed information detailing which other Local Authorities were implementing an A-Board ban or making a charge for any Licence, along with the outcomes, undermines the validity of the report upon which the decision was based, as this information would provide a much clearer picture of what to expect.
- The absence of criteria for identifying areas where A-Boards can and cannot be placed undermines the validity of the decision taken, as this information would again provide the Executive and the vulnerable citizens who should benefit from any new policy.
- The report did not adequately address the recommendations from the Health and Social Care O&S meeting.

#### **4. THE REASONS FOR CLLR SHARP REQUESTING THE CALL IN ARE:**

- The Executive document contains information not made available to the Health and Social Care O & S Committee when we carried out an extensive review of the trial ban in meetings last year so this new information needs to be considered by the Committee.
- The executive report itself does not reflect views of the O & S Committee for proper consideration by the Executive. In part this is demonstrated by the scarcity of the views expressed by disability organisations (2 paragraphs only) in the Executive report.
- The long term operational costs of either scheme are not clearly evidenced in the Executive report.
- The call in needs to happen to allow O & S Committee to consider the differences between the report we received and the report submitted to Exec to allow the committee to make an informed choice as to whether we maintain our decision of December last year or accept the decision made by the Executive.

#### **5. RESPONSE TO EQUALITIES IMPACT ASSESSMENT CONCERNS**

5.1 The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

5.2 In developing the Code of Practice (Appendix 1) which was the Council's original approach to dealing with pavement obstructions the Council endeavoured to establish a balanced set of criteria which were fair to licence holders of existing street trading licences and pavement cafés, future applicants for consents, owners and occupiers of business premises fronting onto the highway, all customers and persons who will be

using the streets concerned for any lawful purpose, including those with protected characteristics. The introduction of the 12 month trial ban approved by Executive on 13 October 2015 was considered to be consciously changing this approach in favour of those persons who share a relevant protected characteristic over those persons who do not share it. This situation was addressed in the Executive report although no formal Equalities Impact Assessment was undertaken.

- 5.3 In considering the results of the trial and the ultimate proposal for how to deal with pavement obstructions Executive were again advised of the requirements of Section 149 of the Equalities Act 2010 and, as described in paragraph 7.1 of the report "... the need to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and take steps to meet the needs of persons who share a relevant protected characteristic that are different from those who do not..."
- 5.4 An Equality Impact Assessment was not produced for the Executive report as at this stage of the process one was not considered necessary. The Council permitted A boards in some circumstances prior to the trial. The trial was for 12 months only. At its conclusion a choice existed between reverting to permission in some circumstances or continuing the ban. As the Executive decision was to revert to permission in some circumstances (the position prior to the trial) no assessment of its impact was necessary. In any event, a blanket ban may have adverse consequences for other persons with protected characteristics which cannot be assessed without knowing for example, the age, disability, etc. of shopkeepers affected. The better approach decided upon was to undertake an EIA on the licensing policy once it is developed before any decision is taken on its adoption, and undertake one on each application for permission as they are received as circumstances dictate. The latter could assess the impact of approval on pedestrians with protected characteristics and the impact of refusal on shopkeepers with protected characteristics. This may require a difficult balancing act in some circumstances but in others (where, for example, pavement width is generous and location of an A board can be accommodated without impeding passage for the visually or mobility disabled) the assessment might be more straightforward. What the Council cannot do is ignore the impact of a ban on the livelihood of Bradford residents, some of whom will have protected characteristics, without considering all the circumstances in each individual case, including the consequences for pedestrians.

## **6. IMBALANCE OF EVIDENCE PRESENTED AND LACK OF CLARITY IN RELATION TO FINANCIAL IMPLICATIONS OF THE BAN**

- 6.1 The report considered by Executive presented details of the further engagement of businesses within the trial zones as recommended by the Health and Social Care Overview & Scrutiny Committee at their December 2016, namely

**Resolved –**

- (1) (c) A further approach is made to all businesses within the trial zones to seek information in relation to the impact of the ban on trading levels prior to Executive's consideration of the ultimate approach.**

- 6.2 To comply with this resolution a further distribution of a Business Impact questionnaire was undertaken by both post and email (where business email addresses were

available). The purpose of this exercise was to determine the level of impact on local businesses of the ban. The responses of those businesses which returned the questionnaire were anonymised and details of the content of their returns were included within the appendix of the report. The Executive report set out in detail the process which had been adopted to engage with businesses describing the number of businesses approach and the level of responses received (2.3%).

- 6.3 Actual commentary on the findings of the trial within the body of the report was restricted to an assessment of the where responses were received from as no overall conclusion could be obtained from the information provided by businesses. By comparison the level of information provided by disabled interest groups was provided confirming the general level of support for the Council's trial approach but also highlighting to Executive the frustration of groups in relation to the fact that the Council had not introduced the ban across the whole district.
- 6.4 Appendix 1 of this report contains information which has been collated in relation to the approaches of other Councils both within West Yorkshire and nationally in relation to their approaches to dealing with advertising boards and/or pavement obstructions. This information was not reproduced in the report to Executive.
- 6.5 Using the time recording information gathered in relation to administration of the ban within the 4 trial areas a financial model was created to look at the implications on resources (in terms of FTE numbers) and funding which would be necessary to operate the ban in a number of scenarios including up to 10 additional urban centres and the whole district. This model used the information in relation to staff resources (**see Table 1:** Information relating to the operation of the 12 month trial ban for details of the staffing structure) used during the trial. The agglomerated costs of operating in the four trial zones were reduced to a unit rate and then factored up to reflect various operating scenarios.
- 6.6 To calculate the potential level of take up of businesses who may apply for a license experience of other Councils in relation to the operation of their scheme was sought. As with the experience of Bradford it was noted that a number of businesses had multiple advertising boards and hence restricting the numbers of licenses to one license per business would automatically reduce the number of advertising boards on the highway. Because of this a conservative take up level of 25% of the current level of advertising boards was used to calculate the level of applications which could be expected.
- 6.7 To calculate the number of licenses in the various scenarios modelled (urban centres and whole district) the level of advertising boards which were identified in the initial audit of the four trial zones was used as a starting point. The total number of advertising boards identified in the initial audit (316 across all areas) was again reduced to an indicative level of advertising boards per area and again factored up to represent the possible number of licenses per area. It is recognised that this rather crude approach could vary significantly from the numbers of boards which may be present on the highway but was felt, that with the 25% take up rate, would conservatively allow calculation of an appropriate license fee. The final calculated fee ranged significantly given the numbers of areas which could be included in the scheme and the potential level of applications for a license but a median value of £182 / license was used for the purposes of the Executive report which could, in the case of

a ban which operates throughout the whole district provide funding such that the enforcement and operation of the licensing scheme could be self-financing.

## **7. REPRESENTATIONS BY ILKLEY CHAMBER OF TRADE**

7.1 As noted during the Executive meeting a representation from Ilkley Civic Society (ICS) was received after the Executive report had been completed but officers had given assurances that the contents of this representation would be made available to members of Executive in order that appropriate consideration could be given to the concerns expressed. The ICS position requests that Executive consider a much more comprehensive policy to make life easier for all users of pavement which would:

- Include all of the current obstructions to pavement users including street furniture, café seating areas, display areas, pavement parking, banners/ flags, wheelie bins, pavement surfaces (public and private), mobile food / ice cream vans and cycle racks.
- Be more transparent in that all licensing should be displayed at the site of the permitted use. This would become self-policing in time.
- That council wardens, once trained and established in this subject, should be able to police this along with their many other duties, helped by having GIS and licensing information available on tablets.
- Limited 'A' boards or similar should be allowed, with licensing, for off the beaten track businesses and those with no shop front, but only where an obstruction is not caused. The reports continually state possible use of 'A' Boards outside shops. This is not where they are needed as the shop window shows what is inside. There should be a limit on the size of 'A' Boards that are licensed.
- A separate review and consequent removal of all unnecessary council street furniture.
- Other means of marketing of retail areas should be investigated with the business community, particularly for those businesses in out of the way locations.

7.3 The majority of the points raised by ICS will be considered in the development of the Council's ultimate policy based on Executive's resolution with the exception of the recommendation of the review and consequent removal of all unnecessary council street furniture for which the Council already has a policy of reducing street clutter.

## **8. ENGAGEMENT WITH SERVICE USERS**

8.1 Notification of the Executive's consideration of the pavement obstruction report at its March meeting was raised with the Bradford Strategic Disability Partnership (SDP) as part of the disability group engagement transition arrangements implemented within Planning, Transportation & Highways Services. Information relating to this matter was shared with SDP members, however contact with Mobility Planning Group and Planning & Highways Access Forum members was not shared as effectively as it potentially could have been. Contact details for these groups have now been shared within the service to ensure that a similar situation is avoided in the future.

8.2 During the Executive meeting nine representatives spoke about their experiences of moving around the district both prior to and during the trial ban. Of these only one representative made any representation in relation to addressing the impacts on businesses whilst the majority made representation in support of the disabled interest group.

## 9. FINANCIAL INFORMATION IN RELATION TO COST OF THE TRIAL AND LONG TERM OPERATIONAL COSTS

9.1 The detailed assessment of the level of staff resource recorded during the period of the 12 month trial of the 4 areas and their associated costs are shown in the table below.

*Table 1: Information relating to the operation of the 12 month trial ban*

Resource	Average Hrs/Wk on Day-to-day operations	Time spent on Enforcement days (4/year)
Service Manager	1.5*	0.75
Principal Engineer – NR&M	3	
Senior Highway Enforcement Officer	4	8
Traffic Officer	2	
Principal Engineer – HDC	1*	0.5
Highway Records Officer	2.75*	1.5
Mobility & Inclusion Officer	9*	8*
Council Wardens (x2)	2	8
Assistant Manager – HDU		3
HDU Operative (x2)		8
Sub Total	39.25 hr/week	53.75 hr/day
<b>Total</b>	<b>2.52 FTE's (assuming 37hpw)</b>	

\* indicates durations which could be expected to reduce in Year 2 operation.

It is acknowledged that the cost of £61,400 recorded during the trial represents Year 1 costs which contain a significant element of dealing with land boundary issues within the four trial zones. Assuming that the majority of land issues have been resolved Year 2 cost should reduce as back-office costs associated with continuing the ban at the same level would no longer be required, however a small residual number of issue currently remain in dispute. As a guide, the projected Year 2 costs associated with maintaining the ban in the four zones could reduce to circa £36,400, however this remains an unbudgeted expenditure for the Planning, Transportation & Highways service to fund especially in light of the recently announced budget savings for the service which £1.331m over the next two financial years.

9.2 In projecting the cost of the continuation of the ban and/or changing the basis of the numbers of zones within the ban the above staffing resource profile was changed to reflect the new staff structure within Planning, Transportation & Highways. The

changes to the staffing profile are reproduced in the table below. The calculation of resources required for extension of the ban into urban centres assumes up to 10 additional urban centres could be added to the existing trial zones. It should be noted that the time which had been recorded by the Mobility and Inclusion officer during the trial was re-distributed to the post of Highway Enforcement Officer and Traffic Officers.

Table 2: Projected staffing resources for future options

Resource	Urban Centres		Whole District	
	Average Hrs/Wk on Day-to-day operations	Time spent on Enforcement days	Average Hrs/Wk on Day-to-day operations	Time spent on Enforcement days
Principal Engineer – NR&M	7	0.75	8.75	0.75
Senior Highway Enforcement Officer	22		25	
Highway Enforcement Officer	22	8	25	8
Traffic Officer (x2)	26	8	30	8
Principal Engineer – HDC	5	0.5	6.25	0.5
Highway Records Officer	14	1.5	20	1.5
Council Wardens (x2)	14		20	
Assistant Manager – HDU		3		3
HDU Operative (x2)		16		16
FTE Summary	<b>4.00 FTE's (assuming 37hpw)</b>		<b>4.67 FTE's (assuming 37hpw)</b>	

Again, the costs reported to Executive for either of the above options would represent Year 1 costs which would similarly reduce over time. However, the significant number of areas which would be added to the ban by either of these options could similarly mean that significant reductions in costs may not be achievable until Years 3 and 4 of operation.

## 10. INFORMATION RELATING TO THE ACTIVITIES OF OTHER LOCAL AUTHORITIES

10.1 Details of the approaches adopted by other West Yorkshire local authorities and those nationally who have made this information available via their websites is shown in Appendix 1 attached to this report.

## 11. ABSENCE OF CRITERIA IDENTIFYING WHERE ADVERTISING BOARDS CAN AND CANNOT BE LOCATED

11.1 The principle criteria to be used to determine whether any application for an advertising board can be safely placed on the highway will be based on the Council's previous requirements in relation to its Code of Practice for the Placement of Advertising Boards and Shop Displays which is attached at Appendix 2 of this report. These criteria are in turn based on the Department for Transport guidance "Inclusive Mobility"

## **12. INCORPORATION OF THE RECOMMENDATIONS OF HEALTH & SOCIAL CARE OVERVIEW & SCRUTINY COMMITTEE IN THE EXECUTIVE REPORT**

- 12.1 The recommendation of the Health & Social Care Overview & Scrutiny Committee is described in paragraph 4 of the Executive Summary section of the report considered by Executive which states:

The ban was reviewed by the Health and Social Care Overview & Scrutiny Committee in December 2016 who made the following recommendation to Executive:

**Resolved –**

**Following completion of the trial ban of advertising boards Executive approve the formalisation of the ban across all clearly defined urban centres of the district.**

- 12.2 The Executive report further makes reference to this option in paragraph 9.1(b) where definition of urban centres is provided to include Baildon, Bingley, Bradford City Centre, Greengates, Haworth, Ilkley, Keighley, Queensbury, Saltaire, Shipley, Silsden, Thornton and Wyke.

## **13. REPORT CONTAINS INFORMATION NOT MADE AVAILABLE TO THE HEALTH & SOCIAL CARE OVERVIEW & SCRUTINY COMMITTEE WHEN IT CONSIDERED THE TRIAL IN DECEMBER 2016**

- 13.1 The report presented to Executive was based on the December 2016 report presented to the Health and Social Care Overview & Scrutiny committee with a number of items of additional information, namely:

- a) Details of the consultation exercise with businesses located within the areas of the trial describing the impact of the trial on their levels of trading;
- b) Details of the resource and financial implications of running the trial ban;
- c) Details of the anticipated cost of expanding the ban to urban centres or the whole district and the potential level of license fee necessary to make the scheme self-financing; and
- d) Introduction of the option of licensing advertising boards as a possible approach to dealing with the issue of pavement obstructions.

- 13.2 In relation to information described in 13.1(a) the information provided in the Executive report was collated as a direct consequence of responding to the resolution of Health & Social Care Overview & Scrutiny's resolution requiring a further approach be made to businesses within the trial zones. Information provided in relation to 13(b), (c) and (d) was collated as a specific response to a question raised by the Portfolio Holder (Regeneration, Planning & Transport) in advance of the Executive meeting.

## **14. APPENDICES**

- 14.1 Appendix 1 - Summary of approach to advertising boards by other Councils.

14.2 Appendix 2 – Code of Practice: Control of Advertising boards and Display of Goods on the highway pavements of the Bradford District



## Control of Advertising Boards in West Yorkshire

Authority	Approach	Licence Fee (If applicable)
Kirklees	Formal policy of licensing of advertising boards requiring application to Council for placement. Failure to have licence leads to enforcement by the Council.	£105 / board
Wakefield	No formal policy on A-Boards. Website defines offence of obstruction to the free passage of the highway. (Section 137 Highways Act 1980). Reference to the powers available to the Council to remove an obstruction is made	
Leeds	Leeds CC website advises that <i>"The Council can only deal with A-boards that have been placed on the public highway and is causing an obstruction. In the first instance you should approach the business to ask them to remove it. If they persist in causing an obstruction with the board this should then be reported to the Council.</i>  <i>The Council will investigate and where appropriate may take action against the business by serving a legal notice requiring them to remove it. If they fail to do this the Council will remove the board and recover the costs from the owner.</i>  <i>If the A-board is on private land it is a civil matter."</i>	
Calderdale	No formal policy on advertising boards. Council web site refers to offence of obstruction of the highway and the powers available to the Council to remove obstructions.	

## Control of Advertising Boards in elsewhere

Authority	Approach	Licence Fee (If applicable)
York	Currently operating a 12 month ban trial of advertising boards throughout the city centre	
Liverpool	Licence scheme in operation permitting one advertising board / business	£50 per item <u>plus</u> £50 where the Council is landowner
Brighton & Hove City Council	Licence scheme in operation permitting one advertising board / business	£102 initial application / £71/year renewal

Authority	Approach	Licence Fee (If applicable)
Wolverhampton City Council	Licence scheme in operation permitting one advertising board / business	£25 / application plus £7 addition for applications for sites remote from businesses
Gloucester City Council	Licencing scheme in operation permitting one advertising board / business	£50 per year
Kent County Council	Advertising board policy requiring clear unobstructed access of 2 metres (1.5 metres in areas of low pedestrian footfall) based on Department for Transport's guidance on 'Inclusive Mobility'.	
Bristol City Council	Advertising board policy requiring a minimum of 1.8 metres clear footway between any advertising board and the road. Policy includes guidance on size, design and colours of boards.	
Nottingham City Council	Completely banned advertising boards in part of the city centre where pedestrian footfall is in excess of 20,000 people. Where not in areas of high footfall Council will enforce any pavement obstruction which does not comply with minimum clearance requirements.	
Hull City Council	Introduced a policy which was designed to reduce the presence of A-boards being unlawfully displayed and encourage businesses to either advertise through alternative routes or to seek consent from the Council to display advertisements on the highway. This policy allows A-boards to be present in certain locations subject to strict criteria.	
Royal Borough of Windsor & Maidenhead.	Introduced a licencing scheme for any advertising board to be placed in a public open space subject to a number of criteria, including:  A-boards and other goods are only allowed on pavements where sufficient width of footway can be left clear and unobstructed for pedestrian use (usually a minimum of 2 metres). A-boards and goods must be removed from the street outside the times permitted in the licence. A-boards and goods must not be placed in the way of vehicle movements – this is to ensure free and unobstructed access by emergency services.	£450 / application with renewal of £450 / 2 years. If application is refused £150 is returned to business.
Edinburgh Council	Advertising boards are banned on the Royal Mile, Rose Street and Rose Street Area.	
Southwark Council	Introduced a license scheme for all out doo street furniture including advertising boards.	£81.50/sq. metre
Reading Council	Considering introducing a licensing scheme for advertising boards in Reading town centre.	£45 charge for initial assessment by council officer then £75.00/pa

Authority	Approach	Licence Fee (If applicable)
Islington Council	Introduced a licensing scheme with banded costs depending on location of business concerned.	£120pa - £390pa
West Sussex	Introduced a pilot licensing trial in 2016	Price not yet determined but will be payable annually
Hampshire Council	Introduced a licensing trial in 2015-16	Pricing not confirmed

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- All displays must be entirely against the frontage of the trading establishment and be no longer than a third of the shop frontage. (A pavement must be at least 2.8m wide before any shop displays is allowed on it ).
- Empty milk crates and bread baskets must not be used as stands to display any goods on pavement.
- Displays detached from the frontage will not be permitted under any circumstances.
- Shop displays must not cause a visual distraction or obstruct sight lines of vehicle drivers, nor block visibility for pedestrians.

No selling or trading will be permitted upon the highway. All transactions must take place within the trading establishment.

- The Code does not relate to goods displayed at market, street fetes, or lay-bys which are regulated by local byelaws or other special regimes. Any Additional requirements made by the Council, Police or Emergency Services must be complied with.

These general conditions may not be appropriate in every circumstance.

Advertising boards and shop displays may need to be removed during events, to permit maintenance of street works or for other reasonable cause. Any additional requirement by the Council, the Police or Emergency Services, including removal of any items, must also be complied with.

#### 5. Process to be followed for the removal of advertising boards and display of goods

Any advertising board that is deemed to be causing a nuisance or obstruction will have a yellow "Illegal removal notice" placed on it. This notice will demand the item be removed

The wording in this publication can be made available in other formats such as large print and Braille.

Please call: 01274 431000

within 7 days. Failure to do so will result in the item being removed and disposed of by the Council. The Council may charge anything from £25 and above for the removal of an item from the highway

Where an 'A' Board or a shop display breaches this Code but it does not constitute a danger, or a nuisance, the owner will be requested to remove or reposition it, in accordance with this Code. If the problem persists, the Council may serve a notice requiring the unlawful obstruction to be removed. If such a notice is not obeyed, the Council can remove the item and charge the person responsible. We may also prosecute the person responsible.

If any 'A' Board sign or display is deemed to be unlawful and an immediate danger, it will be removed without giving any prior notice to the owners. The Council has powers to place permanent items such as road signs, trees and seats on the highway.

#### 6. Other Licences

The Council also issues licenses such as permits for a number of items to be temporarily placed in the highway areas, including those for erecting of scaffolding, the placing of builders skip or for street cafes.

When issued those licenses and their terms override this Code.

#### 7. Further Information

The purpose of this Code is to advise whether the placing of advertising signs and the display of goods in the highway will be permitted. It does not extend to other items.

#### 8. Modification

The procedures and requirements specified within this Code may be modified, altered or amended at any times Bradford Council deems appropriate.

# Highways Enforcement Code of Practice

## Control of Advertising boards and Display of Goods on the highway pavements of the Bradford District



Making Bradford a **safer** place for all to live in

**Department of Regeneration & Culture**  
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Bradford BD1 5RW

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## Introduction

Shopping areas within Bradford and its surrounding areas have much to offer by way of creating an ambience that makes them attractive to shoppers and visitors alike.

Advertising Boards (better known as 'A' Boards) and the display of goods on the highway pavements are traditional ways for businesses to promote and display their goods within commercial districts, often adding to the amenity and atmosphere of the street scene.

Bradford Council recognises that some traders wish to use these means to promote their business activities. However, it is important that the number, size and positioning of items on the pavements are regulated to ensure that they enhance the street scene and do not cause difficulties for pedestrians, particularly those with impaired vision or mobility problems, older people or those with young children.

The following Code of Practice leaflet has been produced with the intention of achieving a reasonable balance between the needs of both businesses and pedestrians and gives general guidance on Bradford Council's enforcement policy.

The Council wishes to work with businesses and the community to achieve a sensible and practical solution for both the use of advertising boards and the display of goods on the footway of a public highway.

The Code of Practice has the support of the Town & City Centre Management and the local business forum. Any complaints will be monitored and the success of the Code will be reviewed regularly.

If this Code is not successful it may be replaced by a stricter enforcement policy or a more restrictive statutory licensing regime involving an annual charge.

## 2. Legal Background

Under Section 149 of the Highways Act 1980, a highway authority has the power to immediately remove from a highway pavement anything which it reasonably considers constitutes a danger to highway users and ought to be removed without delay. It can also recover the costs of doing so. Under Section 137 of the same Act, a highway authority can prosecute any person who obstructs the free passage of the highway pavement. Section 28 of the Town Police Clauses Act 1847 states that it is an offence to place goods for sale on a footway.

The Code of Practice aims to minimize the need for exercising these powers; however compliance does not guarantee that all advertising boards and displays will be lawful.

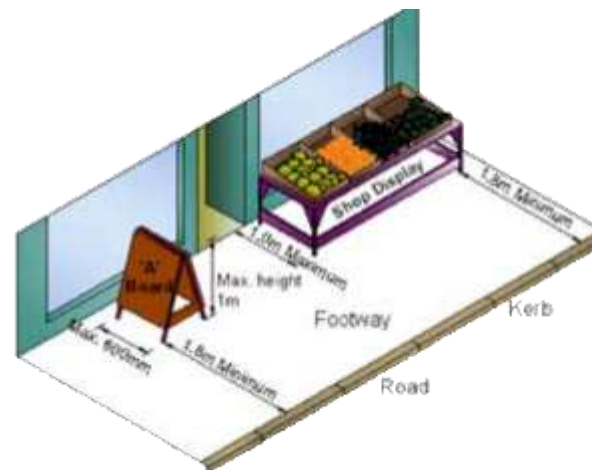
Although Bradford Council aims to permit A-boards and shop displays that do comply, it may be obliged to take enforcement action in certain circumstances. If this happens fair warning shall be given before any action is taken. Obstructions which do not comply with the Code will be liable to prompt enforcement action.

## 3. Advertising Boards ('A' Boards)

The following conditions are applicable to placing Advertising Boards on the highway and must be adhered to in all cases. Every 'A' Board should comply with these key principles

- Only one 'A' Board will be permitted per business to minimise the obstruction to pedestrians.
- The 'A' Board must be placed against the shop frontage and on the same side of the road as the business unless otherwise agreed with in writing with Council's Enforcement Officer

- A minimum clear width of 1.8m of footway is to be left between the rear of the kerb line and the 'A' Board that has been placed on the footway. This is to ensure that there is no obstruction or danger to any highway users, particularly visually impaired, and disabled, or those with pushchairs etc.
- A pavement must be 2.4m wide before any 'A' Board can be placed on it.
- No 'A' Board shall be fixed permanently onto the highway. They must be temporary in nature so they can be easily removed in their entirety at the end of each trading day.
- No 'A' Boards should be fixed to any lighting columns, traffic lights, bollards, safety barriers, seats, or other items of street furniture. Any 'A' Board attached to any street furniture will be removed immediately without any Notice being given.
- No 'A' boards will be allowed on any grass verge adjacent to the highway.
- In a very busy street it may be necessary to leave more than 1.8metres of footway space for highway users (at discretion of Council).
- 'A' boards must not obstruct sightlines of vehicle drivers, nor block visibility for pedestrians.



- 'A' boards will not be allowed on central reservations, roundabouts and busy traffic junctions.
- 'A' boards should not be wider than 600mm and 1000mm (maximum) in height above ground level. They must be in good condition and professionally made (i.e. proper sign writing/ painting/printing – not handwritten )
- Colours used on 'A' boards should provide a tonal contrast to both adjacent shop frontage and pavement material wherever possible.
- Rotating signboards will not be permitted on the highway under any circumstances.
- In pedestrian areas these principles will generally apply although the special nature of these areas means that each case will be considered on an individual basis. A route for emergency vehicles (minimum 3.5metres) is normally required in pedestrian areas.
- It is strongly advised that public liability insurance cover for a minimum of 2 million pounds is held by traders to cover any third party claims.
- In some locations businesses should arrange a signage rota to minimise clutter of hazards to pedestrians, particularly at the end of narrow streets and alleys.

## 4. Display of Goods

The following conditions apply specifically to the displays of goods on the footway of a public highway:

- Displays should only be located outside the frontage of the premises so that staff and customers do not have to cross the normal flow of pedestrians. The items in the display should only relate to the business carried out and must not obstruct access into the premises or any fire doors etc.