

## Minutes of a meeting of the Executive held on Tuesday, 14 June 2016 at City Hall Bradford

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Commenced 10.30 am  
Concluded 11.25 am

### Members of the Executive – Councillors

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

Observer: Councillor Green (Minute 9)

### Councillor Hinchcliffe in the Chair

#### DISCLOSURES OF INTEREST

- (i) In the interest of clarity and transparency the following Councillors disclosed an interest in the item relating to Land at Tennyson Road/Fair Road Wibsey (Minute 9):

Councillor V Slater as a former member of Wibsey Urban Village, however she stressed that she had had no involvement in the issues relating to the land in question, nor had she been involved in the planning issues affecting the site.

Councillors Ferriby and Jabar as former Members of the Bradford South Area Committee, which had considered related matters pertaining to the Fairground. Councillor Ferriby also stressed that she was not a member of the Planning Panel which had considered the planning application on this site.

- (ii) Councillor V Slater disclosed a prejudicial interest relating to the item on Parkside School (Minute 10) as her stepdaughter was a teacher at the school, and she left the meeting during consideration of this item.

**ACTION:** *City Solicitor*



## 2. MINUTES

Resolved –

That the minutes of the meeting held on 12 April 2016 be signed as a correct record.

## 3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

## 4. APPOINTMENT OF DEPUTY CHAIR

Resolved –

That Councillor V Slater be appointed Deputy Chair for the 2016/2017 Municipal Year.

**ACTION:** *City Solicitor*

## 5. ALLOCATION OF PORTFOLIOS OF EXECUTIVE FUNCTIONS

Resolved –

That the allocation, by the Leader of the Council, of Portfolios of Executive functions to Members of the Executive set out in Document “A” be noted.

**ACTION:** *City Solicitor*

## LEADER OF COUNCIL & CORPORATE PORTFOLIO HOLDER

## 6. HRPLUS CONTACT CENTRE

The Director of Human Resources submitted a report (**Document “C”**) which provided an update on progress since the launch of the HRplus service in January 2015.

The Director explained that the new HR Contact Centre had been operational for over 18 months, providing HR advice to managers on day to day matters. Since the service was launched the improvements in the level of advice provided had improved markedly, with reliance on HR support reduced over time and positive



feedback from managers using the Service.

The Leader stated that this was a good opportunity to see how the contract was progressing as well as obtaining stakeholders view on the service provided.

**Resolved –**

**That the update with regards to the HRPlus Service set out in Document “C” be noted.**

**No Action**

(Corporate Overview and Scrutiny Committee)

## **7. BRADFORD DISTRICT PLAN**

The Assistant Director, Policy, Programmes and Change submitted a report (**Document “B”**) which set out the completed Bradford District Plan 2016-2020, providing background on its development and the next steps in ensuring its delivery.

The Assistant Director stated that ownership of the BDP lay with the Bradford District Partnership and that it built on previous work that had been done and set out how the Partnership would address the districts key priorities; adding that contribution from residents, businesses and the voluntary sector were crucial in realising the objectives set out in the Plan.

The Assistant Director explained that overall accountability for the Plan would lie with the BDP Board, with each Strategic Delivery Partnership Board responsible for its own priority. In addition a Council Plan was also being developed to identify the Council’s delivery against the vision and priorities identified in the District Plan and will be considered by Executive in September 2016.

The Leader welcomed the BDP and expressed her thanks to Partners for their contribution to the Plan, and stressed the importance of the Plan in the context of a changing Council.

**Resolved –**

- (1) That the Bradford District Plan 2016-2020 be endorsed and recommended to full Council for endorsement.**
- (2) That the Bradford District Plan 2016-2020 forms the basis for a Council Plan which will set out the Council’s contributions to the shared commitments in the District Plan.**

**ACTION: Assistant Director, Policy Programme and Change**



***City Solicitor (referral to Council)***

(Corporate Overview and Scrutiny Committee)

**REGENERATION, PLANNING & TRANSPORT PORTFOLIO**

**8. WEST YORKSHIRE+ TRANSPORT FUND PROJECTS COMPULSORY PURCHASE ORDER AND SIDE ROADS ORDER POWERS UNDER HIGHWAYS ACT 1980**

The Strategic Director Regeneration submitted a report (**Document “D”**) which sought Executive’s approval for the promotion of the following Side Roads Orders (SRO) under the Council’s powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling it in that behalf for the delivery of the the West Yorkshire+ Transport Fund projects of Harrogate Road / New Line and A650 Hard Ings Road, Keighley:

- City of Bradford Metropolitan District Council (A650 Hard Ings Road Improvement, Keighley) (Side Roads) Order 2016
- City of Bradford Metropolitan District Council (Harrogate Road / New Line junction improvements) (Side Roads) Order 2016

The report also sought approval to include the use of those powers under Section 260 of the Highways Act 1980 and Section 40 of the Road Traffic Regulations Act 1984 which may be appropriate to the delivery of each respective scheme where these were not previously approved by Executive.

The Assistant Director explained that the necessary approvals were being sought early in the Programme to ensure successful delivery of the schemes.

In addition, the Transportation Development Manager stated that following Counsel’s advice the Side Road Orders were deemed necessary; he also alluded to the progress being made in the delivery of the schemes, stressing that negotiations would continue in parallel to the Compulsory Purchase Order proceedings to ensure that where possible agreement was reached outside of the formal CPO process.

The Regeneration, Planning and Transport Portfolio Holder stated that the report clarified a number of issues in relation to the schemes and that due consideration had been given to all matters.

**Resolved –**

- (1) That the promotion of a Side Roads Order (City of Bradford Metropolitan District Council (A650 Hard Ings Road Improvement, Keighley) (Side Roads) Order 2016 be approved using the Council’s Powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling it in that behalf.**



- (2) That the promotion of a Side Roads Order (City of Bradford Metropolitan District Council (Harrogate Road / New Line junction improvements) (Side Roads) Order 2016 be approved using the Council's Powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling it in that behalf.
- (3) In addition to the Executive decisions dated 1 December 2015 and 12 January 2016 that as appropriate the Compulsory Purchase Orders entitled Compulsory Purchase Order (Harrogate Road / New Line Junction Improvement Scheme) 2016 and Compulsory Purchase Order (A650 Hard Ings Road Improvement Scheme, Keighley) 2016 be made under Section 239, 240, 246, 250,260 and any other relevant provision of the Highways Act 1980 and the Acquisition of Land Act 1981.
- (4) That it be noted that in the meantime continuing efforts are being made to acquire the land by agreement on all West Yorkshire+ Transport Fund projects to allow the improvements to be progressed.

**ACTION:** *Strategic Director Regeneration*

(Environment & Waste Management Overview and Scrutiny Committee)

**9. LAND AT TENNYSON ROAD/FAIR ROAD, WIBSEY (WIBSEY FAIRGROUND)  
- OBJECTIONS TO PROPOSED APPROPRIATION OF LAND**

The Strategic Director Regeneration submitted a report (**Document "E"**) which set out objections received to a proposal advertised under Section 122 of the Local Government Act 1972 (As Amended) for the appropriation of land for the creation of a car park on part of the Wibsey Fairground site.

Members of the Executive who had previously declared an interest in this item (see Minute 1) reiterated their interest as an objector was present for this item. An objector raised a point of order and stated that those members that had declared an interest should leave the meeting during consideration of the item. In response the City Solicitor advised that the interests that had been declared were not disclosable pecuniary interests, and therefore the Members concerned were not obliged to leave the room.

The Assistant Director, Transportation, Design and Planning stated that the appropriation of land on part of the Wibsey Fairground followed the submission of a 972 signature petition requesting that the fairground site be used to create a parking area. The proposal was considered and approved by the Bradford South Area Committee. In addition planning permission for the scheme was further granted in October 2015.



The proposal also required a process in accordance with Section 122 of the Local Government Act 1972 (As Amended) for the appropriation of land and following advertising, 4 objections had been received relating to issues around the legal process, funding, land use and highway safety and these were detailed in Document "E".

An objector was present at the meeting and stated the following objections to the proposal:

- That under Section 122 of the Local Government Act the consultation process was unlawful.
- Why had there been consultation to appropriate land, when it had not been clearly advertised.
- That the Council had failed to consider the impact of the loss of public open space in pursuing the appropriation of this land.
- That the decision would be challenged through the Courts via a Judicial Review.
- That the matter before the Executive had not appeared on a Forward Plan and therefore the Council had failed to adhere to its own procedures.
- That the decision to appropriate the land in question was now being considered by Members who had previously dealt with the land in question.
- That the issue of the access/egress had not been considered by the relevant officers.
- That the land in question should have been appropriated prior to seeking the planning approval.
- That the Highways Service had failed to engage with objectors and the objections that had been made.
- That officers in the Highways Service did not have the necessary delegated authority to proceed with the appropriation.

A Wibsey Ward Councillor was also present at the meeting and stated that only a proportion of the land in question would be used for car parking. He stressed that the idea of parking on part of the fairground had come from Wibsey residents, following the introduction of residents only parking and the general parking problems being experienced in the village. He conceded that there were some objections to the proposals, however on balance they had to be weighed up against the need for parking particularly for the people using the businesses in Wibsey and he urged that the Executive agree to the appropriation.



In response to some of the issues raised by the objector the Transportation Development Manager confirmed that all the necessary objections to both the planning application and to this appropriation had been duly considered by the relevant department and no concerns were raised. He further confirmed that in delivering the scheme issues around the safety aspects of the scheme would be factored in at the detailed design stage. In relation to advertising and consultation the normal standard process had been followed.

The City Solicitor also confirmed that the legal advice (set out in Document “E”) was that on balance all due processes had been adhered to.

The Regeneration, Planning and Transport Portfolio stated that although he appreciated the objections, there was considerable support for the proposals in Wibsey and that this would be beneficial for the fairground and for the wider area and on balance should be approved and it was therefore:

**Resolved –**

- (1) **That the objections to the advertisement under S122 of the Local Government Act 1972 (As Amended) for the appropriation of land for the creation of a car park on part of the Wibsey Fairground site be overruled and that the appropriation be confirmed.**
- (2) **That the objectors be informed accordingly.**

***ACTION: Strategic Director Regeneration***

(Environment and Waste Management Overview and Scrutiny Committee)

## **EDUCATION, EMPLOYMENT AND SKILLS PORTFOLIO**

### **10. THE REQUEST TO ALLOCATE BASIC NEED FUNDING TO A SCHOOL EXPANSION PROJECT AT PARKSIDE SCHOOL TO ACCOMMODATE EXTRA PUPIL NUMBERS**

The Strategic Director Children’s Services submitted a report (**Document “F”**) which asks the Executive to:

- Note the need for additional secondary school places in the Cullingworth Planning Area
- Support Parkside School’s plan to expand by one extra Form of Entry (1FE) and
- Approve the allocation of Basic Needs Funding to accommodate this expansion



The Assistant Director Client Services stated that in the context of the need for school places in the district, an extra form of entry was planned for Parkside School. Following consultation on the proposals the planned admission number at the school would be increased from 180 to 210. The Governing Body at the school was fully supportive of the proposals and £2m basic needs funding would be utilised to expand the school. The Assistant Director stated that during the consultation a number of concerns had been raised in relation to traffic and parking issues and that the Council was keen to work with the school to mitigate them.

A Ward Councillor was present at the meeting and stated that although he had no objections to the principles of the scheme, there were concerns that had been raised regards access and the impact of traffic arising from the planned expansion. He suggested that given the modest costs of the highways works necessary to alleviate the traffic concerns that these could be funded from the Basic Needs Funding.

The Head of Parkside School was also present and stated that he appreciated the concerns that had been expressed in terms of the impact of traffic and that he was happy to work with the Council and residents to come up with a workable solution.

The Assistant Director confirmed that although Basic Needs Funding could not be utilised to fund any highway works, as the scheme progressed he would work with the Highways Service on how the traffic issues could be addressed.

The Education, Employment and Skills Portfolio Holder in welcoming the proposals queried whether the scheme could be delivered within the £2m envelope. In response the Assistant Director stressed that he was confident that it could be achieved as they had a good track record of bringing projects in on budget.

The Leader acknowledged the need for school places in the district and she hoped that everyone would work together to mitigate the impacts.

**Resolved –**

**That the allocation of £2,000,000 Basic Need funding to enable the enlargement of the premises of Parkside School to take place from 1 September 2017 be approved.**

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

(Children's Services Overview and Scrutiny Overview and Scrutiny Committee)





Chair

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

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



**City of Bradford  
Metropolitan District Council**

