

Minutes of a meeting of the Executive held on Tuesday, 20 June 2017 at Committee Room 1 - City Hall, Bradford

Commenced 2.00 pm
Concluded 3.25 pm

Members of the Executive – Councillors

LABOUR
Hinchcliffe (Chair)
V Slater
I Khan
Ross-Shaw
Ferriby
Jabar

Observers: Councillor Shaheen

1. **DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.

2. **MINUTES**

Resolved –

That the minutes of the meetings held on 7 and 21 February, 7 March and 4 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 it be noted that Councillor I Khan had been appointed, by the Leader of Council, as Deputy Chair for the Municipal Year 2017/2018.

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 be noted.

6. RECOMMENDATIONS TO THE EXECUTIVE

BRADFORD DISTRICT CYCLE STRATEGY (Environment & Waste Management Overview & Scrutiny Committee 18 April 2017)

Previous Reference Minute 35 (2015/16)

Resolved –

- (1) That the report, Cycle Strategy and Action Plan be welcomed and everyone involved in their development be congratulated.
- (2) **That the Cycle Strategy and Action Plan be referred to the Executive for its consideration.**
- (3) That a progress report on the key performance indicators and Action Plan be presented in twelve months.

Note:

In noting the receipt of the above recommendation the Leader requested that the Cycle Strategy and Action Plan be considered at a future meeting of the Executive.

ACTION: Strategic Director Place

HEALTH & WELLBEING PORTFOLIO

7. LONG-TERM SUPPORT FOR OLDER PEOPLE - THE FUTURE OF THE COUNCIL'S RESIDENTIAL CARE HOME - HOLME VIEW

The report of the Director of Health & Wellbeing (**Document “B”**) follows the Council's decision on the 18th February 2014 to include in the budget proposal for Adult and Community Services a reduction in the provision of two in house residential homes over the next 2 years.

Permission was sought by the Executive on 10 January 2017 to go out to consultation on the future of Holme View residential home and this recommendation was granted. This consultation commenced on 16th January and ended on 19th April 2017. The report presented information on the views expressed as a result of the consultation.



It provides details on how people using the services provided at Holme View would have their needs assessed and what alternative provision would be offered as a result of their assessments, if the decision was made to decommission the services at Holme View.

The Health and Wellbeing Portfolio Holder introduced the report and stressed that all members had visited Holme View, some on more than one occasion and that she and the Strategic Director had met residents.

The Strategic Director reminded members that the original proposal to close Holme View a number of years ago had not been taken forward because of quality issues which were being experienced in care homes in the district. She advised members that this had improved and the number of homes that were inadequate had reduced from 26% to 5% since the previous year. She acknowledged the work of colleagues in the CCG in achieving this. She added that the delay had made the decision harder and expressed sympathy with the families and individuals affected. She stressed that the Council was committed to improve provision and currently had 162 empty beds in the district for specialist dementia provision and 52 for those with nursing needs. She referred to investment in extra care provision in a number of locations including Abbey fields and the Bronte school site. She stated that the council was committed to more personalised provision and had invested heavily in home care. She referred to the direction of travel set out in the Home First document that had been approved by the Executive.

She acknowledged that the care in Holme View was good and that the CQC had given it a rating of Good. She recognised the commitment of the staff but accepted that they were working in a poor environment. The rooms were small with no room for a hoist. The council had worked with families and individuals who had put forward ideas to find out whether it was possible to implement them. The authority had looked into the possibility of renting a floor in a home nearby but the owner did not want this. Consideration was given to whether Holme View could be brought up to standard but this would have involved closing the home for at least one year and the number of rooms would have been reduced. If Holme View was to be kept open some residents would have to move out in the future because it would not be possible to care for them in Holme View.

She concluded that the view of the authority was that Holme view was not viable and that the feelings of families and individuals were being recognised to ensure that transition was supported to make residents feel safe and secure in their home.

A group of Family, Friends and Relatives of residents at Holme View attended the meeting one of whom spoke on their behalf in opposition to the proposed closure and raised the following points:

While understanding the position regarding long term viability of Holme View they felt that those 22 vulnerable residents be allowed to remain at Holme View. Some of the residents were receiving end of life care and had chosen Holme View for the last few months of their life. Relatives and residents would not have chose Holme View if they had been made aware that it was closing. Health and



Wellbeing included emotional well being as well as physical wellbeing. Moving home would cause residents stress and their health and wellbeing would not be positively safeguarded by the closure. While the building and rooms did not meet the CGC regulations this had not been highlighted in the CQC rating. Elderly and vulnerable residents were being denied the right to choose to stay in a CQC rated good home that they saw as home.

He asked for clarification in respect of top up fees and whether residents may have to move again after two years if they were not able to meet the fees. He stressed that Holme View had been rated as good and urged the Executive not to agree to its closure which would not be in the best interests of the residents and requested that it be kept open for the lives of the existing residents.

In response the Strategic Director confirmed that top ups would be guaranteed for a minimum of two years and would be reviewed annually.

With reference to how the closure would be managed the Strategic Director advised members that each person would be reviewed and reassessed and anyone on the brink of specialist nursing needs would be identified to minimise the number of moves and to work with families to find an appropriate care home of their choice. During the transition from Holme View to a new home key workers would be identified who would visit the new home with residents to familiarise themselves with their surroundings. The Council would have a significant role in passing on relevant information to the new provider. This process would take a number of months to get right. It was important that staff who knew the residents made the move and supported residents in their new home. It would not be in the residents best interests to move them when they were unwell and as Holme View did not have specialist nursing facilities so moving them early would be a better option.

In response to a member question regarding the feasibility of refurbishing Holme View the Strategic Director reported that home was built in the 1970's and would need substantial remodelling which could not be undertaken in phases. The work would take approximately 12 months to complete. Consideration would have to be given to the health of residents while the work was undertaken, in terms of noise and respiratory issues. She added that only one room had a hoist. Substantial refurbishment would be required to bring the home up to CQC standards. The building had narrow corridors and housed frail people with a number of conditions. Consideration had to be given to the health and wellbeing of the staff in moving, handling and supporting people with challenging behaviour in a small space.

With reference to the staff at Holme View, members were advised that there were a number opportunities for redeployment. Work was being undertaken with hospitals to develop short stay places. Investment was being made in new services for end of life care in a person's own home. There was a shortage of staff in the care market and undertaking new roles should be possible.

With reference to the Equalities Impact Assessment the Strategic Director explained that the option of providing different premises was explored and this was not possible. Consideration was given to keeping Holme View open for the foreseeable future but it was not possible to predict how long this would be for,



as some of the residents were in their early 60's so this could be for between 2 and 10 years and the issue of refurbishment would not have been addressed.

Residents, family and friends were thanked for their productive suggestions made during individual and group sessions. It was noted that the process to mitigate the impacts of the proposals had been explored thoroughly.

The Strategic Director confirmed that that there was capacity in the sector to accommodate the residents of Holme View with over 200 empty beds, 162 of which were specialist dementia and 52 were specialist nursing beds. She reiterated that top ups would be for a minimum of two years to be reviewed on a case by case basis.

The Health and Wellbeing Portfolio Holder noted that the CQC had reported to the Health and Social Care Overview & Scrutiny Committee that a substantial number of homes had moved from Inadequate to Good and one was now outstanding. She emphasised the need to comply with CQC standards and noted that to bring Holme View up to those standards would involve substantial refurbishment. She added that this had been one of the most difficult decisions the Executive had been face with and that issues and options raised by families had been explored in full and reasons given why they could not be pursued.

Resolved -

- (1) That the closure of Holme View be approved as planned within the Great Places to Grow Old delivery programme during autumn 2017, subject to reprovision of services being identified to meet all eligible individual needs, including day service users.**
- (2) That the Local Authority pay any top ups for the 22 residents for a minimum of 2 years if recommendation is made to close Holme View, this is to be reviewed on an individual basis annually.**
- (3) That the approach to manage the move of residents which could include support to enable a person to settle into their new home with existing staff from Holme View be approved.**
- (4) Authority be given to the Director of Corporate Services to dispose of the building in line with Council Policy.**

ACTION: Strategic Director Health and Wellbeing

(Health & Social Care Overview & Scrutiny Committee)

REGENERATION, PLANNING & TRANSPORT PORTFOLIO

8. LOCAL PLAN CORE STRATEGY - INSPECTORS REPORT AND ADOPTION



The Council was in the process of preparing a new Local Plan which would replace the current statutory development plan for Bradford District (the Replacement Unitary Development Plan) which was adopted in 2005.

The first of the Local Plan documents was the Core Strategy which set out the strategic approach to managing development and change to 2030. It was submitted for Examination in December 2014 with Hearings held in March 2015. Proposed modifications were published in November 2015 and resumed hearings held in May 2016.

The Council had now received the Inspector's final Report and recommendations. The Inspector had considered all the matters before him including the plan, the evidence underpinning it, and the objections and representations made and the published modifications. In his report he concluded that the Plan could be considered to be legally compliant and sound, providing a limited set of Main Modifications were made to the plan, as submitted.

The purpose of the report of the Strategic Director Place (**Document "C"**) was for the Executive to note the contents of the Inspector's report and to seek authority to proceed to Full Council to request the legal adoption of the modified Core Strategy in line with the Inspector's recommendation.

It was noted that at the instigation of a local MP, a temporary holding Direction was issued by the Minister for State (Housing and Planning) in October 2016. Following consideration of the matters raised by the MP the holding direction was formally withdrawn on 23 March 2017 and he had decided not to intervene in the Core Strategy.

The Leader made reference to Bradford being the city with the youngest population in the UK and stressed that the Core Strategy would act as a blue print to shape the future of the district over the next 15 years.

The Environment, Sport and Culture Portfolio Holder commended the strategy which encompassed such areas as green spaces, flood management, enhanced biodiversity and tree cover and enhancing the local environment and cultural heritage of the district.

The Education, Employment and Skills Portfolio Holder noted that the Strategy allowed the authority to plan the provision of school places more effectively. He welcomed the number of employment sites that had been included which would help to create jobs and improve the local economy and regeneration of the district.

The Regeneration, Planning and Transport Portfolio Holder referred to the shortage of housing in the district and emphasised the prioritisation of brown field development and targeting of empty homes. He noted that there were not enough brown field sites to meet demand and that it was more difficult to bring sites into development due to pressures on finance. He added that a small amount of green belt had been released which only amounted to 2% of the total



green belt in the district. He emphasised that the Core Strategy allowed the authority to identify the most appropriate areas of green belt to developed. He expressed disappointment at the delay caused by the temporary holding Direction.

The Leader expressed a desire to see central government investment in Bradford to develop brown field sites.

Resolved -

- (1) That the contents of Document “C” and contents of the Inspector’s Report be noted and that it be recommend that Full Council formally adopt the Core Strategy as approved by Full Council on December 2013 and submitted to the government for examination with the Main Modifications contained in Appendix 1 to Document “C”, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.**
- (2) That the Assistant Director (Planning Transportation and Highways) in consultation with the relevant Portfolio Holder be authorised to make other minor amendments of redrafting or of a similar nature as may be necessary prior to formal publication.**

**ACTION: Strategic Director Place
City Solicitor (for reference to Council)**

(Environment & Waste Management Overview & Scrutiny Committee)

EDUCATION, EMPLOYMENT & SKILLS PORTFOLIO & DEPUTY LEADER

9. PROPOSALS FOR SEND (Special Educational Needs and Disabilities) TRANSFORMATION 0-25

The Strategic Director Children’s Services submitted a report (**Document “D”**) that asked the Executive to approve consultation on the proposals for SEND Transformation 0-25 and authorise the Strategic Director Children’s Services in consultation with the Portfolio Holder to implement the proposals following the consultation period.

The Education, Employment and Skills Portfolio Holder commended the proposals which would lead to an increase in the provision of SEND places to 100 and include specialist centres of excellence.

The Strategic Director pointed out that as the population of the district was growing, so the number of children with special needs was growing and those with complex special needs was increasing. The proposals would create additional special needs places and increase the places for young children aged 0



to 7. The aim was to have high quality provision with specialist staff and early identification and assessment. The use of expensive out of area placements would also be reduced.

Recommended -

- (1) That a period of formal consultation be approved with partners, stakeholders, staff, children, and their families on the proposals set out in Document “D” to develop a new model for SEND provision which will divide the district into two localities each providing 50 early years’ specialist places alongside mainstream places for young children. These places will be in addition to early years places provided at special schools in the district.
- (2) That the Strategic Director Children’s Services in consultation with the Portfolio Holder be given delegated authority to implement the proposals subject to the consultation response and to report back as appropriate. This delegated authority shall include authority to execute all necessary contractual and supporting documents needed to effect the final proposals.

ACTION: *Strategic Director Children’s Services*

(Children’s Services Overview & Scrutiny Committee)

LEADER OF COUNCIL & CORPORATE

10. WEST YORKSHIRE JOINT SERVICES TRADING COMPANY

The report of the West Yorkshire Joint Services Director (**Document “E”**) set out the background to the proposed establishment of a trading company, with a business case to support that which has already been approved in principle by the West Yorkshire Joint Services Committee and sought approval for Bradford Council to participate in that company.

The West Yorkshire Joint Services Director introduced her report and outlined the services that were delivered on a joint basis to all West Yorkshire local authorities.

The Health and Wellbeing Portfolio Holder explained that over the years West Yorkshire Joint Services had developed and provided services to private companies. This proposal would provide a vehicle to sell these services more widely and raise more income reducing the cost of West Yorkshire Joint Services in accordance with the budget strategy.

The Joint Services Director added that as public sector finance reduced, Joint Services had generated income with the private sector which supported the budget strategy thereby reducing the costs to the five West Yorkshire Councils. It



was now an appropriate time to set up the trading company based on the legislation available. Each authority would receive a share of the profits in accordance with the dividend policy. She added that it cost £9.5m to run West Yorkshire Joint Services, £4.2m came from the 5 West Yorkshire authorities, the remainder from income generation. The business case was set out in Appendix 2 to Document “E”. There would be an overall holding company and a number of subsidiaries reflecting the commercial services of Joint Services. She emphasised that the proposals were not about privatisation.

The Health and Wellbeing Portfolio Holder stressed that by 2020 the local authority would receive no government funding, and it’s only income would be from business rates and council tax and this was a way of protecting local services.

Resolved -

- (1) That the legal position as set out in Appendix 1 to Document “E” be noted in particular that the company will be a controlled company for the purposes of the Local Government and Housing Act 1989**
- (2) That it be noted that the Council provides an indemnity to its appointed representative under the terms of The Local Authorities (Indemnities for Members and Officers) Order 2004**
- (3) That the Business Case at Appendix 2 to Document “E” be considered and approved in support of the proposal to trade though the establishment of a trading company**
- (4) That it be agreed to the formation of a Holding Company to be limited by shares wholly owned by the founding members of the West Yorkshire Joint Services Committee, i.e. Bradford, Calderdale, Kirklees, Leeds and Wakefield which will protect the business of the West Yorkshire Joint Services Committee, and to 4 subsidiary companies for Materials Testing, Calibration Services, Archaeological Services and Business Hive, to be owned by the Holding Company**
- (5) That it be agreed that the Council be involved as shareholder in the West Yorkshire Joint Services Trading Company and its’ subsidiaries, on the basis set out in Document “E”**
- (6) That it be agreed to participate as Directors of the Company on the basis set out in Document “E”**
- (7) That the proposed governance and funding arrangements for the company as set out in Document “E” be noted and agreed**
- (8) That it be agreed to participate through a shareholders agreement on the terms set out in draft in Document “E”, and authorise the City Solicitor to agree final terms and execute the agreement on behalf of**



the Council including agreement of the distributions policy which should be on the basis of each Councils contribution rate to West Yorkshire Joint Services

- (9) **That authority be delegated to the City Solicitor to agree terms and enter into an agreement with the other 4 constituent authorities to indemnify Wakefield Council against any loss incurred as a result of making a working capital loan to West Yorkshire Joint Services HoldCo up to a value of £1m. The terms of such indemnity to be on the basis of each Councils contribution rate to West Yorkshire Joint Services**

ACTION: Strategic Director Corporate Services

(Corporate Overview & Scrutiny Committee)

11. BUSINESS RATES

The report of the Strategic Director Corporate Services (**Document “F”**) set out a proposal for a West Yorkshire Business Rates Revaluation Relief Scheme to support businesses that face the steepest increases in their business rates bills as a result of the 2017 Business Rate revaluation.

The Strategic Director noted that the government would make available just under £1m in Bradford to support those businesses that faced the steepest increase in their rates as a result of the revaluation. He added that the scheme would provide support to over 2,000 businesses in Bradford.

Resolved -

- (1) **That the adoption of the proposed West Yorkshire Business Rates Revaluation Relief Scheme be approved as set out in Appendix 1 to Document “F”, and that the Strategic Director Corporate Services be given delegated authority, in consultation with the Portfolio Holder, to extend the duration of the scheme beyond 2017/18, subject to the availability of Government funding**
- (2) **That the Strategic Director Corporate Services be given delegated authority, in consultation with the Portfolio Holder, to finalise and implement the Supporting Small Businesses Relief scheme and the Support for Pubs scheme when details are known**

ACTION: Strategic Director Corporate Services

(Corporate Overview & Scrutiny Committee)

12. MINUTES OF THE WEST YORKSHIRE COMBINED AUTHORITY



Resolved –

That the minutes from the meeting of the West Yorkshire Combined Authority held on 2 February 2017 be received.

Chair

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

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

