

Minutes of a meeting of the Executive held on Tuesday, 7 November 2017 at Committee Room 1 - City Hall, Bradford

Commenced 10.35 am
Concluded 12.15 pm

Members of the Executive – Councillors

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

Observers: Councillor D Smith

48. DISCLOSURES OF INTEREST

Councillor Jabar disclosed a pecuniary interest in the item relating to the issue of Civil Penalty Notices for Housing Offences (Minute 52) as he owned property that he rented out to tenants. He left the meeting during consideration and voting on the item.

Councillor Khan disclosed a pecuniary interest in the item relating to the issue of Civil Penalty Notices for Housing Offences (Minute 52) as he owned property that he rented out to tenants. He left the meeting during consideration and voting on the item.

Councillor D Smith disclosed an interest in the item relating to Prevention and Early Help (Minute 55) as a Governor of Canterbury Nursery School.

ACTION: City Solicitor

49. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

50. MINUTES

Resolved –

That the minutes of the meeting held on 12 September and 10 October 2017 be signed as a correct record

ACTION: City Solicitor

51. RECOMMENDATIONS TO THE EXECUTIVE

THE RECEIPT OF THE FOLLOWING RECOMMENDATION TO THE EXECUTIVE WAS NOTED

Council - 17 October 2017

MOTION – INVESTING IN BRADFORD’S COMMUNITIES

Resolved –

Council notes:

- Capital investment across the district that has run to millions of pounds over many years including Shipley and Keighley Library, Shipley pool, Cliffe Castle, Keighley Market and Saltaire public realm works, with more investment in the pipeline including road improvements in Keighley (Hard Ings & North Street)

Planned multi-million pound

- investment in two new swimming pools which will complement existing refurbished provision in Eccleshill, Ilkley, Shipley and Keighley
- Non-capital investment and support with partners across the whole district such as Tour de Yorkshire, Ilkley and Bradford Literature Festival, Shipley Street Arts Festival, Saltaire Festival, Bingley Music Live, International Women’s Day, Pride Event
- Our Investment Strategy which outlines our approach to making investments to generate revenue that in turn supports the funding of services for the whole district
- A budget of £200k per annum for two years has been identified to provide further support to community groups going through the Community Asset Transfer process, including legal and surveying staff
- The unprecedented scale of government cuts, with the central government grant for Bradford Council being cut completely by 2020. This austerity is being felt across the public sector including the police, fire service and the NHS

Council:

- (1) Recognises the unprecedented pressure on the revenue budget caused by government cuts and believes that the proper use of capital investment is

to support all the District's communities.

- (2) Asks that the Finance Director continues with the implementation of appropriate support to community groups who have come forward to express an interest in taking on community facilities and services.
- (3) **Asks the Finance Director to produce a report to the Executive investigating and identifying additional income and revenue generation opportunities for the Council that can be used to support communities and services across the district, such as the investment in the NCP car park that will see an income generation line, net of borrowing costs, of approximately £160,000 per annum for Bradford residents.**

Note: In noting the receipt of the above recommendation the Leader requested that a report be submitted to a future meeting of the Executive

ACTION: Strategic Director Corporate Services

52. ARRANGEMENTS FOR THE IMPLEMENTATION AND REVIEW OF A DISTRICT WIDE BAN ON THE USE OF PAVEMENT DISPLAY BOARDS.

Following the resolution of Full Council on 18 July 2017 to ask the Executive to implement a full ban on A-boards across the district, preparatory work to produce the necessary policy and set up enforcement arrangements had been undertaken. The report of the Strategic Director of Place (**Document "AH"**) updated the Executive on these arrangements and sought formal approval to the policy and its implementation.

This report had not been included on the published forward plan as an issue for consideration. However it was impractical to defer the decision until it had been included in the published Forward Plan and the report was submitted in accordance with paragraph 10 of the Executive Procedure Rules set out in the Council's Constitution.

The Strategic Director of Place advised members that it was proposed to use Community Protection Notices under the Anti Social Behaviour, Crime and Policing Act 2014 to deal with repeat offenders. A trigger of 2 instances of repeat offending by a business was proposed before the council would move to the formal process. The Council would issue a fixed Penalty notice of not more than £100 for failure to comply with the notice. He added that it was proposed to use the Business Rates Notices to notify business of the introduction of the ban which would be implemented on 1 April 2018.

The Regeneration, Planning and Transport Portfolio Holder acknowledged the difficulty in reaching a solution to the issue and stressed that all sides of the debate had been listened to and that the proposal had received cross party support at full Council. He added that businesses needed to be given as much notice of the ban as possible.

A representative of RNIB attended the meeting and congratulated the Council on its approach to pavement displays. He was a resident of Bradford and worked with a lot of other cities and he commended Bradford on taking the issue of pavement displays seriously. He congratulated the Strategic Disability Partnership on its involvement in progressing this issue. He urged the Council to put a clear highway policy at the heart of its decision making.

A member of the Strategic Disability Partnership attended the meeting and commended that ban on pavement displays which would be beneficial to everyone and not just people with disabilities.

The Chair of the Bradford and District Disabled Forum People's Forum attended the meeting and congratulated the council on proposing a full ban on pavement displays. He asked how the ban would be enforced in the current financial climate. The Regeneration, Planning and Transport Portfolio Holder responded that enforcement would be dealt with in accordance with the policy.

A Councillor who was Chair of the Strategic Disability Partnership attended the meeting and raised the following:

- The letter to businesses referred to a advertising boards and pavement obstructions
- The implementation date should be earlier than 1 April for example 1 January.
- What has happened about the pilot schemes?

The Regeneration, Planning and Transport Portfolio Holder responded that the Business Rates Notice was a cost effective way of notifying all businesses of the ban. After the 12 month trial ban ended the areas in question reverted back to the previous policy.

Resolved-

- (1) **That the introduction of a total ban on the use of advertising boards on areas of adopted highway on a district wide basis be approved.**
- (2) **That the proposed Advertising Board policy and the arrangements for its advertisement, implementation and operation described in Document "AH" be approved.**
- (3) **That the proposed date of implementation of the ban of 1st April 2018 be approved.**
- (4) **That a report outlining the effectiveness of the ban together with its financial costs be presented to the Health and Social Care Overview & Scrutiny Committee 12 months after the date of its implementation.**

ACTION: Strategic Director of Place

NOTE: Councillors Jabar and Khan left the meeting during consideration and

voting on the following item having declared a pecuniary interest.

53. THE IMPLEMENTATION OF NEW POWERS INTRODUCED UNDER THE HOUSING AND PLANNING ACT 2016 TO ISSUE CIVIL PENALTY NOTICES FOR HOUSING ACT OFFENCES.

The Housing and Planning Act 2016 introduced a number of amendments to the Housing Act 2004. One of these amendments was to introduce a new section into the Act which established the legal basis for imposing civil penalties as an alternative to prosecution for specific offences under the Housing Act 2004.

In order to implement these new powers the Council must have first adopted and publicised its policy with regard to the use of civil penalty notices for these offences.

Implementation of these new powers also required the Council's Private Sector Housing Enforcement Policy to be amended.

The report of the Strategic Director of Place (**Document "AE"**) outlined the general implications of the amendments to the Housing Act 2004 and introduced a proposed Policy for the use of civil penalty notices for Housing offences and a proposed amended Private Sector Housing Enforcement Policy to incorporate those legislative changes.

The Regeneration, Planning and Transport Portfolio Holder noted that this legislation allowed the council to take action against landlords that kept properties in poor condition more quickly through the use of Civil Penalty Notices.

Resolved -

- (1) That Option 1 be approved as set out in Document "AE"**
- (2) That the proposed Policy for the Use of Civil Penalties for Housing Offences as set out in Appendix 2 to Document "AE" be adopted.**
- (3) That the proposed amended Private Sector Housing Enforcement Policy as set out in Appendix 1 to Document "AE" be adopted.**
- (4) That the Strategic Director, Place be delegated, in consultation with the Portfolio holder for Regeneration, Housing, Planning & Transport the authority to make decisions about any further amendments to the Council's Private Sector Housing Enforcement Policy and the Council's Policy for the Use of Civil Penalties for Housing Offences as and when additional powers available under the Housing and Planning Act 2016 come into force.**

ACTION: Strategic Director of Place

LEADER OF COUNCIL & CORPORATE

(Councillor Hinchcliffe)

54. MID-YEAR FINANCE AND PERFORMANCE STATEMENT FOR 2017-18

The report of the Strategic Director of Corporate Services (**Document “AB”**) provided Members with an overview of the forecast financial position of the Council for 2017-18 and a mid-year performance report.

It examined the latest spend against revenue and capital budgets and forecast the financial position at the year end. It stated the Council’s current balances and reserves and forecast school balances for the year.

The Leader thanked staff for their work in reducing the forecast Council wide overspend by £6.7m from the position at Quarter 1 to £3.8m. She added that this was the seventh year that the council had faced Government cuts. She noted the work of the “Star Chamber” at a time when demand was increasing for adult and children’s services and budgets were reducing.

The Health and Wellbeing Portfolio Holder recognised the extensive efforts in adult services in reducing the overspend. She noted that Bradford’s performance in adult services was in the top quartile nationally on many indicators. She referred to the cross party campaign that had resulted in the chancellor allocating more resources to adult services. She hoped that the national deficit in children’s social care would be recognised in the chancellor’s autumn statement. She referred to innovations in Bradford such as B Positive Pathways in residential care and recognised the level of service staff provided for the most vulnerable residents of the district.

The Leader added that additional finance that had been allocated for adult social care was time limited and urged the government to discuss long term solutions with local authorities. She urged the chancellor to include children’s and adult social care in the Autumn statement.

The Environment, Sport and Culture Portfolio Holder noted that a new waste disposal contract had recently been signed and a materials recycling centre had been opened on Bowling Back Lane. With the introduction of the alternate weekly bin collection this was a positive direction of travel in increasing the tonnage in recycling and reducing the amount of waste for disposal.

The Leader reiterated that by 2020 the Council’s budget would be half the size it was in 2010 and that councils across the country had dealt with £16 billion of cuts.

Resolved -

- (1) That the contents of Document “AB” and the actions taken to manage the forecast overspend be noted.**
- (2) That the following capital expenditure schemes be approved.**
 - (a) £0.68m for the purchase of recycling bins linked to the roll out of Alternate Weekly Collection to be funded from General**

Contingency.

- (b) £0.082m for new equipment at the Street Sign Shop. This is an invest to save scheme and the additional income generated will fund the capital financing costs.**
- (3) That due to financial impact of the lower than planned occupancy at Oastler School resulting from the Council's decision to pause the transfer of pupils from Ellar Carr, the Council fund the £164k deficit caused from the High Needs Block of the Dedicated Schools Grant.**

ACTION: Strategic Director of Corporate Services

HEALTH & WELLBEING PORTFOLIO & DEPUTY LEADER

(Councillor Val Slater)

55. PREVENTION AND EARLY HELP

The report of the Strategic Director of Children's Services (**Document "AC"**) highlighted the progress the Council and partners had made in bringing together existing arrangements for early help and early years services.

The report outlined the need for proposed changes to how services were delivered in order to ensure that resources were targeted at a time of increasing demand to avoid a detrimental impact on outcomes to children. Services could not continue to be delivered in the way they were now with the level of government cuts. The focus would be on a proposed partnership approach which was more targeted to improve outcomes and reduce inequalities for children and young people across the District.

Executive was asked to approve a period of consultation on a proposed new Prevention and Early Help delivery model.

The Strategic Director of Children's Services advised members that the model of provision was based on locality which was a different way of delivering services based on a 0 to 9 or 0 to 25 footprint rather than single services, which would provide the best outcome for families. He added that the proposal would result in reductions of 220 to 240 full time equivalent (fte) staff. The council was working with public health to get the best outcome for families within financial constraints. The proposals would be subject to a wide range of consultation with schools, voluntary sector, children and families.

The Health and Wellbeing Portfolio Holder put the proposals into the context of unprecedented pressure on budgets that had reduced from 37.1m in 2016-17 to 23.8m in 2020 when demand for services and costs were increasing.

The Chair of Governors of St Edmunds Nursery School attended the meeting on spoke on behalf of the head teachers and governors of St Edmunds and Midland

Road Nursery Schools. He appreciated that the cuts were unavoidable but wanted to address the best way to handle the cuts. He expressed concern about the preferred option highlighted in Document "AC" as follows

- It did not recognise the important role of nurseries in providing locally based provision.
- No detailed costings were provided to underpin that 25 hours would be provided in children's centres.
- No rationale was provided for why 8 children's centres would become outreach.
- No explanation was given why or how children's centres would be kept open.
- No explanation was given as to why the budget reduction was 1/3 but the staffing reduction was 51%.
- There was concern that the proposals for early years SEND would be delayed because of these proposals.

The Leader stressed that members recognised the value of nursery education but emphasised the financial situation facing the Council. She added that this was the start of the consultation process and that their views were welcomed.

The Strategic Director of Children's Services recognised that the value of nursery schools and early education was paramount and that they looked forward to a conversation with both nurseries.

The Health and Wellbeing Portfolio Holder referred to the engagement process that had been carried out between 17 July and 20 August 2017 which was legally different to the consultation which was to be launched. A summary of the engagement was set out in Appendix 6 to Document "AC"

The Strategic Director of Children's Services confirmed that the SEND consultation was still open. He added that it had been extended in order to allow for consideration of feedback and to ensure that the model that was put to the Executive had taken into consideration all of the consultation.

The Education, Employment and Skills Portfolio Holder stressed that difficult choices had to be made because of financial constraints and that the best possible provision had to be put in place.

In response to a member question about the future of the Menston and Burley phase 2 children's centre the Strategic Director Children's Services confirmed that there were no proposals for the closure of any children's centres at that stage.

A representative of UNISON attended the meeting and while accepting that cuts were unavoidable was unclear about option 3 contained in Document "AC". The union had asked to see the evidence of how the savings were to be made and how the model would work. She referred to savings in the past that had not been achieved due to high demand. She pointed out that cuts of 240 fte would equate to 400 people and questioned what would happen to their work which would not reduce.

The Strategic Director of Children's Services confirmed that evidence would be provided. A variety of different authorities had been looked at. While being

conscious of demand there would be an on going dialogue working with unions and collecting information to formulate the best model within the resources available.

A representative of UNITE attended the meeting and raised the following points:

- No evidence had been presented to support the proposals.
- 400 staff would be effected by the proposals.
- UNITE requested Children's Services to delay releasing information to the press until all effected staff had been told about the proposals but this was refused.
- The "People Can" programme relied on people being neighbourly and providing help. People in the most deprived areas of Bradford were less likely to have support from their neighbours and family.
- Officers had stated that there are no plans at present to close children's centres, why had the savings in the previous two years not been achieved as evidenced in the mid year performance report?
- The proposals were contrary to the provisions of the Equality Act 2010.
- There were concerns about the proposals which were not evidence based.

The Leader questioned the view expressed that underestimated disadvantaged communities and stressed that the proposals were not about individual officers but as a consequence of the fact that by 2020 the Council would no longer receive Revenue Support Grant and that scarcer finances would have to go further.

The Strategic Director of Children's Services confirmed that the unions would be given the full costs of the proposals. He stressed that officers had worked hard to fully brief staff and their feedback was appreciated. He accepted that although the proposals related to 240 fte the number of staff effected would be higher than this number as it included part time staff. He added that staff would be provided support to identify alternative careers including other jobs in the council. He went on to confirm that the other issues raised could be dealt with through the consultation process.

The Health and Wellbeing Portfolio Holder praised the "People Can" initiative and referred to schemes across the country where volunteers were working to help families. She referred to the Council's financial situation and the need to work in different ways to target families in the greatest need and protect the most vulnerable. She emphasised the need to have joined up services with partners such as the police, health and public health. She referred to the impact on staff and the need to do as much as possible to provide them with support. She believed that this was the right model to adopt within the finances available to the Council.

Resolved -

- (1) That the Executive in light of government cuts, local outcomes, increasing demand and after considering the Equalities Impact Assessment (in Appendix 11 to Document "AC") accepts Option 3 as set out in Document "AC" as the option for consultation**

- (2) That the Strategic Director Children's Services be authorised to commence formal consultation on 15 November 2017 until 12 February 2018 with all interested parties as outlined in Appendix 12 to Document "AC"
- (3) That Executive receives a further report in April 2018 following formal consultation.

ACTION: Strategic Director Children's Services

REGENERATION, PLANNING & TRANSPORT PORTFOLIO

(Councillor Ross-Shaw)

56. BRADFORD DISTRICT CYCLE STRATEGY

Bradford's first Cycle Strategy was produced in the 2012 and endorsed by the Environment and Waste Overview and Scrutiny Committee. Since 2012 there had been a number of changes relating to boosted regional cycling development ambitions (post Tour de France) and corresponding changes in both regional strategic guidance and increases in cycling related funding.

In light of these changes the partnership behind the original strategy (local cycling community, key cycling charities and the Council) had undertaken to update and improve the Cycle Strategy. The Strategy format as presented with the report was taken to the same O&S Committee in April 2017. The Committee offered their endorsement of the approach set out in the strategy. This O&S Committee also recommended that the strategy should be taken to the Executive for a leadership level endorsement.

The report of the Strategic Director of Place (**Document "AD"**) also presented the key content of the associated Action Plan with the 'Top 10' issues therein highlighted. Also presented with this report were the Key Performance Indicators of the strategy.

Members were advised that Bradford was leading in engaging BME communities in cycling and that Bikeability training had doubled in size since 2016. It was stressed that this was not just a transport strategy but looked at cycling from a sporting and physical health perspective.

A representative of BSpoke attended the meeting and stated that cycling provided resilience and access for the whole community what ever the individual's circumstances. He added that the strategy gave flexibility and looked at the advantages that cycling could bring in a full range of areas. He referred to the opportunity for income generation and that it reflected the physical activity and sports strategy. Consideration was being given to ways of tackling issues such as obesity in an integrated way.

The Environment, Sport and Culture Portfolio Holder commended the cycle

strategy as a means of improving health and bringing income into the city by enhancing Bradford's reputation as a cycling centre for Yorkshire.

Officers were thanked for their work in developing the cycle strategy.

Resolved -

- (1) That Document "AD" be noted**
- (2) That Appendix 1 to Document "AD" be endorsed**
- (3) That the reporting approach of Appendix 2 and Appendix 3 to Document "AD" be endorsed**
- (4) That the Executive will consider those important matters as referred to them by the Environment and Waste Overview & Scrutiny Committee**

ACTION: Strategic Director of Place

57. LOCAL PLAN - BRADFORD CITY CENTRE AREA ACTION PLAN (AAP) AND SHIPLEY & CANAL ROAD CORRIDOR AAP - PLANNING INSPECTOR'S REPORT & 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 was adopted at meeting of Full Council on 18 July 2017. The Bradford City Centre AAP and Shipley & Canal Road Corridor AAP would provide the planning policy frameworks for determining future planning applications over the next 15 years in these priority regeneration and growth areas in conformity with the policies in the adopted Core Strategy. The AAPs were approved by Full Council on 20 October 2015 for submission to government for examination. Following publication for representations, an examination was held with a government appointed Inspector.

The Council had now received the Planning Inspector's Final Report and recommendations on the two AAPs. The Inspector had considered all the matters before her including the plan, the evidence underpinning it, and the representations made and the published modifications. In her report she concluded that the Bradford City Centre AAP and Shipley & Canal Road Corridor AAP could both be considered to be legally compliant and sound, providing a limited set of Main Modifications were made to the plans, as submitted.

The purpose of the report of the Strategic Director of Place (**Document "AF"**) is 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 AAPs, with modification, in line with the Inspector's recommendation.

The Strategic Director of Place gave a power point presentation which put the Bradford City Centre Area Action Plan and Shipley & Canal Road Corridor Area Action Plan into the context of the potential economic growth for the district.

The Regeneration, Planning and Transport Portfolio Holder stressed the importance of the Canal Road Corridor improvements in providing a gate way to the Airedale corridor manufacturing and textiles. He referred to projects to be developed in the next 3 to 5 years such as 1 City Park. He noted that the adoption of the Local Plan suite of documents allowed the council to approach developers with identified development sites.

Resolved -

- (1) That the contents of Document “AF” and contents of the Inspector’s Report (Appendix 1) be noted.**
- (2) That it be recommended that Full Council formally adopt the Bradford City Centre Area Action Plan as approved by Full Council on 20th October 2015 and submitted to the government for examination with the Main Modifications contained in Appendix 2 to Document “AF”, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.**
- (3) That it be recommended that Full Council formally adopt the Shipley & Canal Road Corridor Area Action Plan as approved by Full Council on 20th October 2015 and submitted to the government for examination with the Main Modifications contained in Appendix 3 to Document “AF”, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.**
- (4) 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 of both AAPs.**

ACTION: Strategic Director of Place

Assistant Director (Planning Transportation and Highways)

58. DELEGATION SCHEME FOR TRANSPORTATION AND HIGHWAYS DECISIONS

The report of the Strategic Director of Place (**Document “AG”**) sought Executive’s approval to replacing the Council’s current Scheme of Delegation for regulating the decision-making processes on Transportation and Highways matters which was previously approved on 21 December 2015.

The report contained a proposed replacement Scheme of Delegation for consideration and approval by Executive which addressed recent officer structure changes and the introduction of new legislation since the previous revision was adopted.

Resolved -

- (1) That the adoption of the Replacement Scheme of Delegation as set out in Appendix B to Document “AG” be approved in substitution for**

the current Scheme of Delegation for Highways and Transportation Matters

- (2) **That the provisions of the previous scheme of delegation dated 21st December 2015 be revoked.**
- (3) **That the revised Scheme of Delegation shall remain in force until such time as it may be substituted modified, varied or repealed by decisions of the Executive or such person or body inheriting the powers of the Executive or the Council.**
- (4) **That authority be delegated to the Strategic Director – Place (or such other officer with equivalent duties for the time being) to make amendments to the Scheme to reflect future changes in job titles, providing the level of responsibility remains the same.**

ACTION: Strategic Director of Place

59. MINUTES OF THE WEST YORKSHIRE COMBINED AUTHORITY

Resolved –

That the minutes of the meeting of the West Yorkshire Combined Authority held on 3 August 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