



**Agenda for a meeting of the Executive to be held on  
Tuesday, 7 November 2017 at 10.30 am in Committee  
Room 1 - City Hall, Bradford**

**Members of the Executive – Councillors**

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

**Notes:**

- This agenda can be made available in Braille, 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.

**From:**

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City Solicitor

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**To:**

## **A. PROCEDURAL ITEMS**

### **1. DISCLOSURES OF INTEREST**

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

### **2. MINUTES**

**Recommended –**

**That the minutes of the meeting held on 12 September and 10 October 2017 be signed as a correct record (previously circulated).**

(Jill Bell - 01274 434580)

### **3. 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.

(Jill Bell / Yusuf Patel - 01274 434580 434579)

#### **4. RECOMMENDATIONS TO THE EXECUTIVE**

To note any recommendations to the Executive that may be the subject of report to a future meeting. (Schedule to be tabled at the meeting).

(Jill Bell / Yusuf Patel - 01274 434580 434579)

## **B. STRATEGIC ITEMS**

<p style="text-align: center;"><b>LEADER OF COUNCIL &amp; CORPORATE</b></p>
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<p style="text-align: center;"><i>(Councillor Hinchcliffe)</i></p>
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#### **5. MID-YEAR FINANCE AND PERFORMANCE STATEMENT FOR 2017-18**

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

It examines the latest spend against revenue and capital budgets and forecasts the financial position at the year end. It states the Council’s current balances and reserves and forecasts school balances for the year.

**Recommended -**

**That the Executive**

**(1) Note the contents of Document “AB” and the actions taken to manage the forecast overspend.**

**(2) Approve the following capital expenditure schemes.**

**(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 Councils 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.**

(Corporate Overview & Scrutiny Committee)

(Andrew Cross – 01274 436823)

## **C. PORTFOLIO ITEMS**

<p><b>HEALTH &amp; WELLBEING PORTFOLIO &amp; DEPUTY LEADER</b></p>
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*(Councillor Val Slater)*

### **6. PREVENTION AND EARLY HELP**

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

The report outlines the need for proposed changes to how we deliver services in order to ensure we target resources at a time of increasing demand to avoid a detrimental impact on outcomes to children. We cannot continue to deliver services in the way we do now with this level of government cuts. The focus will be on a proposed partnership approach which is more targeted to improve outcomes and reduce inequalities for children and young people across the District.

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

#### **Recommended -**

**(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.

(Children's Services Overview & Scrutiny Committee)

(Judith Kirk – 01274 4310780)

**REGENERATION, PLANNING & TRANSPORT  
PORTFOLIO**

*(Councillor Ross-Shaw)*

**7. BRADFORD DISTRICT CYCLE STRATEGY**

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Bradford's first Cycle Strategy was produced in the 2012 and endorsed by the Environment and Waste Overview and Scrutiny Committee. Since 2012 there have 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) have undertaken to update and improve the Cycle Strategy. The Strategy format as presented with this paper 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 presents the key content of the associated Action Plan with the 'Top 10' issues therein highlighted for committee attention. Also presented with this report are the Key Performance Indicators of the strategy.

**Recommended -**

- (1) That Document "AD" be noted by the Executive
- (2) That Appendix 1 to Document "AD" be endorsed by the Executive
- (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**

Environment and Waste overview & Scrutiny Committee)

(Tom Jones – 01274 434983)

8. **THE IMPLEMENTATION OF NEW POWERS INTRODUCED UNDER THE HOUSING AND PLANNING ACT 2016 TO ISSUE CIVIL PENALTY NOTICES FOR HOUSING ACT OFFENCES.** 157 - 222

The Housing and Planning Act 2016 introduces a number of amendments to the Housing Act 2004. One of these amendments is to introduce a new section into the Act which establishes 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 first adopt and publicise its policy with regard to the use of civil penalty notices for these offences.

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

The report of the Strategic Director of Place (**Document "AE"**) outlines the general implications of the amendments to the Housing Act 2004 and introduces 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.

**Recommended -**

- (1) **That Option 1 be approved as set out in Document ".."**
- (2) **That the Executive adopts the proposed Policy for the Use of Civil Penalties for Housing Offences as set out in Appendix 2 to Document "AE".**
- (3) **That the Executive adopts the proposed amended Private Sector Housing Enforcement Policy as set out in Appendix 1 to Document "AE".**
- (4) **That the Executive delegates to the Strategic Director, Place 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.**

(Regeneration and Economy Overview & Scrutiny Committee)  
(Julie Rhodes - 01274 431163)

**9. LOCAL PLAN - BRADFORD CITY CENTRE AREA ACTION PLAN (AAP) AND SHIPLEY & CANAL ROAD CORRIDOR AAP - PLANNING INSPECTORS REPORT & ADOPTION** 223 - 314

The Council is in the process of preparing a new Local Plan which will 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 is 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 will 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 has now received the Planning Inspector's Final Report and recommendations on the two AAPs. The Inspector has 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 concludes that the Bradford City Centre AAP and Shipley & Canal Road Corridor AAP can both be considered to be legally compliant and sound, providing a limited set of Main Modifications are 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.

**Recommended -**

- (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 20<sup>th</sup> 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.

(Regeneration and Economy Overview & Scrutiny Committee)  
(Bhupinder Dev - 01274 43 2012)

**10. DELEGATION SCHEME FOR TRANSPORTATION AND HIGHWAYS DECISIONS** 315 -  
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The report of the Strategic Director of Place (**Document “AG”**) seeks 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 contains a proposed replacement Scheme of Delegation for consideration and approval by Executive which addresses recent officer structure changes and the introduction of new legislation since the previous revision was adopted.

**Recommended -**

- (1) That Executive approves the adoption of the Replacement Scheme of Delegation as set out in Appendix B to Document “AG” in substitution for the current Scheme of Delegation for Highways and Transportation Matters
- (2) That the provisions of the previous scheme of delegation dated 21<sup>st</sup> 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 Executive delegate to the Strategic Director – Place (or such other officer with equivalent duties for the time being) the authority to make amendments to the Scheme to reflect future changes in job titles, providing the level of



**responsibility remains the same.**

(Environment and Waste Management Overview & Scrutiny Committee)

(Richard Gelder – 01274 43 7603)

**11. EXCEPTION TO THE FORWARD PLAN**

The following item has been included on this agenda as an exception to the Forward Plan in accordance with Paragraph 10 of Part 3D of the Constitution..

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

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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 has been undertaken. The report of the Strategic (**Document “AH”**) updates the Executive on these arrangements and seeks formal approval to the policy and its implementation.

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

**Recommended-**

- (1) **That Executive:**
  - a) **Approves the introduction of a total ban on the use of advertising boards on areas of adopted highway on a district wide basis.**
  - b) **Approves the proposed Advertising Board policy and the arrangements for its advertisement, implementation and operation described in Document “AH”.**
  - c) **Approves the proposed date of implementation of the ban of 1<sup>st</sup> April 2018.**
  
- (2) **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.**

(Environment and Waste Management/Health and Social Care Overview and Scrutiny Committees)

(Richard Gelder – 01274 437603)

**13. MINUTES OF THE WEST YORKSHIRE COMBINED AUTHORITY**

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To receive the minutes of the meeting of the West Yorkshire Combined Authority held on 3 August 2017 attached.

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



## **Report of the Strategic Director of Corporate Services to the meeting of the Executive Board to be held on 7<sup>th</sup> November 2017.**

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**AB**

### **Subject:**

### **Mid-Year Finance and Performance Statement for 2017-18**

### **Summary statement:**

This report provides Members with an overview of the forecast financial position of the Council for 2017-18 and a mid-year performance report.

It examines the latest spend against revenue and capital budgets and forecasts the financial position at the year end. It states the Council's current balances and reserves and forecasts school balances for the year.

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Stuart McKinnon-Evans  
Strategic Director – Corporate  
Services

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## **MID-YEAR FINANCIAL AND PERFORMANCE STATEMENT FOR 2017-18**

### **1.0 INTRODUCTION**

This report is the second monitoring report presented to Members on the Council's 2017-18 financial position. It provides an early indication of the revenue and capital financial position of the Council at the 31st March 2018.

The report covers

- An update and overview of current performance across Departments supporting the delivery of both the District and Council Plans.
- The forecast outturn of the Council's revenue budget including management mitigations where issues have been identified.
- The delivery of 2017-18 approved budget savings plan, and progress on the Transformation Fund allocated to help deliver savings.
- A statement on the Council's reserves including movements in the 2nd quarter.
- An update on the Capital Investment Plan.
- An update on Council Tax and Business Rates Collection.

### **1.1. MAIN PERFORMANCE MESSAGES**

- The Council Plan identifies the Council's contribution to delivering the District Plan and its responsibilities for direct delivery along with a set of performance indicators and targets for each of the priority outcomes listed below;
  - Better health, better lives
  - A great start and good schools for all our children
  - Better Skills, more good jobs and a growing economy including Decent homes that people can afford to live in
  - Safe clean and active communities
  - Well Run Council
- This set of 49 indicators, some of which are included in statutory reporting arrangements, help to report progress towards delivering both the District and Council Plans, and are used to guide decision making and identify areas that require improvement. The indicator set for all of the outcomes forms the basis of all future reporting within the Priority Outcome Boards and the Council Plan Delivery Board (CPDB) and is currently being reviewed to ensure they meet the current and future need.
- Current performance information identifies that performance in many key areas is improving and remains on target although there continues to be areas where the District faces significant challenges and where performance is either deteriorating or not improving quickly enough. Section 2 provides a summary of the current position and particularly those areas of concern.

### **1.2 MAIN FINANCIAL MESSAGES**

- Based on a projection at the 30<sup>th</sup> September 2017, it is forecast that Council wide expenditure will be £3.8m above the approved budget of £375.2m; a £6.7m improvement from the position at Qtr. 1 resulting from;

- A £4.3m reduction in the Health and Wellbeing overspend to £5.4m linked to an improved savings position of £1.8m; £1.2m of further non-recurrent funding being used; a forecast use of £0.7m of reserves; £0.2m underspend in Environmental Health and additional underspends of £0.5m across the department.
- A £0.5m reduction in the Children's services overspend to £4.4m due mainly to salary underspends in Education Employment and Skills, and reductions in the forecast overspend in Children's Social Care and Performance Commissioning and Partnerships.
- A £1m increase in the Corporate Services forecast underspend to £1.8m due mainly to for underspends in Finance and Procurement, Estates and Property.
- A £0.4m increase in capital financing underspend to £5.4m linked to lower capital expenditure, and lower interest costs.
- A £0.5m increase in the forecast underspend in Non-service areas to £0.5m due mainly to lower External Audit costs and higher investment and interest income.
- Despite the positive direction of travel, the Council is still forecast to overspend overall with significant overspends in Health and Wellbeing (£5.4m) and Children's Services (£4.4m) linked to Social Care services. These forecast overspends result largely from demand pressures and savings not being delivered as planned.
- It should also be noted that the £5.4m forecast overspend in Health and Wellbeing is after using £9.7m of Improved Better Care Fund<sup>1</sup> (ICBF) money and £0.7m of one-off reserves, without which the forecast overspend would have been significantly higher.

The IBCF is being used as outlined in the Integration and Better Care Fund delivery plan that has been agreed by the Health and Wellbeing Board and is in the process of being approved by NHS England.

- The Department of Place is also forecast to overspend by £1.6m linked to Planning Transport and Highways (£1m); Sports and Culture (£0.9m) and Waste services (£0.5m) offset by underspends in Neighbourhood Services (£0.9m).
- The overspends in Health and Wellbeing, Children's Services and Department of Place, are partly offset by underspends in Corporate Services (£1.8m), Non Service (£0.5m) and Corporately held budgets £5.4m (mostly capital financing).
- Regarding the £46m<sup>2</sup> budgeted savings programme, there are risks to the achievement of a number of plans, and it is forecast that £23.4m of savings will not be delivered as intended. Although this is a £1.4m improvement from Qtr. 1, the forecast underachievement is significantly higher than in prior years.

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<sup>1</sup> £10.5m of IBCF has been received in 2017-18. The additional money received will reduce to £6.2m in 2018-19, £3.5m in 2019-20 and £0 by 2020-21.

<sup>2</sup> £37.5m of 2017-18 budget savings + £8.5m of budget savings not achieved in prior years

- Any underachieved savings from 2017-18 and prior years will compound the difficulty of delivering future year savings, and this is the main issue highlighted by this report.
- The main variances are outlined in section 3.2 – Delivery of budget savings proposals, and Section 4 - Service commentaries. One of the aims of this report is to highlight risks of under delivery so that necessary corrective action can be taken.
- Despite the issues outlined above, it should be noted that the budget issues in Social Care services are not unique to Bradford, and are largely caused by increased demand for Social Care services. Increased demand is recognised as a national issue, and the Council has responded to the Department of Communities and Local Governments consultation outlining the financial challenges in advance of the Chancellors upcoming Autumn 2017 budget.
- Given the level of forecast underachieved savings highlighted at Qtr. 1 and the potential impact on 2018-19, the Leader of the Council determined that a formal group (“Star Chamber”) inclusive of the Leader, Deputy Leader, Chief Executive and Strategic Director of Corporate Services, should meet with the Portfolio Holders and Strategic Directors of Health and Wellbeing and Children’s Services to suggest ways in which the budget proposals could be brought back on track.
- Additionally, the 2018-19 budget setting process is underway and existing savings plans are being reviewed as part of this process.
- Regarding reserves, at 30<sup>th</sup> September 2017 reserves stand at £130.6m (Council £105.4m and Schools £25.2m). Net movements from reserves have led to a £22.4m reduction in total reserves from £153.0m at 1 April 2017. Section 6 details reserves.
- Unallocated reserves required for contingency purposes, now stand at £14.5m. This is equivalent to just 1.7% of the Council’s gross budget excluding schools.
- Regarding Capital Expenditure, the profiled resource position for 2017-18 for the Capital Investment Plan (CIP) stands at £104.8m with £34.8m incurred at 30<sup>th</sup> September.
- New schemes for approval include;
  - £0.68m for the purchase of recycling bins linked to the roll out of alternate weekly collection to be funded from general contingency. The scheme will help continue the delivery of the strategy to help households recycle more, both reducing the costs of waste disposal whilst also reducing the environmental impact.
  - £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 over three years.
- Regarding Council Tax and Business Rates, the Council will by statute receive the 2017-18 budgeted shares of Council Tax and Business Rates. Any variance from the budget to the outturn is carried forward into 2018-19, so only impacts on next financial year. It is currently forecast that Council Tax will be approximately £0.5m below budget; this will be carried forward into 2018-19 Council Tax Base.
- By 30<sup>st</sup> September 2017 the Council had collected £104.1m (50.6%) of the value of Council Tax bills for the year compared with £97.9m (50.3%) at the same stage last

year. The collection of Business Rates at 30<sup>st</sup> September 2017 was £79.6m (55.25%) compared to £81.7m (53.5%) at the same time last year.

## 2.0. Corporate Performance update

2.1 Current performance information identifies that performance in many key areas is improving and remains on target, although there continues to be areas where the District faces significant challenges and where performance is either deteriorating or not improving quickly enough. The following sections provide a summary of the current position by Council Plan outcome area, and particularly highlights those areas of concern.

### 2.2 Better Health, Better Lives

The Better Health Better Lives Outcome includes all services provided by Department of Health and Well Being, Children's Social Care and Sports and Leisure Services.

In Health & Wellbeing Services the focus remains on providing support which allows people to live independent lives by providing preventative services and keeping people living at home for as long as possible. The service reports against the Adult Social Care Outcomes Framework (ASCOF) which is used locally and nationally to set priorities for care and support, measures progress and strengthens accountability.

Recently completed and validated 2016-17 data confirm that of the 22 indicators reported, Bradford's performance is in the top quartile for 7 indicators, with an improved direction of travel in performance in 6 measures with 3 measures showing a deterioration, the rest remaining broadly similar. Improvements have been made in the following indicators;

- The proportion of adults with a Mental health disability in paid employment has improved from 6.1% in 2015-16 to 8% in 2016-17, improving our regional ranking of 11 of 15.
- Long-term support needs for older people met by admission to residential and nursing care homes - The best performance in Y&H and integral to the joint Council and NHS Better Care Fund
- Long-term support needs for 16-64 year olds met by admission to residential and nursing care homes
- Overall delayed transfers of care from hospital (3.4 in 15-16 down further to 3.0 in 16/17) and although those delayed discharges directly related to social care were up from 0.2 in 2015-16 to 1.5 in 2016-17 this still continues to be one of the best performers both regionally and nationally.
- The proportion of adults with a Learning Disability who live independently is now at 89% from 86.3% which is one of the best performers in the region.
- The proportion of adults with a Mental Health disability who live independently is now at 73% from 69% which is one of the best performers in the region

The 3 measures which are showing a deterioration all relate to the outcomes from the 2016-17 Survey of Adult Carers Experience which were generally poor. Compared to the last time the survey was carried out in 2013-14 carers' self reported their overall quality of life was worse although still above the latest Regional and England averages. The sample of carers surveyed were less satisfied with their care and support, 37% compared to 40%, less involved in consultation and discussion about the person they care for, 75% compared to 78%. The only improvement on the ASCOF measure was that carers felt that the provision of information and advice had



improved from 67% in 2013-14 to 72% in 2016-17. It has been agreed that strategic integrated commissioning for carer support services will be strengthened between the Clinical Commissioning Groups and the Council, and the Carer Support Strategy will be reviewed to address the results of the survey.

Performance in Adult Services was the subject of a recent detailed report to Health and Social Care Overview and Scrutiny Committee.

The latest performance information in Children's Social Care confirmed that of the 28 social care indicators reported, 11 were delivering against agreed targets, 6 were within acceptable tolerances and 11 were reporting as underperforming. Examples of good performance include:

- The percentage of Child Protection reviews carried out on time being at 99.4%
- Average number of days between receiving court authority to place a child and deciding on a match to an adoptive family (131 days against a target of 182 days)
- Average number of days between a child entering care and moving in with their adoptive family (341 days against the 547 day target)
- Care leavers aged 16-18 in Employment, Education or Training (93% against the 87% target)
- Participation rates of Looked After Children in their reviews. Currently at 97% against the target of 91%
- The percentage of Looked After Children reviews carried out on time in the year which is exceeding the 98% target.

Areas of underperformance include:

- The percentage of Looked after Children who had an annual health assessment (83.62% against a target of 95%)
- Care leavers living in suitable accommodation (70.49% against a target of 87%)
- The percentage of Child Protection visits carried out every 4 weeks in the last month (86.25% against a target of 95%)
- The percentage of Looked After Children visits carried out within agreed timescales (87.26% against a target of 95%)
- The percentage of children looked after with three or more placements during the previous year at 11.7% against the 9% target

However, whilst some of these indicators are being reported as underperforming against the agreed target, a number are showing a month on month improvement since April this year. The Joint Targeted Area Inspection undertaken earlier this year noted that Leadership within children's social care is effective and that the Strategic Director of Children's Services is focused on 'getting the basics right' in social work practice. It also confirmed that frontline managers have good, timely access to performance information, enabling them to identify good performance, as well as areas where improvement is needed.

Performance in Children's Social Care is also the subject of intense scrutiny at monthly meetings with the Leader of Council and the Chief Executive and alongside the performance indicator set, additional information is now being provided at team manager level on assessment times, average caseloads, Child Protection visits, Looked After Children visits, health and dental checks, and Personal Education Plan completion. Reports on case file audits, critical to any OFSED inspection, are also

prepared monthly and considered as part of the performance management arrangements in Social Care.

### **2.3 Great Start, Good Schools**

Good progress is being made on supporting children and families in the early years of life and in reducing the numbers of young people who are not in education, employment or training. However key indicators of school standards such as Key Stage 2 achievement and good GCSE's and of school leadership are not improving fast enough. Educational attainment continues to be a priority area for improvement with performance being closely monitored and managed by the Education School Improvement Board as part of the Ofsted Inspection Improvement Plan.

The annual average of 2 year old children taking up Early Education in Bradford has increased from 65% to 71% closer to the aspirational target of the England average of 80%, for 3 year old children it has increased from 90% to 93% in line with the England average of 93% but for 4 year old children it has dropped from 97% to 94% which is in line with national and regional trends although there was only a slight decrease in actual numbers from 7970 to 7910 taking up a place. In attempting to increase numbers we are encouraging schools to develop more flexible models to meet their family's needs and 55 schools are currently offering 30 hour extended entitlement for working families and the service is developing local partnership models of flexible delivery between schools and the Private Voluntary Independent sector.

In order to be assured of the quality of provision in the Early Years sector, another key target in this outcome relates to the percentage of Children's Centres inspections which are rated good or outstanding. The target in the Council Plan is to ensure the percentage is higher than the Yorkshire and Humberside average of 70% and Bradford's performance is currently at 69%.

Other indicators in this outcome area aim to ensure that the percentage of children achieving a good level of development in Early Years Foundation Stage is in line with the national average of 71% and performance has improved from 66% to 68%. Additionally the percentage of Year 1 pupils working at the expected standards in phonics has improved to 80% and closer to the national average of 81%.

Improvements have been made in all the Key Stage 1 performance; in reading (from 70% to 72%), in writing (64% to 66%) and in maths (70% to 73%) although Bradford is still below national averages in all three subjects. This trend is also replicated in both Key Stage 2 indicators, where 56% of pupils achieved the expected standards in these subjects which is an increase of 9% on previous figures, and in Key Stage 4 indicators, where Bradford's progress 8 is 0.01, which is an increase of 0.16 on the 2016 score, meaning that Bradford is joint 4<sup>th</sup> most improved LA nationally and ranks 56<sup>th</sup> out of 151 LA's for progress from KS2

At Key Stage 5, Bradford students achieved a C- grade on average per entry for A levels and a distinction+ grade on average for applied general qualifications, which is the same as the 2016 grades. For technical level qualifications in 2017, Bradford students achieved a distinction- grade compared to the 2016 grade of distinction, however, the average grade nationally in 2017 was a distinction- and the points per entry for Bradford remain above the national. Bradford ranks 65<sup>th</sup> out of 151 LA's.

The numbers of young people not in Education, Employment and Training (NEET) continues to reduce based on month on month comparisons. In July 2015 4.6% of

16-17 year olds were NEET, in July 2016 it was 3.5% and in July 2017 it had reduced further to 3.2%.

## **2.4 Better Skills, more good jobs and a growing economy including Decent homes that people can afford to live in**

In this outcome area, the number of new jobs created as a result of direct support from the Council through the City Centre Growth Scheme funding is on track to meet the target of 155 by March 2018 with a further 38.5 being created alongside the 118 created in 2016-17. The agreed timescales for processing of major planning applications is at 87% in line with the Council Plan target of 87% and is still above regional comparators, and the latest information has confirmed that the Gross Value Added is on target with that identified in the Council Plan of £9.5bn.

Overall visitor numbers to the three indoor retail market venues, Kirkgate Market, Oastler Centre and Keighley Market to the end of quarter 2 was 2.74m which is similar to the mid point of last year and year end numbers are projected to be in line with the 5.56m for the whole of 2016-17 but below the Council Plan target of maintaining numbers at 5.83m based on 2015-16 numbers. The reduction is due in part to the closure of the adjoining Morrisons supermarket next to the Oastler Centre and the opening of the Broadway Centre, which has seen changes to the central retail shopping core in the city centre. A review of city centre markets is in progress.

The total number of visits to museums is higher than at the same time in the previous year. The opening of Cliffe Castle Park following a major Lottery Fund project in June with the consequent knock on effect on visitor numbers to Cliffe Castle museum, and the launch of two major exhibitions at Cartwright Hall along with the opening of the Hockney Gallery has seen total visitor numbers rise from 112,746 in April to September 2016 to 128,000 during the same period in 2017.

In terms of Housing, the targets in the Council Plan to deliver 750 additional affordable homes through the Affordable Homes Programme by the end of 2017-18 and to improve 850 private sector homes through Council intervention are projecting to be delivered and the average length of stay in bed and breakfast is currently 9.1 nights which is an improvement on the 9.4 nights reported in March 2017.

## **2.5 Safe Clean and Active Communities**

In the Safe Clean and Active outcome area, the amount of kerbside recycling is projected to increase in line with the Council Plan of 20,200 tonnes in the current year with 13,985 tonnes being collected in the first half of the year compared to 9,884 tonnes in the same period the previous year.

The target to reduce the number of reported fly tipping incidents to below last years outturn of 9,271 is largely on track, with fewer incidents being reported in the first half of the year when compared to the first half of 2017-18 (4,975 in 2017-18, 4,988 in 2016-17).

The overall percentage of missed bin collections for the second quarter is now slightly above the reported 0.15% in March 2017 but is still a very creditable 0.28% bearing in mind the introduction of Alternate Weekly Collections from 2 July 2017 in Bradford. However the latest monthly figures now show performance is at slightly below last years outturn at 0.14%.

As part of the drive to move services to be delivered in and by communities, and to transfer Council Assets to be managed by community organisations, a target was set to complete 30 Community Asset Transfers (CAT) by March 2018. At 31 March 2017, 29 had already been completed with the service projected to complete as many again in 2017-18 and deliver the target set in the Council Plan.

The Council Plan includes targets related to people who agree that their local area is a place where people from different backgrounds can live harmoniously. When last reported in 2015-16, the figure was 62.6% which is 1.4% below the previous year and below the 65% target in the Council Plan which is the regional average. This will be re-measured in 2017-18 by the Police and Crime Commissioner survey and will be reported quarterly in the future.

## **2.6 Well Run Council**

In the Well Run Council theme, at the end of 2016-17 the overall financial plan was delivered, with the net budget being underspent by £0.3m but the target to implement the agreed specific financial savings fully in year has been underachieved, with £37.8m (83%) of the targeted savings of £45.6m being delivered. As detailed in this report there is currently a projected overspend on the overall Council budget in 2017/18 of £3.8m, with reported underachieved budget savings of £23.5m.

Despite significant targeted management action being taken, sickness is still above the 9.76 days target in the Council Plan, with the average number of days lost per employee due to sickness absence in 2016-17 at 11.33 days. That performance has improved and is currently at forecast to be 10.5 days in 2017-18 as a result of sustained action by managers in those services which are above the target.

Performance indicators in this outcome area include targets to reduce the Councils backlog maintenance works which are outstanding on Council buildings from the current £56m, with plans already in place to deliver a reduction of £10m in the next two years, as well as a target to reduce Council CO2 emissions to our target of 67,109 tonnes by 2020, which has already been delivered.

The Council Plan also has specific targets regarding improving the collection rates for both Council Tax and Business Rates for the full year to 96% and 98% respectively. Current performance in Council Tax collection is that 50.6% has been collected at the mid year, compared to 50.3% at the same point last year. Regarding Business Rates collection 55.3% has been collected at the mid year, compared to 53.5% at the same time last year. This is however marginally under our target of 56%. Targeted action is being taken with the out of hours contact team now in place, closer working with Council colleagues in Economic Development and collective action with other Councils being taken, all aimed at improving collection rates.

In IT services, the number of service users continues to gradually decrease from 6,695 in 2014-15 to the current number of 5,670 with the net cost of the service reducing from £3,176 to £2,152 in the same period. Levels of customer satisfaction with the quality of service has improved over the last three years to 5.25 (out of a score of 7) in the most recent survey and recent surveys of the accessibility and quality of the Councils Website have scored 3 out of 4, which is above that of comparable Councils.

### 3. COUNCIL REVENUE FORECAST

#### 3.1 2017-18 Revenue Budget

The Council's approved net revenue budget of £375.2m is forecast to overspend by £3.8m.

- Table 1a shows the financial position of the Council by department to reflect that budgetary responsibility lies with the individual departmental management teams.

**Table 1a – Revenue forecast by department**

	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
Health and Wellbeing	215.6	221.3	5.7	-105.3	-105.6	-0.3	110.4	115.8	5.4
Children's Services	480.6	485.3	4.7	-394.8	-395.1	-0.2	85.8	90.3	4.4
Department of Place	121.8	122.6	0.9	-56.6	-56.0	0.7	65.1	66.7	1.6
Corporate Services	267.7	264.1	-3.6	-223.5	-221.7	1.8	44.2	42.4	-1.8
Chief Executive	3.9	3.9	0.0	-0.1	-0.1	-0.0	3.8	3.8	0.0
Non Service Budgets	7.2	6.8	-0.4	-1.3	-1.4	-0.1	5.9	5.5	-0.5
Central Budgets & Net Transfers To Reserves	86.6	76.5	-10.1	-26.6	-21.8	4.8	60.0	54.6	-5.4
<b>Total Council Spend</b>	<b>1,183.5</b>	<b>1,180.6</b>	<b>-2.9</b>	<b>-808.3</b>	<b>-801.6</b>	<b>6.6</b>	<b>375.2</b>	<b>379.0</b>	<b>3.8</b>

- Table 1b shows the income and expenditure of the Council by priority outcome which reflect the alignment of resources with the priorities of the Council and the District as set out in the respective Council and District Plans. In essence the activities the Council undertake contribute to the delivery of the outcomes.

**Table 1b – Revenue forecast by Council Plan Outcomes**

	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
<b>Council Plan Outcomes</b>									
Better Health Better Lives	442.2	453.7	11.6	-271.9	-272.9	-1.0	170.3	180.8	10.5
Better Skills, More Good Jobs And A	96.9	95.6	-1.3	-49.8	-48.3	1.5	47.1	47.3	0.2
Safe, Clean And Active Communities	61.5	61.6	0.1	-23.1	-23.0	0.1	38.4	38.6	0.2
A Great Start And Good Schools For All Our Children	421.3	420.3	-1.1	-398.2	-397.9	0.3	23.2	22.4	-0.8
Decent Homes That People Can	5.5	5.5	-0.0	-2.5	-2.5	-	2.9	2.9	-0.0
A Well Run Council	87.3	85.5	-1.8	-32.6	-31.6	1.0	54.7	53.9	-0.9
Non Service, Fixed and Unallocated	68.8	58.5	-10.2	-30.2	-25.4	4.8	38.6	33.1	-5.5
<b>Total Council Spend</b>	<b>1,183.5</b>	<b>1,180.6</b>	<b>-2.9</b>	<b>-808.3</b>	<b>-801.6</b>	<b>6.6</b>	<b>375.2</b>	<b>379.0</b>	<b>3.8</b>

### 3.2 Delivery of Budgeted Savings proposals

- The combined budget savings of £36.5m in 2017-18<sup>3</sup>, and a further £1.1m Government cut to the Public Health Grant brings the total budget savings the Council has had to find in the seven years following the 2010 Comprehensive Spending Review (CSR) to £255.8m.

**Table 2 Year on Year savings since 2010 CSR**

	£m
2011-12	48.7
2012-13	28.5
2013-14	26.1
2014-15	31.8
2015-16	37.7
2016-17	45.6
2017-18	37.5
<b>Total savings</b>	<b>255.8</b>

- The 2017-18 budget includes £37.5m of new budget reductions, however £8.5m of prior year savings were not delivered as planned in 2016-17, meaning that £46.0m of savings are budgeted to be delivered in 2017-18.
- In tracking progress made against each individual saving proposal, £22.6m (49%) of the £46m is forecast to be delivered, leaving £23.5m that is forecast not to be delivered. This is a £1.4m improvement from the Qtr. 1 position caused mainly by an improvement in Health and Wellbeing linked to reducing Older People Residential Care placements, and the closure of an in-house Residential Home.

**Table 3 Saving Tracker**

	Prior year underachieved Savings outstanding at 31/3/17	2017-18 New Savings	Total Savings 2017-18	Forecast Variance at Mid-Year
Health & Wellbeing	1.9	21.6	24.2	14.3
Children's Services	1.4	3.9	5.3	3.4
Place	0.4	6.0	6.3	1.1
Corporate	0.0	5.5	5.5	0.0
Corporate (CEO)	0.0	0.5	0.5	0.0
Non Service Budgets & Cross Cutting	0.0	0.0	0.0	0.0
Travel Assistance	4.8	0.0	4.8	4.8
<b>Total</b>	<b>8.5<sup>4</sup></b>	<b>37.5</b>	<b>46.0</b>	<b>23.5</b>

<sup>3</sup> £24.3m of 2016-17 budget decisions to be delivered in 2017-18, less £1.1m amendments approved in Feb 2017, plus £13.3m of new budget savings approved in Feb 2017.

<sup>4</sup> Underachieved savings from prior years include the value of underachieved savings from 2016-17 and 2015-16 that were not achieved by 31/3/2017.

- The forecast underachievement is higher than prior years reflecting the increased difficulty of delivering savings.

2013-14	4.4
2014-15	2.3
2015-16	4.9
2016-17	7.9
2017-18	23.5 (forecast)

- The planned savings that are at risk of not being delivered in full are outlined in the and in greater detail in Section 4 Service Commentaries, and are provided in full in Appendix 1.
- The forecast underachievement of savings is the main cause for concern highlighted by this report, as any savings plans that are not delivered by the year end, will compound the difficulty in delivering the pre-agreed 2018-19 savings of £19.6m, and the remaining savings required to get to a 2018-19 balanced budget.
- Existing savings plans are currently being reviewed as part of the 2018-19 budget setting process.

### 3 Transformation Fund Progress

- In setting the 2017-18 and 2018 -19 budget in February 2017, the Council agreed to create a £5m Transformation Fund to support change and help deliver budget savings. The Council Plan Delivery Board has agreed the following allocations from the Transformation Fund.

<b>Outcome Boards</b>	<b>Value Allocated £m</b>
Better Health Better Lives	£1.4m
Better Skills More Jobs, and A Growing Economy	£0.9m
Safe, Clean and Active Communities	£0.1m
A Great Start and Good Schools for All Our Children	£0.4m
Decent Homes That People Can Afford To Live In	£0.1m
A Well Run Council	£1.6m
<b>TOTAL</b>	<b>£4.5m</b>

- The remaining £0.5m is currently being held as a Challenge Fund for innovation projects.
- Future reports will provide updates on the use of funds and the delivery of transformation across the Outcome Boards.

## 4. SERVICE COMMENTARIES

### 4.1 Health and Wellbeing

- The Department of Health and Wellbeing is forecast to overspend the £110.4m net expenditure budget by £5.4m, all of which falls within Adult Services. This is a favourable movement of £4.4m from Qtr. 1 and results from an improved savings position of £1.8m; using a further £1.2m of non-recurrent government funding; applying £0.7m of one off reserves; a £0.2m underspend in Environmental Health and additional underspends of £0.5m across the department.

Health & Wellbeing	Gross expenditure			Income			Net expenditure		
	Budget	Forecast	Variance	Budget	Forecast	Variance	Budget	Forecast	Variance
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Operational Services	158.1	164.4	6.3	-59.5	-59.7	-0.3	98.6	104.6	6.0
Integration & Transition	12.2	11.9	-0.3	-1.9	-1.9	-0.0	10.3	10.0	-0.3
Strategic Director	0.1	0.1	-0.1	-0.1	-0.1	-	0.1	-0.0	-0.1
Public Health	45.2	45.0	-0.2	-43.8	-43.9	-0.0	1.3	1.1	-0.2
Total	215.7	221.3	5.7	-105.3	-105.6	-0.3	110.4	115.8	5.4

- The forecast overspend of £5.4m results from £14.3m of underachieved savings; further demand and cost pressures of £1.7m on the Purchased Care budget and other pressures across the department of £0.6m. These are offset by Improved Better Care Fund money of £9.7m; the utilisation of £0.7m of one off reserves and £0.8m of compensating underspends across the department. The IBCF is being used as outlined in the Integration and Better Care Fund delivery plan this has been agreed by the Health and Wellbeing Board and is in the process of being approved by NHS England.

#### 4.1.1 Operational Services - Purchased Care

- At Qtr. 2 the Purchased Care budget is forecasting an overspend of £6m. The main areas of concern are detailed below:

#### 4.1.2 Older People and Physical Disabilities (£1.7m overspend)

- Older People (OP) and Physical Disabilities (PD) Residential and Nursing care budgets are continuing previous year's trend and forecasting a significant reduction in the number of placements. The £1m saving (3A13), linked to reducing long-term placements of older people into Nursing and Residential Care, is 90% achieved with a forecast shortfall of just £0.1m.

	2014-15	2015-16	2016-17	2017-18
OP Residential	952	885	871	803
OP Nursing	383	346	333	340
PD Residential	87	88	72	67
PD Nursing	56	55	58	49
Total Services users	1,478	1,374	1,334	1,259*
Gross Costs	£41.9m	£40.9m	£39.2m	£38.4m (F)

(F) = Forecast \*Service users at the end of Qtr 2.

- However, the reduction in placements has affected the Home Care budget, as more people are cared for in the community in line with the Home First strategy.



- The £12.2m Home Care gross expenditure budget is forecast to overspend by £2.9m. This is due to a combination of growth in people numbers and hours of care (£1.8m), and the impact of an increase in the hourly rate paid to providers (£0.9m).

	2014-15	2015-16	2016-17	2017-18 Qtr. 2
Service users (at year end unless otherwise stated)	1,662	1,629	1,776	1,790
Hours of Care 000s	869	865	887	517 (YTD)
Full Year Gross Costs	£11.4m	£11.2m	£12.0m	£15.1m (F)

(F) = Forecast (YTD = Year to Date)

- Although demographic growth monies of £1.4m have been applied to the OP and PD Home Care budgets in 2017-18, there has been a budget reduction of £1.5m related to 2017-18 pre-agreed savings (3A2).
- This saving is forecast to be unachieved as the departments Home First strategy will result in increased Home Care expenditure as outlined above. The underachievement is also likely to recur in future years and the saving will need to be reviewed during the 2018-19 budget setting process.
- Underspends in Residential and Nursing (£0.3m), Respite Care (£0.1m), Direct Payments (£0.2m) and Day Care (£0.1m) reduce the overspend on OP and PD to £2.2m. £0.5m of non-recurrent government funding has also been used to reduce the overall forecast overspend on Older People and Physical Disability Purchased care to £1.7m.
- Work is on-going to reduce the overall demand pressure by supporting people to live in their own homes or in Extra Care supported housing, and using technology and equipment to increase independence. The department will work closely with health services to plan and deliver services.

It should however be noted that Older Peoples care provision is already relatively low cost compared to other Councils. National ASCOF<sup>5</sup> benchmarking data indicates that;

- Bradford has relatively low levels of admissions to costly Residential and Nursing Care compared to other Councils, indicating both low cost services, and a relatively limited ability to reduce further.

	Bradford	England Avg	Yorks & Humber
Long term support needs of older adults (65+) met by admission to residential and nursing care per 100,000	506	628	700

<sup>5</sup> Source NHS Digital - 2015.16 ASCOF returns.

- Reablement Services are relatively effective

	Bradford	England Avg	Yorks & Humber
Proportion of older people 65+ that are still at home 91 days after discharge from hospital into reablement and rehabilitation services	88%	83%	83%

- Delayed transfers of care from hospital are very low

	Bradford	England Avg	Yorks & Humber
Delayed transfers of care per 100,000 population	3.2	12.1	10.2
Delayed transfers of care per 100,000 attributable to Adult Social Care	0.1	3.4	4.7

#### 4.1.3 Learning Disabilities (£4m overspend)

- Learning Disabilities (LD) has a £43m net expenditure budget and continues to be a significant pressure for Adult Services with a forecast overspend of £4m after the utilisation of non-recurrent funding of £0.7m.

##### Learning Disabilities Savings

- The service has 2017-18 savings totalling £3.5m of which £2.9m is forecast to be unachieved; there is also an additional savings pressure of £0.3m from 2016-17.
- LD Residential and Nursing Care has a saving target (3A10) of £1.3m (£0.3m unachieved from 2016-17 and £1m pre-agreed 2017-18) relating to changes to block contracts arrangements. The service is working with providers to transform the models of care from Residential and Nursing Care to Supported Living in the community. It is however unlikely that the saving will be achieved this financial year, and the underachievement may recur in 2018-19.
- There is also a further £1m unachieved saving (3A6) linked to the Learning Disabilities block contract for day services; the service is working with the provider on the 're-imagining day services' agenda and the introduction of Individual Service Funds, to give more choice and support to clients, which should reduce costs over time. A pilot project has commenced, but it is unlikely that the saving will be delivered in 2017-18, and the underachievement will potentially impact on 2018-19.
- Reviewing work is on-going to reduce packages of care where appropriate and achieve the combined Supported Living saving of £0.8m (3A2 and 4A2). To date, £0.4m has been achieved and the remaining £0.4m could reduce further as more support packages are reviewed and assistive technology is employed to manage risk and reduce costs.
- There is an additional high cost placement saving of £0.8m applied to LD budgets of which £0.5m is forecast to be unachieved. However, reviewing continues to be a

priority and the department is working closely with the NHS to share costs where people have complex needs; this could result in further expenditure reductions.

### Learning Disability Further Pressures

- In addition to unachieved savings, there are also further pressures of £0.8m, mainly due to rising costs of care. Although it is positive to note that the number of residential placements continues to decline in line with the plan as outlined below, the associated saving is however being offset by increasing costs of new placements for people with highly complex needs where the average unit cost per week has increased by £129 to £1,327 since 2016-17.

	2014-15	2015-16	2016-17	2017-18
Clients (at year end unless otherwise stated)	247	240	240	231 at Qtr 2
Gross Costs	£8.1m	£8.5m	£8.9m	£9.2m (F)

(F) = Forecast

- The department is in discussion with the Clinical Commissioning Groups to Continuing Health Care (CHC) contributions where appropriate.
- The proportion of adults with a Learning Disability who live independently is now at 89% from 86.3% which is one of the best performers in the region.

#### 4.1.4 Mental Health (£0.4m overspend)

- Mental Health (MH) services are forecast to overspend the £8m net expenditure budget by £0.4m, due to pressures of £0.2m on Residential and Nursing Care fees and a further £0.2m pressure on Home Care.
- Although Residential and Nursing client numbers are generally lower than in prior years, the overspend is caused by an £18 increase in the average Residential and Nursing unit cost to £510 per week, and a recurrent overspend from 2016-17.

	2014-15	2015-16	2016-17	2017-18
Service users (at year end unless otherwise stated)	196	198	192	193 at Qtr 2
Gross Costs	£3.8m	£3.9m	£4.0m	£4.0m (F)

(F) = Forecast

- Home Care is also forecast to overspend the £1.6m net expenditure budget by £0.4m as client numbers are increasing.

	2014-15	2015-16	2016-17	2017-18
Service users (at year end unless otherwise stated)	141	108	138	153 at Qtr 2
Gross Costs	£1.3m	£1.4m	£1.6m	£2.0m(F)

(F) = Forecast

- The increase is partly due to the strategy of providing more care in the community and also due to the movement of clients from the MH block Supported Living contract to Home Care spot purchase packages of care. The overspend is partly mitigated by a compensating £0.2m underspend on the Supported Living block contract.

**4.1.5 Drugs and Alcohol** is underspending the £0.2m net expenditure budget by £0.1m as demand continues to reduce.

#### **Demand Management and Other Savings.**

- In addition to the issues on Purchased Care outlined above, Health and Wellbeing also have an £8m demand management saving (4A1) which will which is forecast to be entirely unachieved in 2017-18.

In order to help deliver the £8m demand management saving, the department has 4 main work strands:

- First point of contact - savings will be achieved from streamlining and improving the 'Front Door' offer by focusing on self-help and prevention through to initial proportionate assessment and triage, with the aims of helping people remain independent and happy at home.
- Re-imagining day opportunities - savings will be achieved by implementing Direct Payments and Individual Service Funds. These will be in keeping with the Care Act Powers and Duties and Section 11 Care & Support Statutory Guidance. Work is also underway to review learning disability clients whose support plans include day care but are also receiving Direct Payments and living in Supported Living.
- Maximising Independence –The department will use evidenced based best practice on demand management in social care to establish a baseline of current performance and then agree a target to be achieved by implementing the agreed operating model approved earlier in the year by the Council Executive. The joint working with partners as part of the Better Care Fund delivery plan will include this demand management approach.
- Review of care packages: The department will look in detail at the funding status and continuing appropriateness of the 300 packages of care/placements costing in excess of £35K per year, and also review house by house people in supported living.

Robust control measures are in place and a review of spending will seek to identify any further savings.

Further **savings pressures** across the department are as follows:

- The £0.6m saving linked to changes in the Contributions Policy (3A1) is forecast to be unachieved as the implementation of the new policy was initially delayed. The policy has now been agreed and the underachievement will not recur in 2018-19. As this underachievement is one-off in nature, the department will utilise £0.7m of reserves to mitigate this pressure in 2017-18.
- The saving linked to reviewing charging arrangements for people with a Mental Health (MH) need (3A12) of £0.2m is forecast to be unachieved, as well a recurrent pressure of £0.2m from 2016-17 savings. All people with a Mental Health need who

are assessed as eligible to contribute to their care are now being charged; the shortfall relates to people who have Section 117 status who are entitled to free after-care following discharge from hospital. These people will continue to be reviewed to ensure they are receiving appropriate levels of care.

- There is also a shortfall of £0.3m on the changes to Housing Related Support saving of £1m (3A7) and £0.1m on the Review of LD Travel Support (3A8). Work in on-going in both areas to achieve the savings by the end of the financial year.

### **Other Departmental Pressures**

- In addition to the underachieved savings outlines above, Health and Wellbeing also have some other financial pressures;

The No Recourse to Public Funds budget continues to overspend by £0.2m due to the increase in the number of families who are entitled to support. The increase is due to more people being entitled to this support for longer due to the length of time it takes for their status to be clarified. Non-recurrent investment of £0.4m has been applied to this budget in 2017-18; therefore, if demand continues at the current level, this budget will overspend by £0.6m in 2018-19

- The Safeguarding budget is forecast to overspend by £0.4m due to additional staffing costs incurred to address the backlog of Deprivation of Liberties. The department will address this budget shortfall in 2018-19.

## 4.2 Children's Services

- Children Services are forecast to overspend the £85.8m net expenditure budget (£480.6m Gross budget) by £4.4m.

Children's Services	Gross expenditure			Income			Net expenditure		
	Budget	Forecast	Variance	Budget	Forecast	Variance	Budget	Forecast	Variance
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Directors Office	0.4	0.4	0.0	-	-	-	0.4	0.4	0.0
Learning Services	304.0	304.0	-0.0	-308.2	-308.2	-	-4.2	-4.3	-0.0
Children's Specialist Services	59.2	65.0	5.8	-4.4	-5.1	-0.7	54.8	60.0	5.1
Performance, Commissioning	13.6	13.8	0.1	-0.4	-0.4	-	13.3	13.4	0.1
Deputy Director	103.5	102.2	-1.2	-81.9	-81.4	0.5	21.6	20.9	-0.7
<b>Total</b>	<b>480.6</b>	<b>485.3</b>	<b>4.7</b>	<b>-394.8</b>	<b>-395.1</b>	<b>-0.2</b>	<b>85.8</b>	<b>90.3</b>	<b>4.4</b>

The forecast overspend is inclusive of a £3.4m shortfall in the budgeted savings for 2016-17 and 2017-18. The main variances are outlined below.

- (3C8) - The £0.8m savings plan from 2016-17 to reduce the numbers of Looked After Children by 75 to 800 is forecast to be unachieved as numbers have increased from 875 at the time of the plan, to 972 at the end of Qtr 2.
- (3C7) - The £0.6m savings plan from 2016-17 to bring Children cared for outside the District back into Bradford is forecast to be unachieved as numbers are increasing. Consequently, the further savings of £0.5m for 2017-18 are also forecast to be unachieved. Problems have been encountered with the District being able to provide the specialised accommodation which is often required by some out of area children. The service is continuing to seek to address this situation.
- (4C14) - The £1m saving linked to reducing Agency spend in Children's Social Care Services is forecast to not be delivered. Agency expenditure has reduced but staff have been recruited into vacant Social Work posts. The service has been able to reduce the agency staff by 20 FTEs as at August 2017.
- (3C4) - £0.2m of savings in relation to Children's Social Care management is forecast to be under achieved, and is in the process of being reviewed.
- (3C6 and 4C3) - £0.2m of savings in relation to the Connexions contract. Discussions are currently being held with the service provider,

In addition to savings directly linked to Children's services, the Travel Assistance saving is also forecast to be unachieved.

- The Council allocated £5.9m of budget savings in relation to Travel Assistance of which £1.2m has been delivered leaving £4.8m outstanding. The service will continue to look at options of making further savings in 2017-18. The forecast underachievement is covered by Corporate contingencies in 2017-18.
- The travel assistance service has come under the Assistant Director of Performance, Commissioning and Partnerships from the 1<sup>st</sup> of April. The School Travel team and the Travel Training team have been moved from the Department of Place into Children's Services. The Travel Assistance Board has commissioned an external review of the current arrangements and will then be commissioning external support to achieve the savings identified which should be in place by April 2018. Delivery of some of the actions from the external review have already commenced.

#### 4.2.1 Children Social Care Service

Children's Social Care are forecast to overspend the £54.8m net expenditure budget by £5.1m inclusive of the underachieved savings and demand pressures outlined below. The main variances include:

- 2016-17 undelivered savings of £1.4m linked to reducing the number of Looked after Children to 800 (3C7), and bringing children cared outside Bradford back into the district (3C8) as outlined above.
- A £1.9m overspend on the £7.6m external purchased placements budget due to higher demand.
- The fees and allowances budgets of £16.9m are also anticipated to overspend as follows:
  - Special Guardians Allowances £0.5m
  - Adoption Allowances £0.1m

The above overspends and underachieved savings result largely from increases in the numbers of Looked After Children and Children receiving support as demonstrated in the table below.

Type of Placement	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18 Avg to Qtr2	% Change from 2012-13
Placed with Parents	90	82	84	86	119	113	26%
Placed for Adoption	39	53	63	38	24	24	-38%
Friends and Families	201	189	218	206	232	226	12%
Foster Parents	386	383	349	365	365	374	-3%
Fostering Agencies	39	37	32	32	38	51	31%
Residential Care	60	70	68	63	58	55	-8%
Residential Care (Ext)	40	41	46	50	47	48	20%
Other *	34	32	37	34	48	59	74%
<b>Sub Total (Number of Looked After Children)</b>	<b>889</b>	<b>886</b>	<b>897</b>	<b>874</b>	<b>931</b>	<b>950</b>	<b>7%</b>
Residence Orders	78	81	65	69	59	52	-33%
Adoption Orders	213	224	270	271	260	244	15%
Special Guardianship Orders	122	157	240	277	304	306	151%
<b>Sub Total (Chd in Permanent Arrangements)</b>	<b>413</b>	<b>462</b>	<b>575</b>	<b>617</b>	<b>623</b>	<b>602</b>	<b>46%</b>
<b>Total Children Receiving Support</b>	<b>1,302</b>	<b>1,348</b>	<b>1,472</b>	<b>1,491</b>	<b>1,554</b>	<b>1,552</b>	<b>19%</b>

In addition to overspends linked to Children receiving support, other Social Care forecast overspends include:

- A pressure in delivering 2017-18 budget savings in relation to Agency spend (£1.0m), Administration (£0.1m) and Children Social Care management (£0.2m).
- Internal residential provision is forecast to overspend the £4.7m net budget by £0.4m due mostly to staffing costs.
- Social Work services are forecasting an overspend of £0.2m on salaries.
- The above pressures are partly offset by forecast underspends on the Legal/Court cost budget of £0.4m and Early Help services (£0.3m).

At a local level, the above budget overspends were experienced despite a local context of:

- Successful early management of risk - Bradford has 38.2 children per 10,000 on a Child Protection Plan, which compares well to a national rate of 43.1 per 10,000 and a regional average of 41.7 per 10,000.
- Bradford has achieved strong performance for children's social care despite a comparatively low cost base. Comparator information about per capita spending on children demonstrates that Bradford has the lowest cost base within West Yorkshire, a significantly lower cost than the average for both Metropolitan and national authorities.
- Success in managing the proportion of children needing care. Bradford has 61 Looked after Children per 10,000 Children, compared with a statistical neighbour average of 74 per 10,000 Children. This figure is also significantly lower than the majority of core cities. Indicatively, if the numbers of Looked After Children in Bradford were the same as average statistical neighbour<sup>6</sup> benchmarks, the cost of supporting Looked After Children would be approximately £6.8m higher per year.
- A 9% reduction since October 2016 in children who are on care orders as the child is now placed with parents. This saves the cost of providing support for the child through e.g. fostering or residential care.
- Increasing Social Worker workloads: Caseloads per Social Worker in Bradford (16.1) are now above the national (15) and regional averages (12).
- Improving value for money in respect of placements. Actual costs reduced marginally in 2016-17 while delivering a higher number of care nights.

### **Mitigating Actions**

- Children's services plan to mitigate the forecast overspend by reviewing the sufficiency and commissioning strategy; Re-commissioning block contracts for residential and fostering provision; reviewing the care plans of all young people in purchased placements who can return internally or to an Independent Foster Agency placement, and increasing the capacity of the In-House Fostering Service through training and recruitment.

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<sup>6</sup> A benchmarking group consisting of Councils most similar to Bradford socio-economically.



- The Journey to Excellence and Innovation (“B” Positive Pathways) programmes have been established to deliver change programmes across Children’s Social Care.
- Robust control measures are in place and a review of spending will seek to identify any further savings. Plans are in place to address the shortfall in the remainder of the year which include;
  - Review of all budget areas with service managers, Finance, and Commissioning to identify any further compensatory savings
  - Budget oversight delegated down to Team Manager level to ensure management grip of spending on the front line
  - Make further use of the Innovation Fund and Rapid Response to reduce the numbers of children in particular teenagers coming into the care system and going to out of area placements.
  - Undertake a review of all young people coming into and leaving the care system to inform forward forecasting and identify areas where alternatives can be explored.
  - Internal change board continues to monitor and challenge spending.
  - Star Chamber process started in July 2017 challenging spending and savings delivery.
  - To increase our supply of in house foster carers through a refreshed recruitment process underway through the fostering review
  - Work with other West Yorkshire authorities to review the White Rose agreement is underway to maximise joint purchasing powers and efficiencies.
  - Seeking more creative ways with Service Managers to put in place local care packages to reduce out of area placements. This has been enabled by very recent Ofsted changes to the requirements for regulated placements.
  - A cross system piece of work has started led by the Children’s Transformation and Integration Group looking at the impact of children originally from outside of the district, and in particular Central and Eastern Europe on services, with the aim of identifying opportunities to deliver services differently and reducing the amount spent on specialist elements. This is being led by Children’s Services senior staff, and will bring together colleagues from all key agencies including health, the Voluntary and Community Sector, education, the police and social care.
- Given the increases in Looked After Children, it is also clear however that the budget plans to reduce numbers of Looked After Children is not going to be delivered and alternatives savings plans will need to be found as part of the 2018-19 budget setting process.

#### **4.2.2 Performance Commissioning and Development**

- Performance Commissioning and Development are forecast to overspend the £13.3m net expenditure budget by £0.1m as a result of a £0.2m overspend on salary budgets on Child Protection services offset by a £0.1m underspend on the Commissioning and Workforce Development team.

#### **4.2.3 Education, Employment and Skills**

- Education, Employment and Skills is forecast to underspend the £21.6m net expenditure budget by £0.8m.
- The service is on target to deliver £1.7m of Dedicated School grant savings/reductions in 2017-18.
- There are underspends on staffing budgets on Early Childhood Services (£0.4m), Special Education Needs Services (£0.2m), 14-19 Service (£0.1m) and Education Liaison Team (£0.1m).
- The Achievement/School Intervention budget is forecasting an underspend of £0.2m and the £5.6m budget for Pension payments to former teachers and lecturers is set to underspend by £0.1m.
- There is also a current pressure related to income generation in the Curriculum ICT team of £0.1m, and £0.2m on the Connexions contract. The pressure is currently being addressed through additional income in other parts of Education, Employment and Skills.

### 4.3 Department of Place

The department is forecast to overspend the £65.1m net expenditure budget (£121.8m gross budget) by £1.6m.

Department of Place	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
Directors Office	0.6	0.6	-	-	-	-	0.6	0.6	-
Fleet & Transport Services	12.8	12.8	-0.0	-13.4	-13.2	0.1	-0.6	-0.5	0.1
Waste Collection & Disposal	27.9	18.4	-9.5	-6.1	-6.2	-0.1	21.8	22.2	0.5
Economy & Development	11.0	10.9	-0.1	-3.7	-3.7	-	7.3	7.3	-0.1
Neighbourhoods & Street Scene	18.2	17.5	-0.6	-6.0	-6.3	-0.3	12.2	11.3	-0.9
Planning, Transportation & Highways	20.2	20.5	0.4	-6.7	-6.0	0.7	13.5	14.5	1.0
Sports & Culture Services	31.1	31.8	0.7	-20.9	-20.6	0.2	10.2	11.2	0.9
<b>Total</b>	<b>121.8</b>	<b>122.6</b>	<b>0.9</b>	<b>-56.6</b>	<b>-56.0</b>	<b>0.7</b>	<b>65.1</b>	<b>66.7</b>	<b>1.6</b>

- The £1.6m forecast overspend position is due to pressures within Planning, Transportation & Highways (£1m) in conjunction with the continuing pressure within Sports Facilities staffing costs (£0.9m) and Waste Services disposal costs (£0.5m), offset by forecast underspends in Neighbourhoods and Streetscene linked to lower expenditure, and higher revenues from parking and fines.

Of the £6.3m planned savings, £1.1m is forecast not to be achieved, although £0.4m in offsetting mitigating savings have been found, reducing the balance to £0.7m. The forecast underachieved savings are as follows;

- (3E4) - The £1m saving linked to alternative weekly collections is forecast to be underachieved by £0.2m. Although still being implemented, recent experience has meant revising the number of round reductions from 10 to 8.
- (3R18) - The £0.1m savings linked to Transferring functions to the West Yorkshire Combined Authority is forecast not to be delivered. The progress with WYCA programmes supporting regional economic growth including opportunities to centralise some functions at no cost to the Council is proving slower than expected.
- (R19) - The £0.2m saving linked to Highways cost reduction from 2016-17 was forecast at Qtr1 to be unachieved but since then progress has been made to reduce the energy load of street lighting thus delivering cashable benefits in full year of approximately £0.1m.
- (3R11) – The £0.1m saving linked to restructuring the Sports and Culture Management Staffing is also forecast to be unachieved.
- Other smaller scale underachieved savings totalling £0.4m in Sports and Culture services which are not expected to recur in 2018-19.

#### 4.3.1 Waste, Fleet & Transport

- Fleet & Transport Services are forecast to underachieve the £0.6m net income budget (£12.8m gross expenditure budget) due to lower income within licensing and land charges.
- Waste Services are forecast to over spend the £21.8m net expenditure budget (£27.9m gross budget) by £0.5m linked to Waste Disposal costs.

- The Waste Disposal overspend results largely from increases in interim contract prices prior to the commencement of the newly signed 12 year Waste Disposal contract on 1<sup>st</sup> April 2018 (£0.4m), and £0.4m of increased costs at the Materials Recycling Facility (MRF) at Bowling Back Lane resulting from higher recycling tonnages linked to the success of alternate weekly collection.
- Additionally, glass is being disposed of at a cost, so no income is being received.
- Running costs for the Bradford & Keighley transfer loading stations (TLSs) are also forecast to overspend the £0.9m net budget by £0.3m. This results from higher tonnes of waste going through transfer loading stations, as fewer tonnes are direct delivered to our main contractor due to odour management improvements at their site on Canal Road.
- The above overspends are however being partly offset by reductions in waste disposal tonnages linked to the role out of alternate weekly collection. This is resulting in higher recycling tonnes, lower waste tonnes, and fewer tonnes going to costly landfill or alternative treatment than in prior years.

	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Tonnes of Recyclates collected	8,685	9,884	13,985
Tonnes of Waste collected	67,479	65,449	56,631
<b>Total Tonnes collected</b>	<b>76,164</b>	<b>75,333</b>	<b>70,606</b>
Approximate comparable cost of collection, sorting and disposal less recyclate sales	£9.1m	£9.2m	£8.6m

(YTD = Year to Date)

- Linked in part to alternate weekly collection collecting more recyclate tonnes, the overall tonnes that the Council is paying to dispose of (including tonnes from Street Cleaning and Household Waste Sites) is also reducing. This indicates both improved value for money and improved environmental performance.

	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Waste to Landfill or Alternative Treatment (Tonnes) Excl Trade Waste	76,000	75,000	73,000

(YTD = Year to Date)

- The additional costs linked to the new Waste disposal contract will be factored into the 2018-19 budget setting process.

#### 4.3.2 Neighbourhoods and Customer Services

- Neighbourhoods and Customer Services are forecast to under spend the £12.2m net expenditure budget (£18.2m gross budget) by £0.9m as a result of underspends in Uniformed Services (£0.7m) linked to lower expenditure, and higher revenues from car parking, and fines, and underspend of £0.1m both Neighbourhood Services and Youth Services
- Budget savings of £1.4m are forecast to be delivered as planned.

- Within Uniformed Services, revenues from car parking tickets, parking fines and bus lanes fines are forecast to over achieve the budget by £0.3m. However, based on actual revenues to the mid-year point, it is expected that bus lane fines and fixed penalty notices will be £0.2m lower than prior years, indicating that the cameras and fines regime is changing behaviour as intended.

#### 4.3.3 Sports and Culture

- Sports & Culture are forecast to overspend the £10.1m net expenditure budget (£30.9m gross budget) by £0.9m.
- Planned savings of £0.9m are forecast to be underachieved by £0.4m in year (Sports and Culture staffing, Museums staffing and Tourism). The full year effect of the saving will be delivered in 2018-19.
- Employee costs within Sports Facilities are forecast to overspend the £4.4m budget by £0.7m. This is in the main driven by pressures due to spend incurred on monthly allowances & casual staff as reported previously.
- Sports Facilities have had higher costs, lower income and lower attendances than in prior years, resulting in an increase in the subsidy per attendance at the mid-year point.  
Attendances have reduced in part due to the closure of Eccleshill pool for refurbishment, and they are expected to improve now that it has reopened.

<b>Sports Facilities</b>	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Gross Costs £000s	3,045	3,329	3,475
Income £000s	(2,014)	(2,264)	(2,047)
Direct Net Costs £000s	1,031	1,065	1,428
Total Attendances 000s	904	892	844
Gross Managed Cost per attendance	£3.37	£3.73	£4.12
Income Per Attendance	-£2.23	-£2.54	-£2.43
Direct Subsidy per attendance	£1.14	£1.19	£1.69

(YTD = Year to Date)

- Employee costs within Depots are forecast to underspend the £3.1m budget by £0.1m. This shows a reduction of £0.1m when compared to the 2016-17 outturn figure, and is in the main due to planned reduction in the use of agency staff.
- Bereavement Services are forecast to receive £0.1m more than the £3.1m net income budget linked to the numbers of burials and cremations administered.
- Culture Services are forecast to balance the £5.7m net expenditure budget (£16.6m gross). The £5.7m budget includes £0.2m transitional funding to assist with the creation of a cultural company. This is now unlikely to go ahead as planned, and will be reviewed in two years' time. The service will be expected to deliver planned savings whether or not an alternative delivery model is selected.
- Transitional funding for Libraries and Tourism ceased at the end of 2016-17. At Qtr.2 the timing of approval of the new destination management plan and tourism strategy has meant full year savings for Tourism will not be achieved resulting in an

overspend of £0.1m. It is not expected that the underachievement will recur in 2018-19.

- Regarding performance, Museum visitor numbers have increased.

<b>Museums</b>	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Gross Costs £000s	1,091	1,199	1,315
Income £000s	(195)	(335)	(139)
Direct Net Costs £000s	897	864	1,176
Number of visits	117,181	112,746	128,000
Net direct cost per visit	£7.65	£7.66	£9.19

(YTD = Year to Date)

- The increase is largely due to the opening of the Hockney Gallery at Cartwright Hall where visitor numbers increased from 23,000 visits to 38,000 in comparison to the mid-year point in 2016-17.
- Library visitor number are continuing to decline, linked largely to reducing provision.

<b>Libraries</b>	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Gross Costs £000s	1,782	1,956	1,780
Income £000s	(88)	(45)	(92)
Direct Net Costs £000s	1,694	1,911	1,689
Books and Media Loans (Sitelib13)	566,131	559,229	583,847
Number of New Borrowers (Sitelib_08)	7,717	7,570	7,329
Number of Visits (Sitelib01)	752,323	685,646	584,811
Gross direct cost per visit	£2.37	£2.85	£3.04

(YTD = Year to Date)

- Theatre visits are significantly lower than prior years linked to the closure of St Georges for refurbishment, and 'Wicked' being a well attended show at the Alhambra in the first part of 2016-17. Overall ticket sales are expected to be lower in 2017-18 due to fewer big shows and shorter runs. The pantomime and 'Warhorse' are however expected to sell well in the 2<sup>nd</sup> half of the year.

<b>Theatres</b>	Qtr. 2 YTD 2015-16	Qtr. 2 YTD 2016-17	Qtr. 2 YTD 2017-18
Gross Costs £000s	5,061	6,316	1,670
Income £000s	(4,265)	(6,201)	(1,375)
Direct Net Costs £000s	796	115	295
Alhambra Ticket Sales	123,000	147,000	94,000
St Georges Hall Ticket Sales	18,000	0	0
Total Ticket Sales	141,000	147,000	94,000
Gross Managed Cost per ticket	£35.87	£43.05	£17.77
Income per ticket	-£30.23	-£42.27	-£14.62
Net Managed subsidy per ticket	£5.64	£0.78	£3.14

(YTD = Year to Date)

- The Markets service is also seeing reductions in units occupied, due mainly to reductions at the Oastler Market linked to lower footfall following the closure of the adjoining Morrison's supermarket. The service is reviewing provision.

	Qtr. 2 YTD 2015-	Qtr. 2 YTD 2016-	Qtr. 2 YTD 2017-
<b>Markets</b>	16	17	18
Gross Costs £000s	576	589	712
Income £000s	(1,668)	(1,645)	(1,598)
Direct Net Costs £000s	(1,092)	(1,056)	(886)
Indoor Units Occupied	515	495	456
Wholesale Unit Occupied	21	20	20
Outdoor Units Occupied	95	88	68
<b>Total Units Occupied</b>	<b>631</b>	<b>603</b>	<b>544</b>
Indoor units occupied %	88%	85%	78%
Wholesale units occupied %	88%	83%	83%
Outdoor units occupied %	45%	47%	37%
Visitor Numbers 000s	2,832	2,823	2,741

(YTD = Year to Date)

- Regarding Bingley Music Live, this year's event was a sell-out, and the festival is forecast to have made an operating surplus of £0.2m. A significant improvement on last year's event which was loss making.
- The number of tickets sold and income from ticket sales was significantly improved on prior years reflecting a successful event.

<b>Bingley Music Live</b>	2015-16	2016-17	2017-18
Total Ticket Sales	37,054	26,874	45,000 sell out
Total Ticket Income £000s	654	555	1,050

#### 4.3.4 Economy and Development Services

- Economy & Development Services are forecast to balance the £7.3m net expenditure budget (£9.6m gross budget). At Qtr. 2 there are some small savings (£42k) being reported in the delivery side of Economic Development and some greater than planned spend (£54k) in Economic Development Programmes. However, it is likely that some expenditure on programmes will be deferred to 2018-19. Using previous years as a guide, the level of crossover between years can be upwards of £1m before the year closes.
- Budget savings of £1.4m are forecast to be delivered during the year as planned.

#### 4.3.5 Planning, Transportation and Highways

- The service is forecast to overspend the £13.1m net expenditure budget (£19.7m gross budget) by £1m (an improvement since Qtr.1 of £0.2m). This is mainly due to pressures with Street Lighting Energy; continuing underachievement of Building Control Fees & targeted savings

- The service has responded by formulating a budget action plan to reduce the projected overspends through a range of measures. The plan is being actively monitored through a Highways Services Finance Board set up expressly to deliver an improved financial position. All opportunities for increased income and reduced expenditure will be pursued.
- Signs are encouraging, for example the Highways Delivery Unit is securing additional grant funded work which helps release some pressure off revenue funding activity. Better coordination in highways scheme delivery between operational and strategic functions is also helping to deliver efficiencies.
- There are also some indications of a recovery in planning fees. It is anticipated that the building control fees for this year will cover the costs associated with the fee paying Building Control Service. In terms of increasing overall fee income, the service are currently exploring other sources of income through increased partnership arrangements with the development sector.



#### 4.4 Corporate Services

- The department is forecast to underspend the £44.2m net expenditure budget (£267.7m gross budget) by £1.8m, deliver £5.5m of savings as planned and has made progress towards delivering further planned savings of £1.9m in 2018-19.

Corporate Services	Gross expenditure			Income			Net expenditure		
	Budget	Forecast	Variance	Budget	Forecast	Variance	Budget	Forecast	Variance
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Director of Corporate Services	0.3	0.3	-0.0	-0.0	-	0.0	0.3	0.3	0.0
Finance & Procurement	4.5	4.2	-0.3	-0.4	-0.5	-0.1	4.1	3.7	-0.4
Revenues & Benefits	182.3	182.1	-0.2	-178.5	-178.8	-0.3	3.8	3.3	-0.5
Information & Customer Services	13.8	13.5	-0.3	-1.0	-1.0	0.0	12.7	12.5	-0.3
Estates and Property Services	52.7	50.0	-2.7	-39.4	-37.2	2.2	13.3	12.8	-0.5
Human Resources	5.9	5.9	-0.0	-2.0	-2.1	-0.1	3.9	3.8	-0.1
Legal Services	8.2	8.2	-0.0	-2.1	-2.2	-0.1	6.1	6.0	-0.1
<b>Total</b>	<b>267.7</b>	<b>264.1</b>	<b>-3.6</b>	<b>-223.5</b>	<b>-221.7</b>	<b>1.8</b>	<b>44.2</b>	<b>42.4</b>	<b>-1.8</b>

- Strategic Director of Corporate Services and Finance & Procurement are, between them, forecasting an under spend of £0.4m. Half is on savings on contract spend in Procurement with the remainder being primarily on salaries as posts remain vacant pending service reviews and future budget reductions.
- Revenues & Benefits are forecast to achieve a £0.5m under spend. Pressures on traded areas, such as payroll services, and on fines and summonses income, £0.3m in total, is expected to be offset by comparative reductions in contract costs. Additionally, cash handling & security service have undergone a restructuring which has delivered significant in year savings of £0.1m while additional income from oneoff grants amounts to £0.2m.
- Information Services are forecasting an under spend of £0.3m on contract costs as a result of efficiencies achieved, both to date and expected to be achieved in year, in advance of further planned for budgetary reductions in 2018-19. This also includes a pressure from reduced income from schools where contribution is forecast to be £0.1m below budget. £1.3m of planned for savings in 2017-18 are expected to be achieved in full.
- Estates and Property Services are forecast to underspend the £13.2m net budget by £0.5m. £2.1m of planned for savings in 2017-18 are expected to be achieved in full.
- Within Building & Technical Services, Industrial Services Group (ISG) is expected to improve its bottom line position by £0.1m as a result of higher than expected pre-orders while the planned for restructuring is expected to deliver the budgeted for savings in year. Building Services has seen a £2m fall in income & expenditure levels due to a reduction in capital works with the reduced bottom line contribution being offset by Technical services who are expected to be £0.2m under budget due to higher levels of fee income for schools works. The Energy Team is forecast to be £0.1m under budget based on projected consumption levels. Architectural Services is however forecast to be £0.1m below its targeted contribution due to a reduction in workload over recent years.
- Catering & Office Services is seeing pressure on its traded services increase, notably in School Catering where 6 school contacts were lost in September. However, they are still anticipating a net underspend of £0.1m as a result of further improvements in productivity levels and savings from adopting on line payments via ParentPay. Improvements in profit margins within School Cleaning and an under spend on Residential Catering linked to reducing numbers have served to offset both the trading pressure on Other Catering and a small overspend on Building Cleaning.

- Estates Operational & the Property Programme are forecasting a £0.1m under spend and expect to achieve both planned for savings and increased rental income linked to the acquisition of investment properties and a review of rents. New income expected to boost the account by £0.4m is offset by additional costs required relating both to taking on such new leases and in undertaking other property related work associated with transitioning to a smaller estate.
- Human Resources (HR) are forecasting a £0.1m under spend and although seeing pressures on its traded services has been able to both maintain income levels and make savings against its salary budget as it restructures further to achieve both £0.9m of planned savings in 2017-18 and a further £0.2m in 2018-19. HR projections assume work on Council priority programmes such as Organisational Change & the Learner Management System is being funded in 2017-18 via previously established reserves of £0.6m respectively.
- The City Solicitor is forecasting a £0.1m under spend and to achieve budgeted for savings of £0.3m in 2017-18. The service has experienced significant demand pressures on its Legal teams partially offset by increasing income from charging for external services. However, a residual pressure exists which has been offset in year by under spends on members support and civic budgets. It should be noted that as 2017-18 is a fallow year the district elections budget of £0.2m has been transferred to the central reserve to be made available over the remaining years of the cycle.

#### 4.5 Chief Executive

- The Chief Executive's Office is forecast to balance the £3.8m net expenditure budget (£3.9m gross). For 2017/18 the required saving against base budget is expected to be covered from the revised structure being in place, including projected activity being carried out on transformation/Implementation projects and funded from the reserve. Implementation of the new structure in the 3<sup>rd</sup> quarter is expected to deliver savings of £0.3m in 2017/18 while £0.2m of work is expected to be undertaken on transformation fund projects. Full year savings of £1m for 2018/19 are based on the restructuring of the service which has been agreed and is due now to be in place by November 2017.

Chief Executive	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
Chief Executive Core Office	-0.1	-0.1	-0.0	-0.0	-0.0	-	-0.1	-0.1	-0.0
Political Offices	0.2	0.2	-0.0	-	-	-	0.2	0.2	-0.0
Public Affairs	1.4	1.4	0.0	-	-	-	1.3	1.3	0.0
Policy Programme	2.3	2.3	-0.0	-0.1	-0.1	-	2.3	2.3	-0.0
Total	3.9	3.9	0.0	-0.1	-0.1	-	3.8	3.8	0.0

#### 4.6 Non Service Budgets

- Non service budgets of £5.9m are forecast to underspend by £0.5m as a result of lower than budgeted spend on West Yorkshire Joint Committees, External Audit and higher than budgeted income from interest and investments.
- This underspend is likely to recur and will be built in to future budget savings proposals.

## 4.7 Central Budgets & Contingencies

- Budgets held centrally include the revenue costs associated with capital investment, payment to the West Yorkshire Combined Authority and contingencies.
- There is a forecast £5.4m underspend which includes the Capital Financing budget which is forecast to underspend as a result of lower than planned capital expenditure and lower borrowing costs.
- The £4.8m of savings associated with Travel Assistance that are forecast to be undelivered, and will be mitigated by £4.8m of centrally held contingencies.

## 5. BALANCE SHEET

### 5.1 Cash Reserves

- Net movements from reserves have led to a £22.4m reduction in total reserves from £153.0m at 1 April 2017 to £130.6m at 30th Sept (£105.4m Council and £25.2m schools). Unallocated reserves stand at £14.5m.

	Opening Balance 2015-16 £m	Opening Balance 2016-17 £m	Opening Balance 2017-18 £m	Net Movement	Reserve Balance at 30 <sup>st</sup> Sept 2017 £m
Council reserves	145.8	133.9	127.8	-22.4	105.4
Schools Delegated budget	38.4	33.8	25.2	-0.0	25.2
Total	184.2	167.8	153.0	-22.4	130.6

- The £22m net releases from reserves include the £16.7m of reserve movements outlined at in the Qtr. 1 Finance report in July, and the following further movements

#### Releases from

- £2.8m Better use of Budget reserve to complete priority projects from 2016-17.
- £1.6m Leeds City Region Investment Fund

Appendices 2&3 outline Council and school's reserves.

- Since the last report 3 reserves; Advanced Skills, Routes to Work, and the Employment opportunity fund have been merged in to create the European Structural Investment Fund STEP reserve as they were all linked to the Get Bradford Working programme.

### 5.2 School Balances

- The table below shows that School Reserves (including Schools Contingencies) forecast position as at 31st of March 2018. The forecast is based on information submitted by schools at the end of quarter one, schools do not report their quarter two financial position for 2017-18 until the end of October 2017.

	Balance 1 <sup>st</sup> April 2017		Balance 31 <sup>st</sup> March 2018		Movement	
	Nos	£000	Nos	£000	Nos	£000
Nursery	7	659	7	612	0	47
Primary	106	8,580	102	5,901	4	2,679
Secondary	7	(635)	7	(2,975)	0	2,340
Special	6	354	4	104	2	250
Pupil Referral Units (PRU)	7	666	7	505	0	161
<b>Subtotal</b>	<b>133</b>	<b>9,624</b>	<b>127</b>	<b>4,147</b>	<b>6</b>	<b>5,477</b>
School Contingency		14,650		3,650	0	11,000
Other Activities		943		943	0	0
<b>Total</b>	<b>133</b>	<b>25,217</b>	<b>127</b>	<b>8,740</b>	<b>6</b>	<b>16,477</b>

- The school balances reserve is currently forecasted to reduce by £16.5m in 2017-18. There has been five schools (High Park Special School, Phoenix Special School, Priesthorpe Primary, East Morton Primary and St John CoE Primary) that converted to academy status in 2017-18. Two primary Schools (Aire View Infants and Hothfield Junior) have merged to form the new Silsden Primary School.
- Ten schools (6 Primary (£0.2m), 3 Secondary (£3.5m) and 1 Special (£0.2m)) hold a combined deficit school balance of £3.9m.
- The recently opened Oasler school has had a deficit of £164k that has arisen as a result of lower than planned occupancy due to a Council decision to pause the transfer of pupils from Ellar Carr. As a result of this, the Council has been asked by the Schools Forum to fund the £164k deficit, with the money to derive from the High Needs Block of the Dedicated Schools Grant.

## 6 CAPITAL

- The profiled resource position for 2017-18 for the Capital Investment Plan (CIP) stands at £104.8m. This is a reduction of £9.6m from the previous report. To the end of September there has been total spend of £34.8m. A summary by service is shown below with a detailed monitor in Appendix 3.

Scheme Description	Budget Exec July 2017	Changes	Re profile Budget 2017-18	Spend 30 Sept 17	Budget 18-19	Budget 19-20	Budget 20-21 & Onwards
	£m		£m	£m	£m	£m	£m
Health and Wellbeing	11.7	-3.3	8.4	1.6	6.5	10.4	0.9
Children's Services	15.7	0.3	16.0	7.4	12.9	21.8	1.1
Department of Place - Economy & Development	26.6	-2.4	24.2	9.5	19.6	9.4	10.4
Department of Place - Planning, Transportation & Highways	14.4	5.9	20.3	6.1	28.6	37.0	62.8
Department of Place - Other	17.4	-1.8	15.6	4.9	14.0	20.6	10.5
Corp Services – Estates & Property Services	8.4	-0.4	8.0	5.3	3.4	0.9	0.1
Reserve Schemes & Contingencies	20.2	-7.9	12.3	0	38.4	34.5	38.0
<b>TOTAL - All Services</b>	<b>114.4</b>	<b>-9.6</b>	<b>104.8</b>	<b>34.8</b>	<b>123.4</b>	<b>134.6</b>	<b>123.8</b>

The main reasons for the reduction in the profiled spend are:

- The re-profiling of £3.5m Keighley Extra Care and Residential Care schemes into future years.
- Within Economy and Development Services there has been slippage of £1m on CS0291 Tyrls due to on-going discussions with West Yorkshire Combined Authority (WYCA) and £1.2m moved in to 2018-19 on CS0285 Strategic Development Fund.
- Within Planning, Transportation and Highways there has been a net increase of £5.9m reflecting additional grants to various schemes.
- Department of Place Other, £4.5m of spend for sports facilities have been moved into future years, offset by additional funding for St Georges Hall and King George V Playing Fields.
- £3m in Reserves and Contingencies has been moved into future years.

In future years additional funding has been allocated to the West Yorkshire and York Transport Fund Schemes within Planning, Transportation and Highways.

### **New Capital Schemes**

The Project Appraisal Group (PAG) has considered the following capital bids and recommends their approval by Executive for inclusion in the CIP.

- £0.68m for the purchase of recycling bins linked to the roll out of Alternate Weekly Collection to be funded from General Contingency. The scheme will help continue the delivery of the strategy to help households recycle more, both increasing income, and reducing the costs of Waste disposal whilst also reducing the environmental impact.
- £0.082m for the purchase of new equipment at the Street Sign Shop. With modern printing equipment the productivity of the Unit will increase, providing opportunity to sell services to other organisations. This is an invest to save scheme funded by additional income generated over three years.

### **Capital Resources**

- Capital receipts from the sale of fixed assets exceed £2.6m to date and the Council is expected to achieve the target of £3m in capital receipts for the year. The Council has received an additional £13.2m in capital grants and contributions so far this year.

## **7. COUNCIL TAX AND BUSINESS RATES COLLECTION**

### **Council Tax**

- By statute in 2017-18 the Council will receive its budgeted Council Tax of £171.386m and its budgeted prior year surplus of £2m. Any in year variance against the budgeted Council Tax and surplus does not impact in 2017-18 but will be carried forward into 2018-19.

- A small in year pressure of £0.4m is forecast, which will be carried forward into 2018-19 Council Tax Base. This is because the cost of Council Tax Reduction is higher than expected due to the continuing identification of residents that qualify for full protection under the current scheme. Further, the provision for past years debt is likely to increase, reflecting the on-going challenge of collecting small amounts of Council Tax from low income households. These pressures are partially offset by a higher number of overall households than forecast. Also the 2016-17 prior year surplus was £0.2m lower than budgeted which is carried forward into 2018-19.

## Business Rates

- By statute the Council in 2017-18 will receive its budgeted £63.5m share of Business Rates and pay back its budgeted prior year deficit of £5.9m. As with Council Tax, any in year variance between budgeted Business Rates and the deficit is carried forward into the 2018-19 financial year. However, the deficit that outturned in 2016-17 was as expected.
- To date, current year Business Rate income is approximately in line with the amount forecast. A challenge on forecasting Business Rates continues to be monitoring the impact on collection of backdated appeals. However, so far this year refunds for past years are in line with the provisions set aside to pay them. While a new appeal process started 1 April 2017, there is insufficient data to assess whether the current year's estimated provision is sufficient.

## Collection Rates

- By 30 September 2017 the Council had collected £104.1m (50.61%) of the value of Council Tax bills for the year compared with £97.8m (50.36%) at the same stage last year.

<b>Council Tax Collection</b>	At 30 Sep 15/16	At 30 Sep 16/17	At 30 Sep 17/18
Council Tax - Dwellings administered	213,312	214,483	215,957
BV9 Council Tax collected in year	93,233	97,865	104,116
BV9 % of Council Tax Collected	50.28%	50.36%	50.61%
Council Tax Collection Target	50.5%	50%	50%

- The collection figure for Business Rates at 30 Sep 2017 is 55.25% (compared to 53.5% at the same time last year). A direct comparison cannot be made due to the changes as a result of the revaluation of all businesses and the application of the new revaluation relief.

<b>Business Rates Collection</b>	At 30 Sep 15/16	At 30 Sep 16/17	At 30 Sep 17/18
Number of Business Rates bills issued plus the number of summonses	18,314	18,800	23,287
CIS_034 (BV10) - Business Rates collected in year to £000s	81,938	81,687	79,600
BV10 % Business Rates collected in year	56.1%	53.5%	55.25%
Business Rates Collection Target	56%	56%	56%

## **8.0 RISK MANAGEMENT**

- The Financial risks of future known and uncertain liabilities are being addressed through contingencies and provisions outlined in this report.

## **9.0 LEGAL APPRAISAL**

- This report is submitted to the Executive in accordance with the Budget and Policy Framework Procedure rules

## **10.0 NOT FOR PUBLICATION DOCUMENTS**

None

## **11.0 RECOMMENDATIONS**

### **That the Executive**

- 11.1 Note the contents of this report and the actions taken to manage the forecast overspend.
- 11.2 Approve the following capital expenditure schemes.
- £0.68m for the purchase of recycling bins linked to the roll out of Alternate Weekly Collection to be funded from General Contingency.
  - £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.
- 11.3 That due to financial impact of the lower than planned occupancy at Oastler School resulting from the Councils 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.

## **12.0 APPENDICES**

Appendix 1	Savings Tracker
Appendix 2	Reserves Statement as at 30 <sup>th</sup> September 2017
Appendix 3	Service Earmarked Reserves as at 30 <sup>th</sup> September 2017
Appendix 4	Capital Investment Plan

## **13.0 BACKGROUND DOCUMENTS**

- Qtr 1 Finance Position Statement 2017-18 Executive Report 11<sup>th</sup> July 2017
- Annual Finance and Performance Outturn Report 2016-17 Executive Report 11<sup>th</sup> July 2017
- Medium Term Financial Strategy 2018-19 to 2020/21 and Beyond incorporating the Efficiency Plan - Executive Report 11<sup>th</sup> July 2017

- Annual Finance and Performance Outturn Report 2015-16 Executive Report 19 July 2016
- The Council's Revenue Estimates for 2016-17 & 2017-18 – Council Report R 25 February 2017
- The Council's Capital Investment Plan for 2016-17 to 2019/20 – Executive Report BB 23 February 2016
- Section 151 Officer's Assessment – Council document S 25 February 2016



## Savings Tracker

## Appendix 1

Ref	Saving Narrative	Budgeted Saving £000s	Forecast Saving £000s	Variance £000s
<b>Health &amp; Wellbeing</b>				
3A1	Changes to the Contributions Policy	611	0	611
3A2	Changes to Older People and PD Home Care Service	1,500	0	1,500
3A3	Changes to Supported Living for Learning Disabilities	500	165	335
3A6	Changes LD Day Care and Procurement	1,000	0	1,000
3A7	Changes to Housing Related Support	1,000	710	290
3A8	3A8 - Continue to Review Learning Disabilities Travel Support	360	252	108
3A10	Changes to Contracts for LD Residential and Nursing	1,000	0	1,000
3A12	Review Charging Arrangements for People with MH	250	0	250
3A13	Reduce long term placements of Older People into Nursing and Residential Care	1,000	910	90
4A1	Adults - Overall Demand Management Strategy - moving from a dependency model to one that promotes independence and resilience (e.g. reducing numbers coming in to care, care system culture change, speeding up integration, redesign enablement, reviewing financial needs, continued personalisation).	8,000	0	8,000
4A2	Demand management – further reductions in high cost packages, further reductions in Supported Living contracts/packages, various reductions in travel and fees.	2,000	1,200	550
Total 2017-18 new budget savings				13,734
3A1	Changes to the Contributions Policy	466	377	89
3A10	Changes to Contracts for LD Residential and Nursing	278	0	278
3A12	Review Charging Arrangements for People with MH	215	30	185
Unachieved savings from prior years				552
Health and Wellbeing Total				14,286
<b>Children's Services</b>				
3C6	Reviewing Work with Young People Who are Not in Employment Education or Training – Connexions	132	80	52
3C7	Looked After Children - bring children cared for outside of Bradford back into the District.	500	85	415
4C4	Child Protection management restructure - reduction in teams by four to ten with potential reduction in team managers plus review other overall budgets	240	60	180
4C7	Looked After Team – Review of staffing and non-staffing budgets	19	0	19
4C9	Disabled Children Team - to build on review already underway with CAMHS, review overall staffing and no staffing budget	250	175	75
4C3	Children's Services - staffing, restructure, reduction in the Connexions contract with longer term service brought back in to Council, investigate regional data centre, cessation of Employment Opportunities Fund (EOF).	150	0	150
4C14	Reducing agency spend in Children's Social Care Services	1,025	0	1,025
4C16	Administrative Support restructure – rationalisation of the supervision and management structure	100	35	65
Total 2017-18 new budget savings				1,981

3C7	Looked After Children - bring children cared for outside of Bradford back into the District.	624	0	624
3C8	Looked After Children - Reduce the Numbers of Looked After Children by 75 Over 2 Years.	815	0	815
Unachieved savings from prior years				1,439
Children's Services Total				3,420
<b>Department of Place</b>				
3E4	Alternative Week Waste Collection	1,000	775	225
3E9	Sports Facilities – new online booking system	50	25	25
3E11	Restructure Sports & Culture Management Staffing	100	0	100
3E13	Transfer Ownership of Playing Pitches & Facilities to Sports Clubs, Parish Councils & Community Organisations	80	0	80
3E14	Parking Charges at Some Parks and Woodlands	40	10	30
3E19	Museums – restructure of the Service	80	0	80
3E22	Review of Tourism Budget	50	0	50
4R4	Centralisation of urban traffic control	119	0	119
3R13	CCTV – commercial income generation	100	50	50
3R14	Street Lighting - Partial Night Switch Off	100	50	50
3R18	Re-Structure Planning Transport & Highways and Transfer Some Functions to the West Yorkshire Combined Authority	125	0	125
Total 2017-18 new budget savings				934
R19	Reform services following on from highways delivery review. Reduce lighting costs and energy consumption through reduced and/or varied street lighting levels across the district's modern lighting stock. Securing a reduced highways insurance premium due to application of new legislation. Reduce the operational budgets for Urban Traffic Control, Street lighting and Highway Maintenance which represent a 10% reduction in operational budgets with a resultant pressure on maintaining assets across those areas. This would adversely affect: the efficiency of first time permanent repair of potholes; overall network condition; potential increase in insurance claims; risk of traffic disruption due to signal failure; increase in repair times for street lighting	170	0	170
Unachieved savings from prior years				170
Department of Place Total				1,104
Travel Assistance		4,774	0	4,774
Total Forecast underachievement				23,524

## Reserves Statement as at 30 September 2017

## Appendix 2

	Opening Balance £000	Movement in 2017-18 £000	Closing Balance £000	Comments
<b>A. Reserves available to support the annual revenue budget</b>				
Unallocated Corporate Reserves	14,497	0	14,497	
<b>Total available Unallocated Corporate Reserves</b>	<b>14,497</b>	<b>0</b>	<b>14,497</b>	
<b>B Corporate Earmarked Reserves to cover specific financial risk or fund specific programmes of work.</b>				
ESIF - STEP	1,198	358	1,556	Funding to support young and disadvantaged people into employment
Managed severance	4,093	-4,093	0	Money to meet termination costs in the years beyond 2017-18. Used to support 2017-18 budget.
Exempt VAT	2,000	0	2,000	Amount set aside to meet the estimated cost of VAT that the Council would not be able to recover should it exceed its partial exemption limit.
Waste Collection and Disposal Options	3,063	-2,285	778	A Trade Waste VAT claim resulted in a £4.4m reimbursement. This has been set aside to address future Waste Collection and Disposal costs
Trade Waste VAT refund	343	-120	223	£120k per annum to be used in 2015-16 onwards to contribute towards the cost of Financial Services.
PFI credits reserve	805	0	805	Funding to cover outstanding potential Building Schools for the Future liabilities.
Insurance	1,775	0	1,775	To mitigate and smooth the impact of any future increases in insurance premiums.
Industrial Centres of Excellence	1	0	1	
Sports Strategy	104	0	104	To cover feasibility costs associated with the Sports Strategy.
Single Status	24	0	24	To cover any residual implementation of Single Status costs.
Transformation Programme	124	-124	0	To fund transformational activity
Better Use of Budgets	2,788	-2,787	1	To cover deferred spend on priority work from 2016-17.
Producer City Initiative	192	-34	158	To pump prime initiatives linked to the Council's Producer City programme
Regional Growth Fund	5,188	-270	4,917	The Council's revenue match funding for the Regional Growth Fund
Regional Revolving Investment Fund	3,956	-1,657	2,299	Money set aside in 2013-14 carried forward to meet the Council's commitment to the Regional Revolving Investment Fund.
Discretionary Social Fund	1,848	0	1,848	To fund a replacement local welfare scheme following the government ending its Local Welfare Assistance grant programme at 31 March 2015.
Transitional and Risk Reserve	6,663	-235	6,628	To help fund Transitional work, and cover risks.

	Opening Balance £000	Movement in 2017-18 £000	Closing Balance £000	Comments
Dilapidation & Demolition	2,000	0	2,000	At the end of a lease on a building, the Council will be liable for any dilapidations of the building. The Council also plans some demolition work.
Health Integration Reserves	222	0	222	Available to fund projects that lead to greater integration between the Council and its Health partners.
Match Fund Basic needs Grant	700	0	700	
Strategic Site Assembly	756	0	756	
Implementation Reserve	0	2,500	2,500	To fund Projects associated with delivering 2017-18 savings plans.
<b>Sub Total</b>	<b>38,043</b>	<b>-8,747</b>	<b>29,296</b>	
<b>C. Reserves to support capital investment</b>				
Renewal and replacement	13,283	-7,979	5,304	Funding used to support the capital investment programme.
Markets	1,148	-38	1,110	Cumulative Market trading surplus's to be re-invested in maintaining market buildings throughout the district.
<b>Sub total</b>	<b>14,431</b>	<b>-8,017</b>	<b>6,414</b>	
<b>D. Service Earmarked Reserves</b>	<b>41,685</b>	<b>-5,157</b>	<b>36,528</b>	See Appendix 2
<b>E. Revenue Grant Reserves</b>	<b>8,366</b>	<b>-481</b>	<b>7,885</b>	
<b>F General Reserves</b>				
General Fund	10,803	0	10,803	The GF balance acts as a necessary contingency against unforeseen events. The balance at 31st March represents a minimum of 2.5% of the Council's budget requirement in line with council policy and the general advice of External Auditors.
Schools delegated budget	25,217	0	25,217	Represents in the main balances held by schools as part of delegated budget responsibility. These balances are <b>not</b> available for Council use but are balances attributable to individual schools.
<b>Sub total General Fund Reserve &amp; School balances</b>	<b>36,020</b>	<b>0</b>	<b>36,020</b>	
<b>Grand total</b>	<b>153,042</b>	<b>-22,402</b>	<b>130,640</b>	

## Departmental Earmarked Reserves Statement as at 30 September 2017

	Opening Balance £000	Movement in 2017-18 £000	Latest Balance £000	Comments
<b>Adult and Community Services</b>				
Supporting People	1,416	0	1,416	Funding to support invest to save projects
Integrated Care	4,491	0	4,491	NHS and Council monies used to support ring fenced projects and integration of health and social care
Great Places to Grow Old	436	-147	289	Funding to cover management and staffing costs linked to the transformation of services for older people.
District Tenants Federation	30	0	30	Funding committed to provide support to District Tenants Federation
Care Act Reserve	4,543	-3,000	1,543	To support the implementation of the Care Act
Public Health	59	0	59	
<b>Total Adult and Community Services</b>	<b>10,975</b>	<b>-3,147</b>	<b>7,828</b>	
<b>Children Services</b>				
BSF Unitary Charge	6,929	0	6,929	These reserves are being built up to ensure that in the future there is sufficient money available to meet the cost of BSF annual contract payments when the PFI grant the Council receives reduces
BSF Unitary Charge Phase 2	4,465	0	4,465	See above
Children's Service Program Support	52	0	52	
Better Start Programme	90	0	90	Council's two year contribution to a programme that will bring in £50m of revenue investment to the District over a 10 year period.
Recruitment & Retention	105	0	105	
Routes to Work	348	-348	0	Employment and Skills funding that was carried forward from 2014-15 to complete initiatives that span more than twelve months.
Advanced Skills Fund	10	-10	0	
Retail Academy (Skills for Employment)	227	0	227	
Child Sexual Exploitation Prevention	300	0	300	To support the continuation of CSE work in 2017-18.

	Opening Balance £000	Movement in 2017-18 £000	Latest Balance £000	Comments
Training Work Programme (Skills for Work)	927	0	927	
<b>Total Children</b>	<b>13,453</b>	<b>-358</b>	<b>13,095</b>	
<b>Department of Place</b>				
Marley pitch replacement	305	0	305	To provide match funding under the terms of grants given to maintain Sports and Leisure venues across the District
Waste disposal procurement	83	0	83	Set aside to meet Departmental costs associated with delivering a Waste Management solution
City centre regeneration	51	0	51	
Customer Service Strategy	835	-750	85	Non recurring investment to be used to fund the Customer Service Strategy.
Taxi Licensing	491	-20	471	Statutory requirement to set aside any taxi licensing surplus when setting future fees.
Theatres Box Office	446	0	446	
Cricket Pitch Refurbishment	310	0	310	
Culture Service Transition	121	0	121	To cover costs associated with modernising the service and adopting a different service delivery model.
Art Fund	12	-12	0	To fund the purchase of works of Art.
HLF Building Maintenance	10	0	10	A condition of the HLF grant is that an asset management programme is in place to maintain Manningham Library to a specified standard.
Torex	10	0	10	To address e-Govt targets and improve service delivery.
Saltaire Tourist Information Centre	15	0	15	
Culture Company	173	-100	73	Help create a Culture Company
Gym Equipment	133	0	133	To fund replacement gym equipment in Sports Facilities
Museum Restoration	91	-15	76	
Tour De Britain	8	0	8	
Tour De Yorkshire	279	0	279	To help fund the Tour De Yorkshire
Lidget Moor YC	18	-9	9	To support Youth Services in Lidget Green Area
Empty Homes	125	-125	0	To support the on-going programme to bring empty homes back into use

	Opening Balance £000	Movement in 2017-18 £000	Latest Balance £000	Comments
Council Housing Reserve	455	0	455	To meet future costs associated with later stages of the affordable housing programme
Housing Development Programme	75	0	75	Fee income generated to be used to subsidise the delivery of projects in future years.
City Park Sinking Fund	784	0	784	Funding set aside to meet the future maintenance costs of City Park.
European Structural Investment Programme	867	0	867	Match funding for ESIP
Empty Rates Relief Scheme	500	0	500	Supporting Business Growth
Stock Condition	95	-53	42	Funding to procure Stock Condition Surveys.
Social Lettings	664	0	664	To undertake a feasibility study for a Social lettings Agency.
Homelessness prevention	956	0	956	To fund initiatives to prevent Homelessness.
<b>Department of Place</b>	<b>7,912</b>	<b>-1,084</b>	<b>6,828</b>	

#### Corporate Services

Schools Traded HR Reserves	106	0	106	To mitigate the risk of changes in customer base.
Business Support Centre	72	-72	0	To support organisational development
Workforce Development	549	0	549	Changing the organisation - vision & values, recruitment & selection, development of managers, performance management, leadership & succession planning.
Learner Management System	81	0	81	Software/system implementation etc in support of workforce development.
District Elections	192	19	211	To smooth the cost of District Elections over a four year period.
Non Council Events programme	10	0	10	To support events put on by non Council.
Community Support and Innovation Fund	352	0	352	To support community led service provision and investment in initiatives that engage with vulnerable people.
Subsidy Claim	711	0	711	Contingent support set aside to address the fluctuations in the subsidy claims.
ICT Programmes Budget	6,212	0	6,212	To fund future ICT

	Opening Balance £000	Movement in 2017-18 £000	Latest Balance £000	Comments
UC Admin Reserve	545	0	545	projects To help cover the cost of the implementation of universal credit administration.
Facility Management Service Improvement	515	-515	0	To support investment in service improvements and cover against uncertainty in the client base
<b>Total Corporate Services</b>	<b>9,345</b>	<b>-568</b>	<b>8,777</b>	
<b>Total Service Earmarked Reserves</b>	<b>41,685</b>	<b>-5,157</b>	<b>36,528</b>	



## Capital Expenditure

Scheme No	Scheme Description	Exec Report July 2017	Changes	Re profile Budget 2017-18	Spend 30 Sept 17	Budget 2018-19	Budget 2019-20	Budget 2020-21	Budget 2021-22
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Health and Wellbeing</b>									
CS0237	Great Places to Grow Old	0	0	0	0	0	9,138	0	0
CS0237	Keighley Rd Extra Care	7,499	-2,549	4,950	949	3,300	108	0	0
CS0237	Keighley Rd Residential Care	3,372	-947	2,425	407	1,350	60	0	0
CS0239	Community Capacity Grant	512	-461	51	51	1,452	683	0	0
CS0348	Whiteoaks Respite Centre	83	3	86	86	0	0	0	0
CS0311	Autism Innovation Capital Grant	19	0	19	0	0	0	0	0
CS0312	Integrated IT system	131	0	131	47	0	0	0	0
CS0352	Electric vehicle charging infrastructure	70	-40	30	29	0	0	0	0
CS0373	BACES DFG	0	667	667	3	443	443	443	443
<b>Total - Health and Wellbeing</b>		<b>11,686</b>	<b>-3,327</b>	<b>8,359</b>	<b>1,572</b>	<b>6,545</b>	<b>10,432</b>	<b>443</b>	<b>443</b>
<b>Children's Services</b>									
CS0025	Children's Home Residential Prov	6	-6	0	0	0	0	0	0
CS0256	2yr old Nursery Educ Expansion	95	-40	55	37	0	0	0	0
CS0278	Targeted Basic Needs	51	23	74	39	0	0	0	0
CS0286	Outdoor Learning Centres	33	0	33	1	0	0	0	0
CS0297	Universal Free Sch Meals - Kitchen	18	-18	0	0	0	0	0	0
CS0022	Devolved Formula Capital	1,300	451	1,751	1,751	0	0	0	0
CS0030	Capital Improvement Work	133	67	200	145	0	0	0	0
CS0042	Primary Capital Programme	1	-1	0	0	0	0	0	0
CS0240	Capital Maintenance Grant	6,457	-157	6,300	2,235	2,600	0	0	0
CS0244	Primary Schools Expansion Progr	4,093	1	4,094	1,823	1,409	6,919	0	0
CS0244	Silsden School	1,538	-770	768	521	2,979	4,088	130	0
CS0244	SEN School Expansions	948	1,052	2,000	626	0	0	0	0
CS0360	Early Yrs 30 hrs childcare	487	0	487	169	0	0	0	0
CS0313	School Capital Loans	0	0	0	0	0	0	0	0
CS0314	Foster Homes Adaptation	8	8	16	16	0	0	0	0
CS0316	Tracks Educational provision	19	-10	9	0	0	0	0	0
CS0322	Horton Park Prim Open Spaces	21	0	21	15	0	0	0	0
CS0362	Secondary School Expansion	438	-288	150	8	5,876	10,801	956	0
CS0343	Children's Home Build Works	46	0	46	1	0	0	0	0
<b>Total - Children's Services</b>		<b>15,692</b>	<b>312</b>	<b>16,004</b>	<b>7,387</b>	<b>12,864</b>	<b>21,808</b>	<b>1,086</b>	<b>0</b>

Scheme No	Scheme Description	Exec Report July 2017	Changes	Re profile Budget 2017-18	Spend 30 Sept 17	Budget 2018-19	Budget 2019-20	Budget 2020-21	Budget 2021-22
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Department of Place - Economy &amp; Development Services</b>									
	Computerisation of Records	10	-10	0	0	10	0	0	0
CS0136	Disabled Housing Facilities Grant	3,858	0	3,858	1,764	2,028	2,028	5,753	2,028
CS0137	Development of Equity Loans	495	105	600	334	1,966	1,300	1,200	1,195
CS0144	Empty Private Sector Homes Strat	998	-248	750	193	512	0	0	0
CS0158	Regional HALS	2	-2	0	0	0	0	0	0
CS0225	Afford Housing Programme 11-15	126	-34	92	68	34	0	0	0
CS0308	Afford Housing Programme 15 - 18	13,459	341	13,800	5,526	6,600	1,583	0	0
CS0250	Goitside	182	-177	5	4	0	0	177	0
CS0280	Temp Housing Clergy House	263	0	263	2	0	0	0	0
CS0335	Bfd Cyrenians 255-257 Mngm Ln	167	-4	163	153	4	0	0	0
CS0186	Enterprise Hubs	5	-5	0	0	0	0	0	0
CS0213	Park Dam	2	-2	0	0	0	0	0	0
CS0269	Burley In Wharfedale Culvert repair	97	-97	0	0	0	0	0	0
CS0331	Demolition of Edwards Rainbow Centre	14	-14	0	0	0	0	0	0
CS0084	City Park	100	-50	50	0	155	0	0	0
CS0085	City Centre Growth Zone	429	-229	200	-196	1,499	4,451	0	0
CS0086	LEGI	51	-51	0	0	0	0	0	0
CS0189	Buck Lane	116	-75	41	6	75	0	0	0
CS0228	Canal Road	100	-100	0	0	100	0	0	0
CS0241	Re-use of Fmr College Builds Kghly	267	393	660	138	58	0	0	0
CS0266	Superconnected Cities	300	0	300	0	607	0	0	0
CS0291	Tyrils	1,042	-1,042	0	11	4,800	0	0	0
CS0265	LCR Revolving Econ Invest Fund	2,300	-1	2,299	1,148	0	0	0	0
CS0285	Strategic Development Fund	1,167	-1,167	0	0	1,167	0	0	0
CS0345	Develop Land at Crag Rd, Shply	1,076	0	1,076	328	0	0	0	0
<b>Total – Department of Place - Economy &amp; Development Services</b>		<b>26,626</b>	<b>-2,469</b>	<b>24,157</b>	<b>9,479</b>	<b>19,615</b>	<b>9,362</b>	<b>7,130</b>	<b>3,223</b>

**Department of Place - Planning, Transportation & Highways**

CS0131	Kghly Town Cntr Heritage Initi	397	0	397	80	0	0	0	0
CS0178	Ilkley Moor	18	0	18	0	0	0	0	0
CS0179	Landscape Environ Imp	23	0	23	0	0	0	0	0
CS0281	Saltaire - Public Realm imp	0	0	0	2	0	0	0	0
CS1000	Countances Way - Bridge grant	30	0	30	0	0	0	0	0
CS0071	Highways S106 Projects	72	0	72	9	100	356	0	0
CS0091	Capital Highway Maint	5	4,963	4,968	3,268	0	0	0	0
CS0095	Bridges	0	806	806	288	0	0	0	0
CS0096	Street Lighting	70	133	203	64	0	0	0	0
CS0099	Integrated Transport	431	0	431	429	0	0	0	0
CS0103	WY Casualty Reduction Ptner	36	0	36	22	0	0	0	0
CS0164	Local Intgrtd Transp Area Com	307	353	660	473	0	0	0	0

Scheme No	Scheme Description	Exec Report	Changes	Re profile	Spend	Budget	Budget	Budget	Budget
		July 2017		Budget 2017-18					
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0168	Connecting the City (Westfield)	57	0	57	1	0	0	0	0
CS0172	Saltaire R/bout Cong& Safety Works	320	0	320	2	0	0	0	0
CS0252	Measures to Support Hubs	45	0	45	0	0	0	0	0
CS0264	Highway to Health	234	0	234	84	0	0	0	0
CS0282	Highways Strategic Acquisi	206	0	206	16	0	0	0	0
CS0289	Local Pinch Point Fund	502	0	502	6	0	0	0	0
CS0293	West Yorks & York Transport Fund	1,065	779	1,844	105	19,383	26,145	34,062	27,014
CS0296	Pothole Fund	0	428	428	176	0	0	0	0
CS0306	Strategic Transp Infrastr Priorit	1,000	0	1,000	0	1,360	2,600	0	0
CS0306	Connectivity Project	0	2	2	3	1,198	400	0	0
CS0302	Highways Prop Liab Redn Strat	110	0	110	8	0	0	0	0
CS0307	Bus Hot Spots	0	0	0	1	0	0	0	0
CS0310	Clean Vehicle Technology Fund	3	0	3	0	0	0	0	0
CS0317	VMS Signage	39	0	39	0	0	0	0	0
CS0319	Challenge Fund	2,225	240	2,465	57	0	0	0	0
CS0323	Flood Risk Mgmt	5	280	285	8	0	0	0	0
CS0325	Street Lighting Invest to Save	72	0	72	59	0	0	0	0
CS0329	Damens County Park	108	-60	48	0	60	0	0	0
CS0332	Flood Funding	849	70	919	314	0	0	0	0
CS0334	Air Quality Monitoring Equip	9	0	9	0	0	0	0	0
CS0350	Street Lighting Invest to Save	825	0	825	0	825	0	0	0
CS0353	Strategic land purch Hard Ings Kghly	950	-516	434	148	4,415	3,176	0	0
CS0355	Strat land purc Harrogate Rd/New Line Jct	3,500	-3,008	492	166	154	3,557	1,733	0
CS0358	SE Bradford Link Road	82	1	83	7	0	0	0	0
CS0365	National Productivity Investment Fund	834	1	835	234	0	0	0	0
CS0370	LTP IP3 One System Public Transport	0	779	779	50	779	779	0	0
CS0371	LTP IP3 Places to Live and Work	0	629	629	17	300	0	0	0
<b>Total –Department of Place - Planning, Transportation &amp; Highways</b>		<b>14,429</b>	<b>5,880</b>	<b>20,309</b>	<b>6,097</b>	<b>28,574</b>	<b>37,013</b>	<b>35,795</b>	<b>27,014</b>

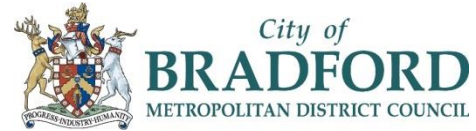
**Department of Place - Other**

CS0060	Replacement of Vehicles	3,000	0	3,000	1,699	3,000	3,000	3,000	3,000
CS0066	Ward Investment Fund	35	-35	0	0	35	0	0	0
CS0151	Building Safer Commun	47	-47	0	0	47	0	0	0
CS0063	Waste Infrastructure & Recycling	881	-204	677	392	204	0	0	0
CS0132	Community Hubs	25	0	25	0	0	0	0	0
CS0283	Above Ground Fuel Storage	60	0	60	0	0	0	0	0
CS0324	Waste Minimisation Strategy	150	-150	0	0	0	0	0	0
CS0328	Cliffe Castle Chimney Project	59	-24	35	0	0	0	0	0
CS0374	Cartwright Hall CCTV	0	45	45	0	0	0	0	0
CS0340	St George's Hall	3,472	1,750	5,222	529	2,917	0	0	0
CS0121	Roberts Park	53	12	65	3	0	0	0	0
CS0129	Scholemoor Project	83	-83	0	0	0	0	83	0
CS0162	Capital Projects - Recreation	0	80	80	65	0	0	0	0

Scheme No	Scheme Description	Exec Report July 2017	Changes	Re profile Budget 2017-18	Spend 30 Sept 17	Budget 2018-19	Budget 2019-20	Budget 2020-21	Budget 2021-22
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0187	Comm Sports Field & Facili	53	0	53	0	0	0	0	0
CS0229	Cliffe Castle Restoration	1,904	479	2,383	2,039	0	0	0	0
<b>Total – Department of Place - Other</b>									
		<b>17,436</b>	<b>-1,782</b>	<b>15,654</b>	<b>4,926</b>	<b>13,972</b>	<b>20,641</b>	<b>7,532</b>	<b>3,000</b>
<b>Corp Services - Estates &amp; Property Services</b>									
CS0094	Property Programme (bworks)	631	-631	0	0	631	0	0	0
CS0294	Property Prog – 2017-18	0	1,000	1,000	82	750	0	0	0
CS0309	Birklands Mail Finishing Equipment	7	-7	0	0	0	0	0	0
CS0309	Property Programme 2015-16	23	7	30	25	0	0	0	0
CS0333	Argos Chambers / Britannia Hse	1,171	0	1,171	20	0	0	0	0
CS0344	Property Programme 2016-17	544	0	544	666	0	0	0	0
CS0230	Beechgrove Allotments	274	-274	0	0	274	0	0	0
CS0269	Burley In Wharfedale Culvert repair	0	97	97	2	0	0	0	0
CS0050	Carbon Management	513	-7	506	161	1,000	820	0	0
CS0305	Healthy Heating Scheme	167	-77	90	0	77	0	0	0
CS0361	Strategic Acquisitions	5,076	-576	4,500	4,348	576	0	0	0
CS0368	Dishwasher	0	31	31	0	0	0	0	0
CS2000	DDA	0	50	50	0	50	50	50	62
<b>Total - Corp Services – Estates &amp; Property Services</b>									
		<b>8,406</b>	<b>-387</b>	<b>8,019</b>	<b>5,304</b>	<b>3,358</b>	<b>870</b>	<b>50</b>	<b>62</b>

Scheme No	Scheme Description	Exec Report	Re profile	Spend 30 Sept 17	Budget 2018-19	Budget 2019-20	Budget 2020-21	Budget 2021-22	
		July 2017	Budget 2017-18						
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Reserve Schemes &amp; Contingencies</b>									
	General Contingency	1,339	-762	577	0	2,000	2,000	2,000	2,000
	Former Keighley College	430	-430	0	0	0	0	0	0
	BACES DFG	667	-667	0	0	0	0	0	0
	King George V Football Pitches	200	-200	0	0	0	0	0	0
	St Georges Hall	1,500	-1,500	0	0	0	0	0	0
	Dishwasher	31	-31	0	0	0	0	0	0
	Recycling Bins	0	680	680	0	0	0	0	0
CS0375	Sign Shop	0	82	82	0	0	0	0	0
CS0277	Wyke Manor Ph2 Sports Dev	0	0	0	0	493	0	0	0
	Essential Maintenance Prov	2,000	-2,000	0	0	2,000	2,000	2,000	2,000
	Bfd City Ctre Townscape Herit	750	0	750	0	2,000	0	0	0
	Strategic acquisition	10,000	0	10,000	0	10,000	10,000	10,000	10,000
	Keighley One Public Sector Est	3,000	-3,000	0	0	10,000	5,000	3,000	0
	Depots	0	0	0	0	3,000	0	0	0
	District Heating Scheme	0	0	0	0	0	7,000	7,000	0
	Customer Service Strategy	250	0	250	0	0	0	0	0
	Canal Road Land Assembly	0	0	0	0	450	0	0	0
	Bereavement Strategy	0	0	0	0	8,500	8,500	0	0
<b>Total - Reserve Schemes &amp; Contingencies</b>		<b>20,167</b>	<b>-7,828</b>	<b>12,339</b>	<b>0</b>	<b>38,443</b>	<b>34,500</b>	<b>24,000</b>	<b>14,000</b>
<b>TOTAL - All Services</b>		<b>114,442</b>	<b>-9,601</b>	<b>104,841</b>	<b>34,765</b>	<b>123,371</b>	<b>134,626</b>	<b>76,036</b>	<b>47,742</b>

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## Report of the Strategic Director Children’s Services to the meeting of Executive to be held on 7 November 2017

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**Subject**

**AC**

**Prevention and Early Help – a proposed new model to support families and communities for the future, including proposed changes to how we provide the children’s centre core offer across the District.**

**Summary statement**

The report highlights the progress the Council and partners have made in bringing together existing arrangements for early help and early years services.

The Council is facing unprecedented pressure on its budgets whilst the demand and costs for services are rising. Government cuts mean that the resources we will have to spend on Prevention and Early Help will reduce by £13.3m or more than one third, from £37.1m in 2016/17 to £23.8m in 2020. These cuts are in addition to the ones the Council has already had to make. It means that from 2010 to 2020, the overall funding the Council has available will have halved whilst demand and costs are increasing.

*We will only ensure babies, children and young people have a great start and better life chances if we draw on the energy, experience and effort of the whole system, particularly the strengths and assets within families themselves and local communities.*

The report outlines the need for proposed changes to how we deliver services in order to ensure we target resources at a time of increasing demand to avoid a detrimental impact on outcomes to children. We cannot continue to deliver services in the way we do now with this level of government cuts. The focus will be on a proposed partnership approach which is more targeted to improve outcomes and reduce inequalities for children and young people across the District.

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

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<b>Michael Jameson</b> <b>Strategic Director</b>	<b>Portfolio:</b> Education, Employment and Skills
<b>Report Contact:</b> Judith Kirk, Deputy Director Phone: (01274) 431078 Email: <a href="mailto:Judith.kirk@bradford.gov.uk">Judith.kirk@bradford.gov.uk</a>	<b>Overview &amp; Scrutiny Area:</b>  Children’s Services

## 1. SUMMARY

- 1.1 This paper follows that presented to Executive on 11 July 2017. Executive agreed to a period of engagement with a range of stakeholders on proposed remodeling of the set of services under existing universal and preventative services to children, young people and families on an area footprint.
- 1.2 Executive agreed to receive a further report with specific options arising from the engagement activity which took place between 17 July 2017 and 20 August 2017.
- 1.3 Approval is sought to formally consult on a new proposed model of delivery for babies, children and young people aged 0-19 (and up to 25 for disabled young people) commencing on 15 November 2017.
- 1.4 Prevention is about stopping problems emerging in the first place. Early Help is about preventing problems that are occurring from becoming worse. It is a statutory requirement of the Council and its partners to ensure effective Prevention and Early Help arrangements for babies, children, young people and families.
- 1.5 Our Prevention and Early Help arrangements have to tackle inequality in order to improve the long term prospects of families most in need. The way key services are proposed to be delivered is being transformed; this is due to the need to:
  - meet the Local Authority's and key partners' statutory requirements;
  - ensure better outcomes and reduce inequalities for babies, children, young people and families;
  - make the financial savings required by 2020/21.
- 1.6 Unprecedented reductions and changes in available Government funding means that we are required to deliver further significant financial savings by 2020/21. We cannot continue to deliver services in the way we do now with this level of Government cuts and with costs and demands rising.
- 1.7 In the face of rising costs, growing demand and national funding cuts, the Council has called on the government to ensure that their Autumn Budget recognises the pressures on children's services and the need to increase investment in early help.
- 1.8 Our submission to the budget identified that an additional minimum investment of £5m a year would be needed to meet rising costs for children's social care in Bradford and that additional resources for effective early interventions will deliver reductions in cost and demand pressures on services across the entire public sector.
- 1.9 The proposed preferred model would allow the Council and partners to expand delivery as and when additional resources become available. For example, an additional £1.6million would provide an increased level of Preventative and Public Health services which would match the key work support to individual children and families, We would expand our focus on conception to age 2, maternal mental health and school readiness. We would also increase the reach of evidenced-based programmes which are proven to improve outcomes and reduce inequalities for children and young people of all ages.
- 1.10 With an additional £5million, the Council and partners would plan to deliver:



- Additional Prevention and Early help services at all key stages but particularly across services supporting health, wellbeing and school readiness for young children;
- Additional Public Health nurses/practitioners so there is more in depth universal provision and support in all the schools for children aged 5-19 year olds;
- Expand intensive support to vulnerable groups, for example, support to young parents and parents with mental health, domestic violence and substance misuse problems;
- Expand community/family hubs in targeted areas.

1.11 We will only ensure babies, children and young people have a great start and improved life chances if we better target reduced resources and draw on and work together across the whole system of support, particularly the strengths and assets within families and local communities.

1.12 All teams and commissioned services would be expected to proactively support the collective effort of the People Can approach. People Can emerged out of Bradford Council's New Deal thinking and has involved people from the voluntary and community sector from the outset in its design.

1.13 People Can is an open invitation to everyone to take part, help others and make a difference:

- *Be Neighbourly* – carry out small, informal, everyday acts of kindness
- *Community action* – create a new group, activity or event with likeminded people
- *Volunteer* – devote some of your time to helping others
- *Raise money* – use your skills to raise funds for a community project.

**1.14 Proposed preferred option.** In light of the reduced budget, the proposed preferred model includes a combination of a small group of central services and four new Prevention and Early Help teams.

1.15 The proposed preferred model would create four new 0-19 Prevention and Early Help Teams which would target those wards/areas with the poorest outcomes and bring together in single area teams the delivery of:

- the children's centre core offer across the District;
- targeted key work with individual children and families (Families First);
- parenting support;
- early education and childcare quality and take up;
- education safeguarding and attendance;
- diversity and cohesion.

1.16 Based on our Families' Needs Assessment, it is proposed the four area based teams cover:

- Keighley/ShIPLEY combined
- East
- West
- South

1.17 The following services are proposed to continue to be delivered centrally:

- Early Help Gateway (incorporating Families Information Service);
- Oversight of education safeguarding
- Specialist behaviour support and inclusion;
- Short breaks for disabled children;
- Intensive family support;
- Youth offending services;
- Service support, for example administration, project management commissioning, quality, finance and performance management.

1.18 This proposed preferred model would cut out duplication and provide a 'whole family' approach so families do not receive a series of interventions from different services.

1.19 The proposed preferred model would also support the Council's previous intentions to procure Public Health 0-19 years children's services including Health Visiting, Family Nurse Partnership, School Nursing and Oral Health services and will be an opportunity to fully align services to the constituency footprint. This will also be based on consultation and needs as identified in the Service Reviews for Health Visiting and School Nursing in 2016.

1.20 Under the proposed preferred model, the Council would continue with commissioning intentions related to short breaks, Families First and other targeted services. A small commissioning fund would also be made available for each area to facilitate community involvement in delivery.

1.21 The proposed preferred model would also align with the Council's youth services and ward partnerships which will continue to be managed within Place Services.

1.22 In order to achieve the required savings the proposal preferred model would lead to a reduction in the region of 220-240 full time equivalents (including staff within the seven Children's Centre clusters) (which is 47%-51%) across the affected teams and services (this does not include staffing impacts relating to the retender of the Health Visiting and School Nursing/Oral Health Service).

1.23 The proposal means that we would move away from providing the children's centre core offer through the seven standalone children's centre teams/clusters to delivering the services through the proposed four 0-19 Prevention and Early Help Teams.

1.24 At this stage, there are no proposals to close any individual children's centre buildings.

1.25 We would continue to provide 0-19 services through a range of local sites including the existing children's centre buildings. We will work with communities and partners to develop existing buildings into multi-agency community and family hubs.

1.26 Based on analysis of the geographical spread and usage of children's centre buildings for on-site direct delivery to families across the District, it is also proposed that we align children's centre sites to the proposed four Prevention and Early Help area teams.

1.27 It is proposed that the following buildings are reconfigured as Outreach bases (which are proposed to deliver a minimum of 8 hours of activities per week with children and families):

- Hirst Wood;
- Highfield;
- Parkland;
- Farcliffe & Lilycroft;
- Princeville;
- Bierley;
- Tyersal;
- Wyke.

## 2. BACKGROUND – present arrangements and the need for change

- 2.1 Bradford has one of the youngest populations in the country. Our children and young people are our greatest asset and they will help us to achieve our aspirations to grow and develop the prosperity of the District. It is crucial our children have the best start in life and reach their potential as set out in the Marmot Review (2010).
- 2.2 National research, strategies and policies highlight the need to focus on prevention and early intervention in pregnancy and early childhood, for example, 1001 Critical Days Cross Party Children’s Report (2013) and Public Health England ‘Best Start in life and beyond’ (2016). This was also highlighted in the Service Reviews for Public Health 0-19 services in 2016.
- 2.3 In November 2016, the Early Intervention Foundation published, ‘*The cost of late intervention*’. For Bradford District, it estimated that £165million per year (or £311 per person) is spent on late interventions with the largest costs associated with looked after children and responding to domestic violence.
- 2.4 A local Families Needs Assessment called ‘*Overview of needs of families in Bradford and Airedale*’ was undertaken in early 2017 which provided a baseline of local intelligence and data, covering a breadth of information on maternity, health, education and specialist services.
- 2.5 Bradford’s existing arrangements for supporting families and children through prevention and early intervention services have made significant improvements in many of the outcomes for children and young people over recent years. However, too many of the measures for key outcomes such as infant mortality, school readiness and educational attainment remain worse than regional and national measures.
- 2.6 Current mapping of key ward level outcomes and deprivation statistics in the Families’ Needs Assessment shows it is consistently the same wards that have the poorest outcomes and the most need for support (see **Appendix 1**).
- 2.7 This information needs to direct the targeting of services and earlier identification of those children and families at risk of the poorest outcomes.
- 2.8 **Appendix 2 and 3** of this report sets out the Council’s priorities in relation to Prevention and Early Help as well as identifying some of the key partnership boards and partners involved in this work. These demonstrate the District’s existing strong commitment to prevention particularly in the child’s first few years of life as part of our Prevention and Early Help offer.

2.9 The main outcomes (see **Appendix 4**) to be achieved under the proposed arrangements are:

- Children live in caring and resilient communities;
- Children learn and develop skills for life;
- Children are healthy and well and reach their potential.

2.10 In November 2016, an independent KPMG report was commissioned to investigate Children’s Services in the context of the changing financial and political climate, the benefits of investing in prevention and early help and the potential for service transformation.

2.11 The report identified five key priorities for Bradford’s partnership approach to improving outcomes for vulnerable children and families:

- a. Maternal health;
- b. Targeted and early parenting ability support (in light of analysis which highlighted that only three individual children’s centres were engaging over 80% of the population from their most deprived areas with 29 individual centres only reaching 50% or below);
- c. Addressing the toxic trio (local referrals related to parental mental ill health, domestic violence and substance misuse are increasing);
- d. Early education take-up and school attendance;
- e. Data-sharing and predictive intelligence capability.

2.12 The Families Needs Assessment report demonstrated that there are approximately 150,000 children aged 0-19 in the District and around 41,000 children aged 0-4. Of school age children, 28% of children aged under 16 live in poverty. We also know that children growing up in workless households are almost twice as likely as children in working families to fail at all stages of their education.

2.13 The tables below highlight headline data for the five Parliamentary constituencies. The Index of Multiple Deprivation (IMD) ranks every small area in England from 1 (most deprived area) to 32,844 (least deprived area). It is common to describe how relatively deprived a small area is by saying whether it falls among the most deprived 10 per cent, 20 per cent or 30 per cent of small areas in England.

2.14 This indicates that the needs of Keighley and Shipley together are comparable (in terms of both population and deprivation) to the remaining three constituencies individually. For example, in East, West and South over 50% of children aged 0-18 live the 10% most deprived areas whilst this is 24.8% for Keighley and 0% in Shipley. Keighley and Shipley combined make up 30% of the total 0-18 population.

Constituency	0-4 Populations						
	Pop	0-10% IMD	% 0-10% IMD	>10-30% IMD	% >10-30% IMD	0-30% IMD	% 0-30% IMD
Bradford East	10695	9776	91.4%	0	0.0%	9776	91.4%
Bradford South	8239	5199	63.1%	1994	24.2%	7193	87.3%
Bradford West	9771	5679	58.1%	4092	41.9%	9771	100.0%

Keighley	6413	1591	24.8%	2420	37.7%	4011	62.5%
Shipley	5721	0	0.0%	1188	20.8%	1188	20.8%

5-18 Populations							
Constituency	Pop	0-10% IMD	% 0-10% IMD	>10-30% IMD	% >10-30% IMD	0-30% IMD	% 0-30% IMD
Bradford East	26963	24557	91.1%	0	0.0%	24557	91.1%
Bradford South	20683	12625	61.0%	5215	25.2%	17840	86.3%
Bradford West	26204	14518	55.4%	11686	44.6%	26204	100.0%
Keighley	17328	4310	24.9%	6009	34.7%	10319	59.6%
Shipley	15037	0	0.0%	2806	18.7%	2806	18.7%

0-18		
Constituency	No in constituency	% of district total 0-18
Bradford East	37658	26
Bradford South	28922	20
Bradford West	35975	24
Keighley	23741	16
Shipley	20758	14

- 2.15 Amongst the 150,000 children and young people, some are much more at risk of poor outcomes such as infant mortality, school readiness, educational attainment, obesity, special educational needs and disability (SEND). Many of these children live in the more deprived parts of the District where poverty is more common, housing is of a poor standard and adverse childhood events (ACEs) are more common.
- 2.16 If we consider health inequalities, although improving within the District, we are still worse regionally and nationally across many of the key children's outcomes. In addition, there are significant differences in the rates of obesity, infant mortality and decayed, filled and missing teeth within some wards in deprived parts of the District compared to the District as a whole.
- 2.17 At present, there are 2,235 families engaged on the expanded Families First programme. There are four wards in the District with over 100 families on the programme (Tong, Eccleshill, Little Horton, Bowling and Barkerend).
- 2.18 In light of reducing resources, increasing demand and to avoid a detrimental effect on outcomes, we need to target and reach more of these families and cut out duplication and silos in the teams working with them.
- 2.19 In June 2017, the Bradford District Partnership commissioned Peopletoo to review local arrangements for early intervention and prevention across all ages. In September 2017, Peopletoo delivered a report that made a number of recommendations which endorsed the direction of travel for Prevention and Early Help. The report proposes a number of recommendations:

<p><b>'Think Family' and build up strength based approaches and conversations.</b></p>	<p><i>Under these proposals: We would continue to implement Signs of Safety (our assessment model which works with a family's strengths whilst being clear about any worries people may have about children).</i></p> <p><i>We would do everything we can to find all relevant extended family and people who have a natural connection to the children to help families help themselves.</i></p> <p><i>We would cut out duplication so the same family don't have multiple contacts from different teams.</i></p>
<p><b>Link across to the Public Health's Self Care and Prevention Programme.</b></p>	<p><i>We would join up with the Self-Care programme, particularly workforce development and seeking out opportunities for social investment and digital delivery.</i></p> <p><i>We would work together on a potential bid for social investment in social prescribing building on the pilot already underway.</i></p>
<p><b>Build partnership working at the ward levels</b></p>	<p><i>The proposed alignment with Parliamentary constituencies links up better with the ward and community level planning and delivery.</i></p> <p><i>We have identified the ten wards and lower level areas (known as Super Output Areas) with the poorest outcomes for children. It is proposed that these wards/areas will have a rolling programme of agreed prevention programmes.</i></p>
<p><b>Focus on the early and formative years of a child's life</b></p>	<p><i>A proposed central priority for Prevention and Early Help would be conception to age 2 and school readiness. We would draw heavily on learning and approaches within Better Start and Born in Bradford.</i></p> <p><i>This would be a priority for the proposed prevention programmes and the proposed Family Key Workers.</i></p>
<p><b>People Can – local volunteering and fundraising should be fostered</b></p>	<p><i>Proposed Prevention and Early Help Teams and commissioned services will be expected to provide opportunities for volunteering, apprenticeships and co-</i></p>

	<p><i>delivery of services within communities.</i></p> <p><i>We would work together with others to foster networks in areas</i></p> <p><i>A proposed Prevention Fund would be made available to support local ideas to improve outcomes.</i></p>
<b>Coordinate Early Help, Self Care and Better Start workforce development to change our conversations with service users and communities</b>	<i>We would build on Signs of Safety, self-care and conversations which motivate and support change.</i>
<b>Join up and focus on online and digital delivery</b>	<p><i>There are more opportunities for delivering parenting support and young people's support online.</i></p> <p><i>The proposed model would cut out duplication across IT systems.</i></p>

2.20 Within the Council, the key services which contribute to Prevention and Early Help are currently located and/or commissioned through Children's Specialist Services and Education, Employment and Skills, Public Health and the Place Department.

2.21 **Appendix 5** identifies the list of Children's Services (including children's centre) teams directly in scope within the proposed changes.

2.22 The proposed preferred model brings together those key services so they operate as seamlessly as possible across the 0-19 age range (and up to 25 for some disabled young people) within a 'whole family' approach. This would also mean families are supported by one lead person rather than succession of different teams.

2.23 This need for greater targeting is particularly important given the unprecedented reduction and changes in Government funding available means that we are required to deliver significant financial Council savings:

<b>Service Area</b>	<b>2016-17 budget</b>	<b>2020-21 budget</b>	<b>Reduction</b>
Targeted Early Help	£6.6M	£4.8M	£1.8M (27%)
Education, Employment & Skills	£16.1M	£9.8M	£6.3M (39%)
Public Health including school nursing, health visiting & oral health programmes	£14.4M	£9.2M	£5.2M (36%)
<b>Total</b>	<b>£37.1M</b>	<b>£23.8</b>	<b>£13.3M</b>

2.24 Drawing on the Needs Assessment and reports highlighted above, we need to draw on the full range of resources, expertise and insight of all partners and our

communities so we can better understand and work together to improve the life chances needs of children, young people and families across the district.

2.25 Furthermore, we will need to ensure that we maximise wider funding opportunities, for example, social investment and innovation/partnerships bids. We have successfully gained funding from Big Lottery, Social Innovation and Commissioning Better Outcomes.

2.26 The Council and partners have agreed that the future proposed model of delivery needs to work to the following partnership vision and principles:

2.27 ***Our vision as a District is to draw on the energy, experience and effort of the whole system so that babies, children and young people have a great start and improved life chances.***

*To improve outcomes and reduce inequalities across children and young people, families will receive the right support at the earliest time. This will be through supporting good relationships within families and communities, confident universal and prevention services and more intensive support when needed to those families with the most complex needs. Through a proactive approach, we will reduce the demand for late and specialist services by supporting families based on the best available evidence of what works.*

2.28 We will work together to the following principles:

2.29 **‘People Can’ ethos:**

- Find and support the naturally occurring networks around children and families;
- Join up support as close to where families live as possible;
- Facilitate support at universal and targeted levels from within communities themselves;
- Support greater self-care and resilience in communities and families to help them themselves, for example, increase co-delivery with service users and volunteers.

2.30 **Early support at the right time – build independence**

- Support which is easy for families to navigate and so they only have to tell their story once;
- More targeting of Prevention and Early Help to help families and children most at risk when problems first emerge;
- Building on our Families First approach - one family, one plan, one key worker so we help families to receive the right support at the right time when families need them;
- Be able ‘to know and show’ that help is offered when concerns are first identified so the need for late services is avoided;
- Prompt social work expertise is available for those professionals providing Prevention and Early Help.

2.31 **Evidence-based and innovative**

- Continually seeking opportunities for innovation, including social investment;
- Improving how we use technology to help families;
- Provide creative and effective workforce development for agencies and professionals;
- Proactively join up IT systems to cut out wasted time and costs;



- Use the evidence of what works for high impact on improving outcomes and reducing inequalities.

2.32 **Public Health 0-19 children's services:** this report confirms the Council's previous intentions to procure Public Health 0-19 children's services. These services will be based on the principles of the Healthy Child Programme (HCP), delivery of high impact areas and other key approaches described in detail in the Public Health England's *'Best start in life and beyond'* (2016) as well as the findings of the local 2016 Review of Health Visiting and School Nursing services.

2.33 Within the reduced budget for commissioning, the procured 0-19 children's Public Health service will retain a clear focus on supporting families to ensure every child has the best possible start in life. This includes providing the five mandated universal health checks and assessments for pregnant women and young children as described in the delivery of the high impact areas for 0-5 year olds and a more enhanced and targeted support to women who need it most based on learning from the Family Nurse Partnership approach. The service will also include the School Nursing Service and the delivery of the high impact areas for 5-19 year olds. This will prioritise health needs assessments and reviews of pupils in Reception and Year 6 as well as the delivery of the National Child Measurement Programme (NCMP), hearing screening and sign posting to screening and other services where necessary.

2.34 **Delivery of high impact areas within the Public Health 0-19 years children's services:** This will also include the high impact areas from conception, birth, early years and school age children:

- Transition to parenthood and the early weeks;
- Maternal mental health;
- Breastfeeding (initiation and duration);
- Healthy weight, healthy nutrition (to include physical activity);
- Managing minor illnesses and reducing hospital attendance/admissions;
- Health, wellbeing and development of the child aged two (two year old review integrated review) and support to be 'ready for school';
- Resilience and emotional wellbeing – links to Future in Minds;
- Keeping safe: Managing risk and reducing harm;
- Improving lifestyles;
- Maximising learning and achievement;
- Supporting complex and additional health and wellbeing needs;
- Seamless transition and preparation for adulthood

2.35 Local Authorities also have a statutory responsibility to provide or commission oral health improvement programmes they consider appropriate in their areas. Given that Bradford has a higher rate of children with decayed, filled and missing teeth regionally and nationally, the procurement will include a key focus on prevention and early intervention programmes such as fluoride varnish and supervised tooth brushing as well as delivery of the statutory screening and surveys. This is highlighted in the Bradford District Oral Health Strategy and Action Plan.

2.36 The proposed redesign of services, both internal and commissioned, gives opportunity for real innovation and flexibility to meet the needs of young people and families and further provides a driver for reducing overlap between services whilst enhancing the partnerships already in existence. At the same time, we will ensure we use the evidence of what works to focus on the approaches most likely to improve outcomes.

2.37 The proposed preferred model would ensure a continued focus on pregnancy and the early years through the delivery of the Integrated Early Years Strategy 0-7 years and the learning and evaluation of projects from Better Start Bradford alongside national and local research published from Born in Bradford. We have committed to keep the foundations required to support possible up-scaling of successful delivery from the Better Start Bradford programme.

2.38 The proposed changes will affect delivery in a number of key ways:

- The proposed Prevention and Early Help Teams and commissioned services will need to co-facilitate local delivery within communities;
- Despite innovative practice we will not be able to deliver the same level of activity presently provided across the District;
- More targeting and less duplication should mean we don't have a succession of involvements from different teams with the same families;
- Maintaining out reach bases mean that we can step up, build up community and family hubs over time and enhance support in all areas as and when needed;
- Clear access to additional support for universal services should also ensure vulnerable children and families in all areas are identified.

### 2.39 **SEND TRANSFORMATION (ages 0-25 years)**

2.40 On the 20 June 2017, Executive agreed to consult on a proposed new model to deliver special educational needs and/or disability (SEND) services. In light of the initial consultation, Executive will receive a further report in December 2017 seeking agreement for a further period of consultation on revised SEND transformation proposals.

2.41 This report makes proposals about further alignment of SEND services presently within Children's Specialist Services into the proposed SEND services. During both consultations we will seek views on:

- how we support more inclusion of children and young people with a disability in mainstream and Prevention and Early Help services;
- reducing social exclusion for children and young people with needs arising from learning disabilities and behaviours that challenge;
- how we would align Prevention, Early Help and SEND support at an area level.

### 2.42 **MESSAGES FROM ENGAGEMENT – AUGUST 2017**

2.43 Following the report to Executive in July 2017, the Council's Children's Services undertook a five week public engagement, from 17 July 2017 to 20 August 2017 on its proposal to remodel and redesign the Prevention and Early Help arrangements and services across an area footprint.

2.44 The Council and partners developed a plan to identify and reach key groups ensuring stakeholders were given the opportunity to share their views. This included:

- Parents and carers across the District;
- Children and young people;
- Partnership groups;
- Elected members;

- Private, voluntary and independent sector;
- Teams and services across the Council, VCS, NHS, Police etc;
- Education settings.

2.45 The Council promoted this engagement period through social media sites, as well as being published on Bradford Schools Online (BSO) and on the Council's Engagement and Consultation website. A large number of events took place during the summer across the District, parent forums, young people's sessions, play days in City Park, events at children centres, libraries, Police Summer Camps and member sessions.

2.46 The survey contained 16 questions overall, 10 of which were focussed around:

- our vision for Prevention and Early Help;
- identifying the right outcomes;
- services which are currently accessed;
- travelling to access services.

2.47 One further question was provided to allow people to make any other comments.

## 2.48 Summary of Findings

2.49 In total 615 people completed the survey (further analysis can be found on **Appendix 6**):

- 256 people (41.6%) took part through focus groups and submitted a paper copy, 359 (58.4%) took part online;
- Those aged 11 – 15 years were the largest group to take part in the engagement (271 / 47%), followed by those aged 16 – 24 years (180 / 31%) and 35 – 44 years (40 / 7%). The remaining 15% were made up of other respondent types;
- 50% of respondents who took part in the engagement online and through a paper version were white British, followed by 12% who were Mirpuri Pakistani;
- The majority of respondents were male (51% online/paper version);
- 5% of respondents who took part reported a disability.

2.50 The majority of respondents identified 'mental health – support for young people' as the most important area in providing support to families and this was reflected in the comments people made.

2.51 We identified that some young people struggled to understand the questions within the survey. We will ensure before we commence formal consultation that we will produce a children and young people's survey, to ensure the language and questions are clear. We will also ensure that there is extensive consultation with those supporting and caring for babies and younger children.

2.52 The feedback indicated that there is District support for the vision to move services to a locality model and to work in partnership with agencies to ensure the best possible outcomes for all children, young people and families.

## 3 OPTIONS AND PREFERRED MODEL AND STEPS TO 2020

3.1 The options outlined below have been developed following extensive working with partners over the last year. They incorporate the feedback from the stakeholder engagement and are based on the needs of babies, children and families and how we can best improve outcomes and reduce inequalities for children.

3.2 Four options are outlined below:

**3.3 Option 1 – Remain with the same separate services/teams and spread the required budget reductions equally across the services/teams.**

The Council currently provides and commissions a significant number of Prevention and Early Help services to children and families which work alongside wider partnership delivery. This could continue with the same and separate teams/services but with a significant reduction shared across key services or areas.

<b>Pros:</b>	<b>Cons:</b>
<ul style="list-style-type: none"> <li>• Maintains a familiar model;</li> <li>• Maintains children’s centres as standalone centres;</li> <li>• Maintains work to date to align the seven children’s centre cluster, health visiting and school nursing;</li> <li>• Maintains mixed economy of providers.</li> </ul>	<ul style="list-style-type: none"> <li>• Some teams and centres will not be viable individually with the required levels of savings;</li> <li>• Maintains the present duplication of agencies targeting the same families;</li> <li>• Not sufficiently targeted to highest needs;</li> <li>• Is not aligned to key partner agencies;</li> <li>• More distant from elected members/ward developments and does not align to Area Committees;</li> <li>• Would not provide management and back office efficiencies across multiple teams and services;</li> <li>• Does not support a ‘whole family’ approach;</li> <li>• Would not comply with EU legislation given the length and size of some of the present contracts.</li> </ul>

**3.4 Option 2 - Move to a centrally managed service delivering only the minimum mandatory (Healthy Child visits, assessed contact and short breaks) and targeted key working with individual families. (Potential 260-280 FTE reduction) (56%-60%).**

This service would focus predominantly on higher risk families and work largely in families’ homes. There would be a significantly reduced number of community and group based programmes and buildings in areas.

<b>Pros:</b>	<b>Cons:</b>
<ul style="list-style-type: none"> <li>• Saves money on buildings (subject to identifying alternative uses) in medium/long term to invest into workers;</li> <li>• Focuses on those families with children with the poorest outcomes;</li> <li>• Reduces management and back office</li> </ul>	<ul style="list-style-type: none"> <li>• Not in line with District and corporate vision – does not build community networking, prevention and resilience;</li> <li>• Reduces prevention activity and so demands at targeted and specialist levels likely to increase;</li> </ul>

costs.	<ul style="list-style-type: none"> <li>• More distant from families and communities and elected members;</li> <li>• Unlikely to meet statutory requirements for a sufficient children’s centre offer;</li> <li>• Significantly reduces area based delivery sites.</li> </ul>
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**3.5 Option 3 – a 0-19 Prevention and Early Help Service providing mandatory and targeted prevention programmes and key working. The Council provides the core teams alongside a number of commissioned services (potential 220 – 240 FTE reduction) (47%-51%).**

Under this option, it is proposed:

- We move from the separate services presently provided (including the seven Children’s Centre clusters) and create a new Prevention and Early Help Service providing four area based teams alongside a small group of central services;
- Central teams would include service (administration, finance etc) support, Families First co-ordination, Early Help Gateway, overview of early education and childcare sufficiency, overview of education attendance/safeguarding and intensive family support.
- Area teams would particularly targeted those wards and neighbourhoods in which children have the poorest outcomes;
- Area 0-19 teams would incorporate delivery of the children’s centre core offer across the District;
- Each team would include Prevention Co-ordinators and workers who will work with families and local community to deliver evidence based programmes;
- A 0-19 generic Family Key Worker post would be created with specialisms on early childhood development and working with young people within each team;
- A detailed Prevention and Early Help pathway would be developed for children and young people 0-19 years (or 0-25 years where appropriate);
- Build on the work of our multi-agency Early Help Panels which identify those families with the most complex needs;
- Public Health services will be re-commissioned as recommended from the local 2016 Service Reviews and following consultation arising from this report. Public Health will commission in accordance with the four geographical areas being proposed and will integrate with this proposed Prevention and Early Help model. The specification will therefore include detail of how this will be achieved and any co-location required with the proposed 0-19 teams;
- That responsibility for short breaks and specialist behaviour support would move or align from Specialist Services to the proposed SEND Services (subject to revised consultation);
- That responsibility for Assessed Contact would remain within Children’s Specialist Services;
- The Council would continue with commissioning intentions related to short breaks, Families First and other targeted services;
- A commissioning fund would be made available for each area to facilitate community involvement in prevention delivery.

<b>Pros:</b>	<b>Cons:</b>
<ul style="list-style-type: none"> <li>• Maintains preventative and targeted</li> </ul>	<ul style="list-style-type: none"> <li>• Need to ensure oversight of delivery</li> </ul>

<p>support and so should reduce demand for specialist services;</p> <ul style="list-style-type: none"> <li>• Reduces duplication;</li> <li>• One key worker/team reduces families being 'passed around' from services;</li> <li>• Strongly support a whole family approach;</li> <li>• Build on Families First approach;</li> <li>• Makes co-ordinated use of resources for whole community usage;</li> <li>• Realises savings;</li> <li>• Build up services around the model as and when additional funding becomes available;</li> <li>• Continues to provide children's centre core offer within integrated teams;</li> <li>• Provides clinical expertise and leadership through the integration of Health Visiting and school nursing services to the proposed teams;</li> <li>• Aligns Place/Area Committees, ward planning, youth services and Healthy Child Programme delivery in areas;</li> <li>• Aligns with Police boundaries;</li> <li>• Closer to families, communities &amp; elected members;</li> <li>• Mixed economy of providers;</li> <li>• Supports integrated IT systems;</li> <li>• Builds hubs in local areas.</li> </ul>	<p>across areas;</p> <ul style="list-style-type: none"> <li>• Need to ensure robust focus on early childhood support, particularly from conception to age two and school readiness;</li> <li>• Some reduction in mixed economy of providers;</li> <li>• Large scale system changes of processes and workforce.</li> </ul>
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The partnership framework (and two case examples) for delivery of this model is outlined in **Appendix 7a-c** and an outline of key functions for the proposed core 0-19 Prevention and Early Help Service is at **Appendix 8**.

The alignment of Children's Centres buildings to the proposed areas is at **Appendix 9**.

**Option 4 - Tender out all Prevention and Early Help services under one specification covering the reduced total budget available for these services.**

<b>Pros:</b>	<b>Cons:</b>
<ul style="list-style-type: none"> <li>• A wide market has the potential to respond;</li> <li>• Commissioned service may bring additional resources to District;</li> <li>• Council holds a performance and quality assurance role;</li> <li>• Wider testing of innovative models of delivery.</li> </ul>	<ul style="list-style-type: none"> <li>• Time and costs of procurement;</li> <li>• Too wide a mix of providers may bring about inconsistency;</li> <li>• There are complex workforce issues which need addressing as a result of the budget reductions which may be unattractive to the market;</li> <li>• Ends Council or schools role in provision.</li> </ul>

- 3.6 **PREFERRED OPTION. Option 3 is the preferred model and approval is sought to commence formal consultation with all interested parties commencing on 15 November 2017 until 12 February 2018.**
- 3.7 Option 3 is preferred because it would both deliver the required financial savings and secure a model of delivery which would:
- Provide a mix of preventative and targeted support but with a higher degree of targeting;
  - Reduce duplication in work with families (so they do not experience a succession of interventions) and can respond to the needs of all the children in a family whatever their age;
  - Be as close to families as possible and so area based (as supported in the engagement findings);
  - Align as much as possible to the areas worked by Place, Police and other key services;
  - Provide clinical leadership through the health visiting and school nursing teams and integrate all Public Health 0-19 years services to this approach;
  - Deliver mandated pre-5 health visits, school health checks and co-location so wider family health issues can be addressed collectively;
  - Provide high quality and sufficient early childhood support to children under five and their families;
  - Maximise spending on people to work directly with children and families;
  - Make sure all back office and management is efficient and cut out duplication;
  - Reduce time and cost associated with running multiple IT systems;
  - Allow us to build up services around the model as and when additional funding becomes available.
- 3.8 Learning from previous area based delivery of children's services, we will ensure:
- Proactive workforce and elected member engagement and development;
  - Delivery is organised around a core common purpose and job profiles;
  - Strong and collective outcome and performance focus;
  - Clear reporting and responsibility for delivery so line management arrangements are clear and simple;
  - Shared practice standards, ICT systems and quality assurance;
  - Reinforce One Family One Plan so families are not 'passed around' workers;
  - Co-locate around hubs in areas;
  - Continued close working with social work services;
  - Specific practice champions and interests are identified so there is a breadth of experience within the 0-19 teams.
- 3.9 The Prevention and Early Help Outcomes Framework (see **Appendix 4**) and delivery of key evidence based programmes linked to improving these outcomes will ensure that the reduced services continue to collectively address the high impact areas.
- 3.10 We propose to monitor the delivery and performance through a multi-agency Joint Delivery Board focused on the agreed outcome areas and this will include a focus in reducing inequalities.

3.11 A co-ordinated offer of support and guidance to schools will reduce duplication and enable a step up targeted service to be provided to those who need this level of support. A joint approach with schools across Prevention and Early Help and Future in Minds will be adopted.

3.12 A proposed timeline of key milestones is provided below:

Date	Activity
07 November 2017	Executive decision
15 November 2017	Formal Consultation begins
12 February 2018	Formal Consultation closes
03 April 2018	Return to Executive
May 2018	Commence proposed re-structure/assimilations
October 2018	Proposed services commence

3.13 As the Council's preferred Option 3 proposes to make changes to provision which might impact children with SEND, the Council considers that these proposals are likely to lead to improvements in the standard, quality and or range of educational provision for SEND children as set out in the SEN Improvement Test in **Appendix 10**.

3.14 Public Health will proceed with the development of the proposed service model and service specification/s, based on the whole system model and will procure the service/s through a competitive tender process. The length of the contract and the procurement approach and timescales will be agreed with the CBMDC Commercial Team.

### 3.15 **Developing and supporting the workforce**

3.16 The proposal would create a significant reduction and change to the workforce. A substantial workforce reform programme across all areas would be required and this would need to be backed up with a workforce plan.

3.17 We would work with wider partners to ensure we assist employees to take up employment opportunities in other areas of public sector delivery.

3.18 It is proposed a Prevention and Early Help accreditation/passport scheme would be developed. This would cover the core knowledge and skills required by staff in key services. This would allow schools, teams and individual workers to self-assess their workforce strengths and gaps.

3.19 The proposed development and training offer would support teams/people to build up their accreditation over time and will incorporate key elements from across Prevention and Early Help, Future in Mind, the Self-Care programme and learning from Better Start Bradford.

## 4. **OTHER CONSIDERATIONS**

4.1 This proposal sits alongside wider cross-agency and system initiatives such as the Integrated Early Years Strategy, Signs of Safety implementation, the Integrated Care Pathway, self-care, European Social Fund/Lottery Stronger Families programme, B Positive Pathways, early work around joint commissioning and the Council's proposed transformation work on SEND. The proposed model incorporates our commitments to the Department for Communities and Local Government under Families First.



## **5. FINANCIAL & RESOURCE APPRAISAL**

- 5.1 The Council's Executive published a four year financial plan aligning resources with priorities from the Council Plan on the 6 December 2016 and ratified by full Council on the 23 February 2017. The plans included detailed proposals for consultation about spending in 2017-18 and 2018-19 and indicative spending totals for 2019-2020 and 2020-21 by Council Plan Outcomes.
- 5.2 Alongside core Council funding, services also receive income from a number of external sources. These include the Dedicated Schools Grant, the Families First payment by Results (Department for Communities and Local Government) and a grant from the Youth Justice Board. Unless stated, spending proposals relate to use of core Council funding.
- 5.3 The Council and partners will need to work closely to maximise funding to the district, for example, submitting partnerships bids and developing new funding through social investment.
- 5.4 The proposed model offers greater flexibility and sustainability to reflect the changing resource base of the Council and partners, assist in achieving efficiencies for the Council into 2020/21, maximise external funding and the benefits of integrated working with partners. The proposed model will also continue to maximise income through the Families First programme and any other opportunities that arise.
- 5.5 The proposed move to a new integrated area-based model (Option 3) would ensure that the services are being delivered within the agreed spending totals approved by the Council in February 2017.
- 5.6 As the proposal would be such a significant programme of change, additional dedicated support is going to be required from Human Resources, Workforce Development, Communications, Finance and Legal Services.
- 5.7 Proposed redundancies would be linked to the Council decision following consultation and if applicable the Council will be responsible for any redundancy cost for its own workforce affected by the proposals.

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

- 6.1 It is proposed that this is a large programme of work across a number of service areas that requires delivery at a considerable pace. It would require significant, meaningful engagement and formal consultation with partners, schools, early year's settings, Children's Centre providers, the workforce and families currently accessing the services and prospective families and other interested parties.

## **7. LEGAL APPRAISAL**

- 7.1 The Local Authority must ensure it complies with any duty to consult or requirements set down in legislation or statutory guidance.
- 7.2 The DfE Sure Start children's centre statutory guidance April 2013 provides that the Local Authority must ensure there is consultation with interested parties before any significant changes are made to children's centre provision in their area.

- 7.3 Consultation must take place with all interested parties when proposals are still at a formative stage, sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response. Adequate time must also be given for consideration and to respond to the consultation and conscientious account must be taken of responses when a decision is made. Whilst all options do not have to be consulted upon they must be sufficiently clear to enable consultees to understand the proposals.
- 7.4 Consultation must be easily understandable by those most likely to be affected by the proposed changes. The language should not be technical and what is being proposed and the impact of the proposals must be in plain English.
- 7.5 The SEND Code of Practice 0-25 years January 2015 provides that when considering any reorganisation of special educational needs provision the Local Authority must make clear how they are satisfied that the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with SEN.
- 7.6 The Local Authority must have regard to its public sector equality duties under section 149 of the Equality Act 2010 when exercising its functions and making any decisions. The Local Authority must carry out an Equalities Impact Assessment to enable intelligent consideration of the proposals. The Local Authority must have due regard to the information in the Equalities Impact Assessment in making the decision to commence consultation on these proposals.
- 7.7 If the proposals include significant changes to maintained schools the Council would need to follow a statutory process and publish statutory proposals.
- 7.8 The Children Act 1989 sets out the provision of services for children and their families. Section 17 places a duty on every local authority to safeguard and promote the welfare of children who are in need within their area and to promote the upbringing of such children by their families.
- 7.9 The Children Act 2004 as amended by the Apprenticeships, Skills, Children and Learning Act 2009 set statutory targets for children's services authorities for improving the effectiveness of safeguarding and promoting the welfare of children through promoting better inter-agency co-operation and improved information sharing. The 2009 Act also established Children's Trust Boards.
- 7.10 The Council has duties under the Childcare Act 2016:
- Section 1 – duty to improve well-being of young children & reduce inequalities between them;
  - Section 3 – to make arrangements so that early childhood services are integrated, accessible and benefit young children and their parents;
  - Section 5A – make arrangements for sufficient children's centres, so far as reasonably practicable to meet local need;
  - Section 6 - duty to secure sufficient childcare for working parents;
  - Section 12 - duty to provide information, advice and assistance to parents and prospective parents;
  - Section 13 - duty to provide information, advice and training to childcare providers.

- 7.11 Early years providers have specific statutory requirements under the Childcare Act 2006 to contribute to the safeguarding of children and to comply with welfare requirements to promote good health and maintain records, policies and procedures.
- 7.12 Working Together to Safeguard Children (DfE, 2015) sets out the responsibilities that everyone including teachers, GPs, nurses, midwives, health visitors, early years professionals, youth workers, police, Accident and Emergency staff, paediatricians, voluntary and community workers and social workers has to safeguard and promote the welfare of children, provide early help and for keeping them safe.
- 7.13 The Education Act 1996 as amended requires all local authorities to make arrangements to enable them to establish the identities of children in their area who are not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll and who are not receiving a suitable education otherwise than being at school.
- 7.14 The Children and Families Act 2014 has further influenced and shaped service delivery. It aims to improve services for vulnerable children, children in need of care and support, children with special educational needs and disabilities and support families in balancing home and work life particularly where children are particularly very young. It underpins wider reforms to ensure that all children and young people succeed, no matter what their background.
- 7.15 The proposed changes are expected to involve staff transferring under the Transfer of Undertakings (Protection of Employment) Regulation 2006, ("TUPE") which will give rise to legal duties to consult and inform. If there is a change of employer following the changes then TUPE will apply. TUPE operates so that staff are protected from being dismissed by reason of there being a transfer of undertakings, unless there is an economic, technical or organisational reason entailing changes in the workforce and provides that staff transfer on existing terms and conditions. Different legislation protects the pensions of transferring employees.
- 7.16 Local authorities have duties outlined in the Health and Social Care Act (2012), which came into force in April 2013 when Public Health transferred to the Council, and this includes delivering public health children's services for 0-19 year olds and specific mandated and statutory functions including 5 health checks for young children, the National Child Measurement Programme and district wide Oral Health surveys.
- 7.17 Local Authorities statutory Public Health responsibilities also include a duty to improve Public Health, Section 31 of the 2012 Act requires local authorities to have regard to guidance from the Secretary of State when exercising their public health functions; in particular this power requires local authorities to have regard to the Department of Health's Public Health Outcomes Framework (PHOF).
- 7.18 *A Public Health outcomes framework for England* sets out the Government's overarching vision for public health, the desired outcomes and the indicators that will be used to measure improvements to and protection of health. *Improving outcomes and supporting transparency*, provides a summary technical specifications of public health indicators.
- 7.19 Section 237 of the 2012 Act also requires local authorities to comply with National Institute for Health and Care Excellence (NICE) recommendations to fund treatments

under their public health functions.

7.20 Local Authorities also have responsibilities under this Act to set up a statutory Health and Wellbeing Board to oversee a Health and Wellbeing Strategy to improve health and wellbeing outcomes and reduce inequalities for the population across the district.

## **8 OTHER IMPLICATIONS**

### **8.1 EQUALITY & DIVERSITY**

8.1.1 The Local Authority must not discriminate directly or indirectly against any group or individual and is required to foster good relations.

8.1.2 An Equalities Impact Assessment for the proposed model is attached as **Appendix 11**. A Human Resources Equalities Impact Assessment is underway.

### **8.2 SUSTAINABILITY IMPLICATIONS**

8.2.1 There are no direct sustainability implications arising from this report.

### **8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

8.3.1 The proposals would not impact on gas emissions.

### **8.4 COMMUNITY SAFETY IMPLICATIONS**

8.4.1 Through working differently across services we would seek to minimise crime and anti-social behaviour and its impact on individual families and communities. This is a priority outcome area.

### **8.5 HUMAN RIGHTS ACT**

8.5.1 There are no direct Human Rights implications arising from this report.

### **8.6 TRADE UNION**

8.6.1 The Council will be issuing a letter under Section 188 Trade Union and Labour Relations (Consolidation) Act 1992 ("TULRCA") notifying the Trade Unions about the potential impact on the workforce in relation to the proposals outlined in this report

8.6.2 The regional Trade Unions were advised of the proposals outlined in the Executive report in a meeting on the 12 October 2017

8.6.3 The trade unions will be fully consulted on the proposals and meetings are scheduled with the Trade Unions on the proposals and their feedback will be incorporated into future reports to Executive.

### **8.7 WARD IMPLICATIONS**

8.7.1 Ward Councillors were provided with open briefings throughout August. Ward. Further consultation will be undertaken.

### **8.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS**

## **(For reports to Area Committees only)**

8.8.1 Following Executive approval to consult, reports are planned to go to each Area Committee.

## **9 NOT FOR PUBLICATION DOCUMENTS**

KPMG Report: Transforming Early Years and Early Help Opportunities for 2020. This report is not for publication because it contains exempt information under Schedule 12A of the Local Government Act 1972 (information relating to the financial or business affairs of the Council/third party) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **10. OPTIONS**

10.1 This report seeks approval to commence formal consultation on the preferred Option 3.

10.2 If the move to a new integrated area-based model (Option 3) is not supported then, in order to achieve a balanced budget going forward and make the required savings, alternative saving options would need to be identified and delivered.

## **11. RECOMMENDATIONS**

- a. That the Executive in light of government cuts, local outcomes, increasing demand and after considering the Equalities Impact Assessment (in **Appendix 11**) accepts Option 3 as the option for consultation;
- b. That the Strategic Director for 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**;
- c. That Executive receives a further report in April 2018 following formal consultation.

## **12. APPENDICES**

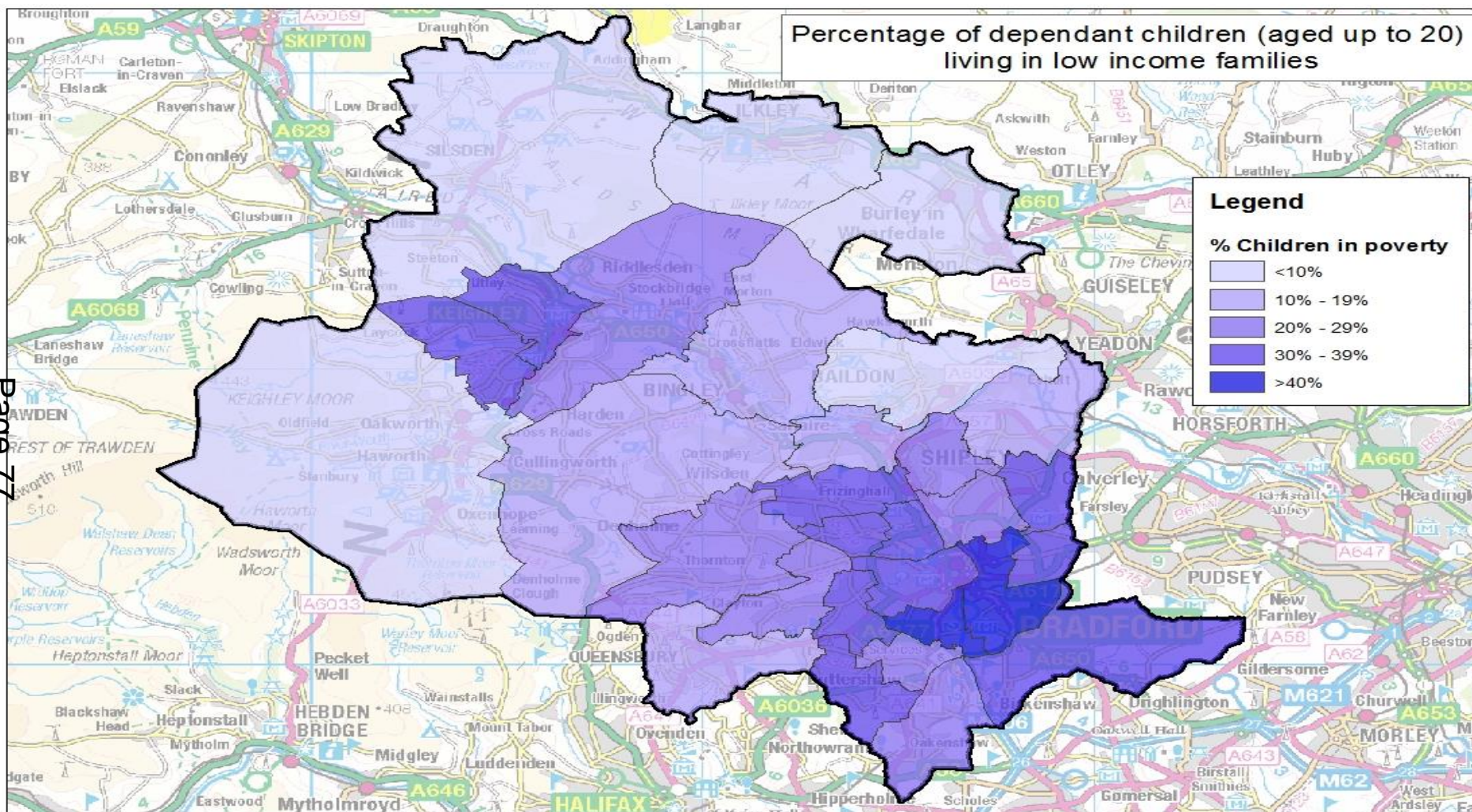
Appendix 1 – Families' Needs Assessment maps  
Appendix 2 – District & Council Priorities  
Appendix 3 – Working with our partners  
Appendix 4 – Early Help Outcome Framework  
Appendix 5 – Key services in scope for changing under the proposed model  
Appendix 6 – Engagement summary  
Appendix 7a-c – Proposed partnership delivery framework  
Appendix 8 – Proposed Prevention and Early Help Service functions  
Appendix 9 – Proposed changes to Children Centres  
Appendix 10 – SEN Improvement Test  
Appendix 11 – Equalities Impact Assessment  
Appendix 12- Stakeholders for consultation

## **13. BACKGROUND DOCUMENTS**

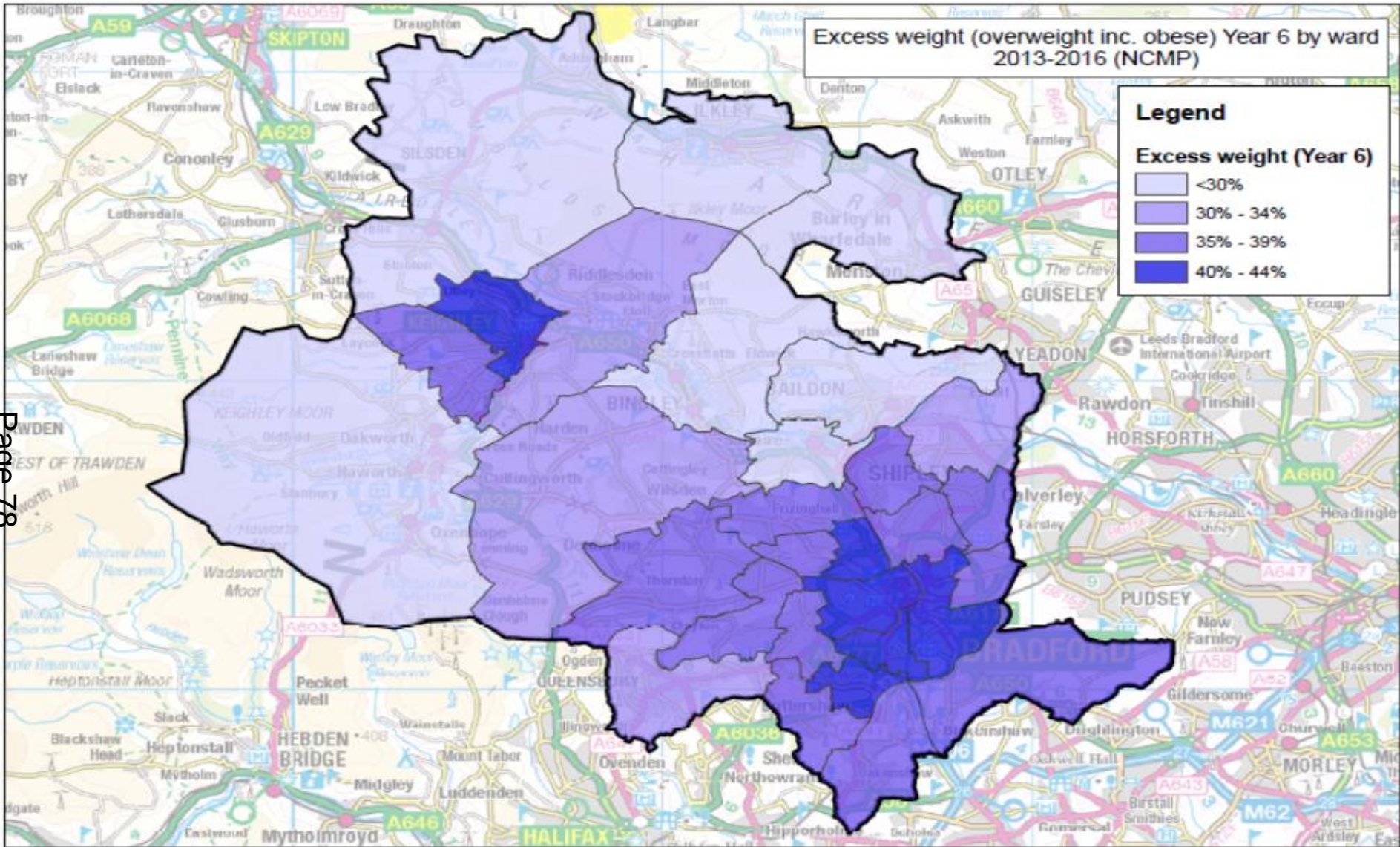
- Bradford District Plan 2016 - 2020
- Bradford Council Plan 2016 – 2020
- Bradford Children, Young People and Families Plan 2017-2020

- Integrated Early Years Strategy for children 0-7 years 2015-2018
- Bradford District Oral Health Strategy
- Bradford District Every Baby Matters Strategy and Action Plan
- Families Needs Assessment: An overview of the needs of families in Bradford and Airedale 2017.
- Fair Society Health Lives Marmot Review 2010  
<http://www.instituteoftheequity.org/resources-reports/fair-society-healthy-lives-the-marmot-review>
- 1001 Critical Days Report (2013) <http://www.1001criticaldays.co.uk/>
- Public Health England 'Best Start in life and beyond' Guidance (2016)  
<https://www.gov.uk/government/publications/healthy-child-programme-0-to-19-health-visitor-and-school-nurse-commissioning>
- The effect of multiple adverse child hood events (ACEs) experiences on health Lancet Public [http://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(17\)30118-4/fulltext](http://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(17)30118-4/fulltext)
- Health Visiting and School Nursing Reviews: 2016 HSOSC Sept 2016 :  
<https://bradford.moderngov.co.uk/documents/g6432/Public%20reports%20pack%2008th-Sep-2016%2016.30%20Health%20and%20Social%20Care%20Overview%20and%200Scrutiny%20Committee.pdf?T=10>

APPENDIX 1 - Key data from the Family Needs Assessment; An overview of needs of Families in Bradford and Airedale 2017



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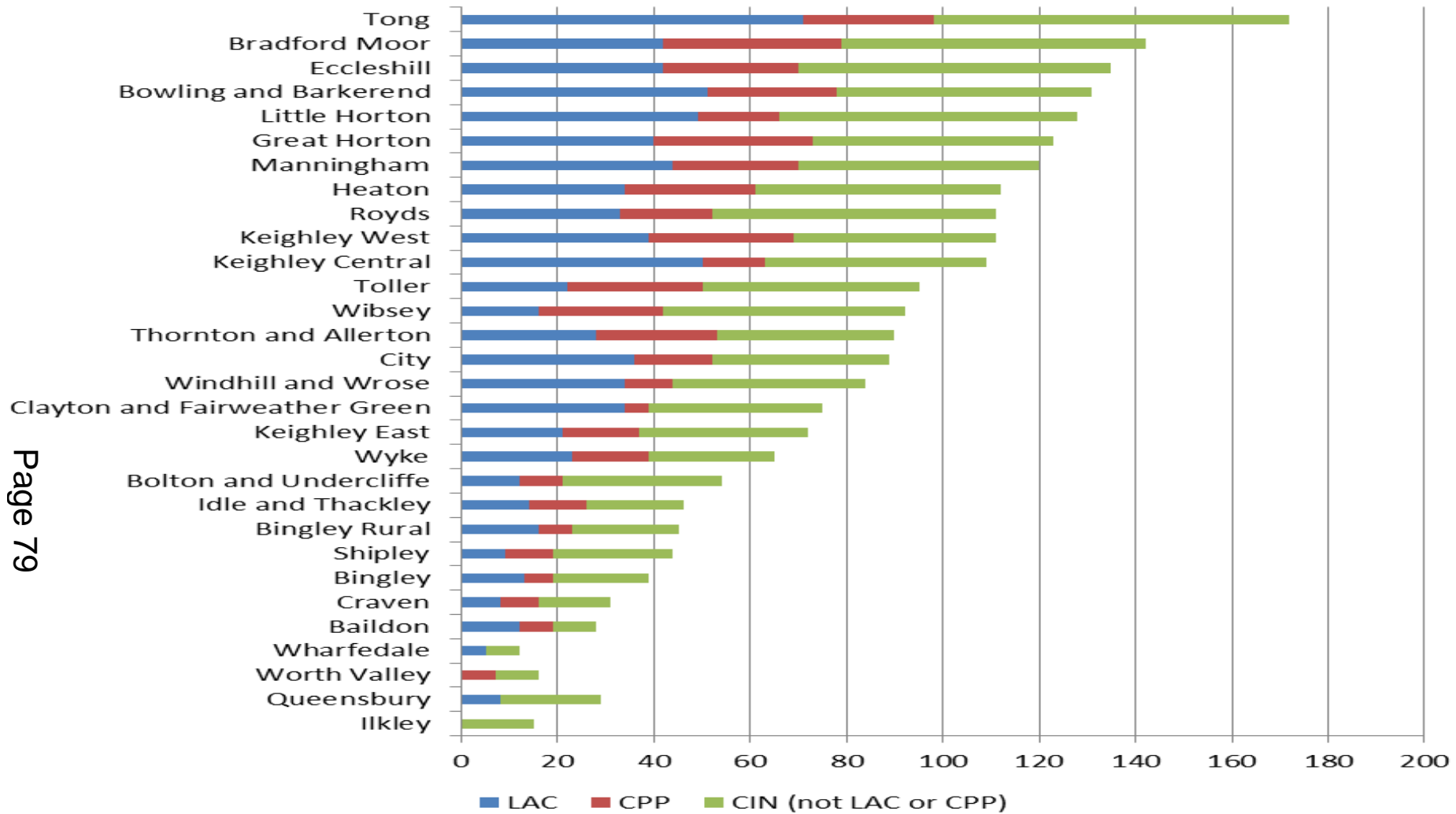
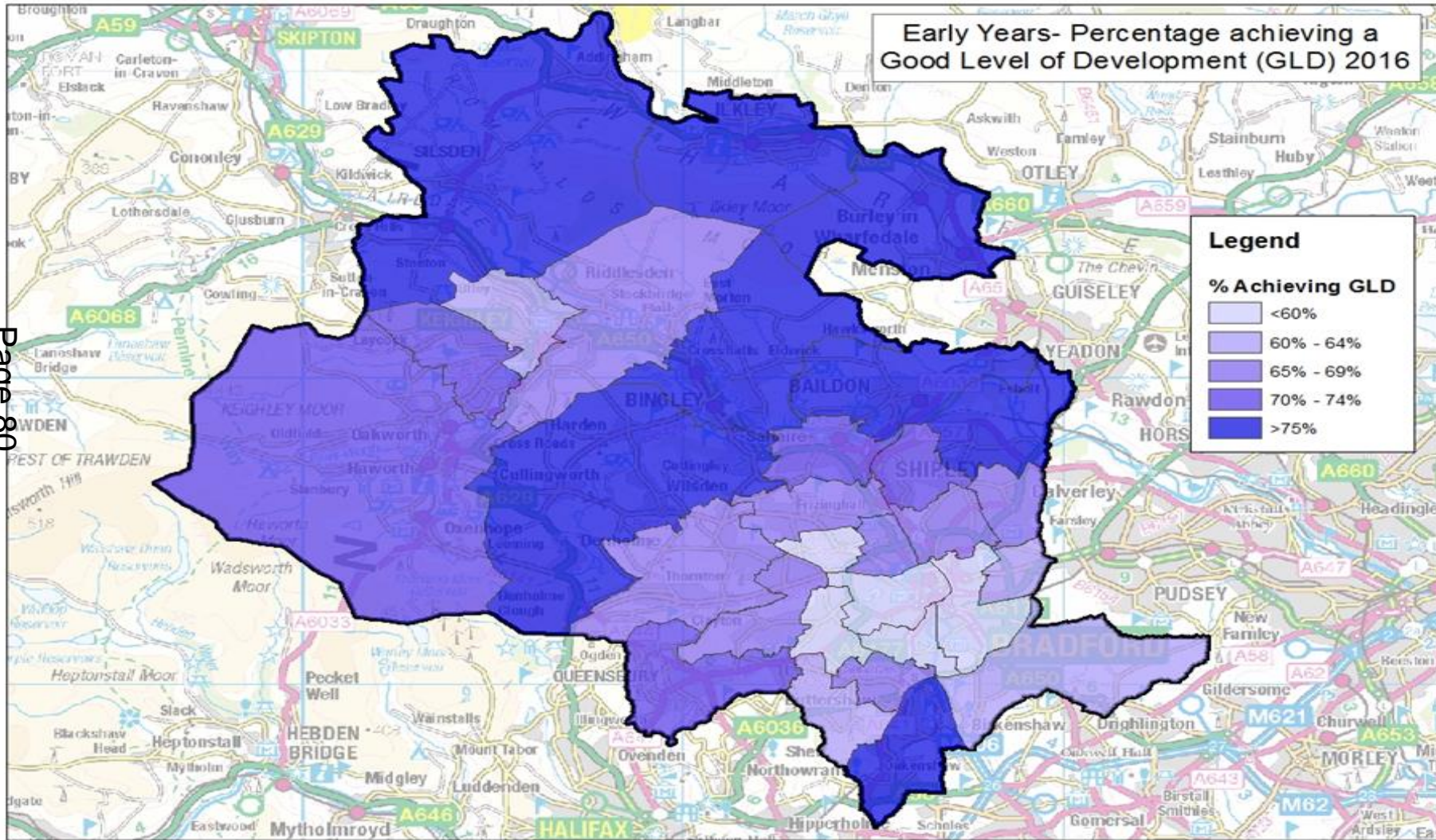


Table above shows contacts with Children by Children's Social Care 2016: LAC - Looked after Children, CPP - Child Protection Plan and CIN - Child in Need.

In the map below a lighter colour indicates a lower level of Good Level of Development (school readiness)



## **APPENDIX 2 - District and Council Priorities**

### **Bradford District Plan 2016 – 2020**

The Bradford District Plan sets out the long-term ambition for our district. It aims to draw on the resources and activity of local people, communities, businesses and organisations, across the district. Achieving this ambition and addressing the priorities will enable us to make Bradford a better place.

The proposal directly relates to the Council Plan 2016 – 2020 priorities:

- Better skills, more good jobs and a growing economy;
- A great start and good schools for all our children;
- Better health, better lives;
- Safe, clean and active communities;
- Decent homes that people can afford to live in.

### **Bradford Council Plan 2016 – 2020**

The Council Plan sets out how we, as a Council will work with others to contribute to the priorities set out in the Bradford District Plan. Our actions are outlined below:

1. Better skills, more good jobs and a growing economy
  - Businesses starting up, growing and investing in Bradford District
  - Getting the right infrastructure
  - Letting everyone know Bradford is a great place to live, work and invest
  - A skilled and flexible workforce in our district
2. Decent homes that people can afford to live in
  - Increasing the number of homes to meet the rising demand for housing
  - Decent, safe homes that are appropriate for people's needs
  - Support for people in most housing need
3. A great start and good schools for all our children
  - Children starting school ready to learn
  - Children achieving well at school
  - Young people leaving school ready for life and work
4. Better health, better lives
  - Healthy lifestyles – focusing on prevention and early intervention
  - Creating choice and control
  - Joining up services
  - Safeguarding children and adults
5. Safe, clean and active communities
  - Supporting communities
  - Building safe communities
  - Help maintain an attractive and welcoming environment
6. A well-run council, using all our resources to deliver our priorities:
  - Use all our resources wisely
  - Work in partnership
  - Make sure we are well governed, accountable and legally compliant

## **Children, Young People and Families Plan 2017 – 2020**

The proposal is a major part of delivering the shared partnership priorities of the Children, Young People and Families Plan 2017 – 2020;

- Ensuring that our children start school ready to learn;
- Accelerating education attainment and achievement;
- Ensuring our children and young people are ready for life and work;
- Safeguarding the most vulnerable and providing early support to families;
- Reducing health and social inequalities, including tackling child poverty, reducing obesity and improving oral health
- Listening to the voice of children, young people and families and working with them to shape services and promote active citizenship

The current Children and Families Plan 2017- 2020 for the District is also focused on ensuring children are ready for school, achieve their potential at school and are ready for life and work alongside ensuring robust safeguarding, reducing health and social inequalities and listening to the voice of the child.

## **Integrated Early Years Strategy, 2015-18**

The Integrated Early Years Strategy (IEYS) 2015-2018 for children 0-7 years demonstrates the District wide commitment already in place by key partners working together to provide aligned services which promote prevention, early intervention and targeted support for children and families focused on improving six key outcomes and reduce inequalities for young children. The IEYS Strategy Group works closely the Better Start (10 year Big Lottery funded £49 million programme) which provides on-going research and learning into what works to improve outcomes for young children.

## **Future in Minds**

This plan for the next three years has dedicated funding attached, and addresses the mental and emotional health needs of children and young people in Bradford. There are various work streams, including Early Help, Mental Health in Schools, and workforce development.

## **Health and Social Care Act (2012)**

The Local authority has a statutory responsibility outlined in the Health and Social Care Act (2012) for delivering and commissioning public health services for children 5-19 years and since October 2015 also the responsibility for children's public health commissioning for 0-5 years.

The Local Authority is responsible through the above Act (2012) for improving the health and wellbeing of the population. Statutory Health and Wellbeing Boards and public health have a key role in the development of the statutory Joint Health and Wellbeing (HWB) Strategy which informs commissioning. This also includes delivering on key Public Health Outcomes as set in the Department of Health's Public Health Outcomes Framework.

## **APPENDIX 3 - Working with our Partners**

### **Health and WellBeing Board**

The Health and Wellbeing Board brings together leaders from the local health and care system, including the Council, the NHS and the Community and Voluntary sector. Our shared ambition is: To create a sustainable health and care economy that supports people to be healthy, well and independent. This includes the delivery of the Health Inequalities Action Plan and the Health and Wellbeing Strategy.

Our local Joint HWB Strategy 2014-2017 was based on the Marmot Review (2010) and features a strong focus on ensuring children have the best start in life and reach their potential. It also focused on improving inequalities as well as improving overall outcomes. The refreshed HWB strategy currently under development will include a focus on best start in life for the district's children.

### **The Bradford District Partnership (BDP)**

Coordinates and supports the work of the partners (in the public, private and voluntary and community sectors) and partnerships across the district. These partners share responsibility for making sure that our shared direction established via the New Deal is delivered through the new District Plan 2016 – 20.

The Bradford District Partnership will ensure that the District Plan 2016 - 20 is delivered in the best way possible - and that all the partners work closely together to make things happen. In doing so it will champion the wellbeing and prosperity of all of the district's residents and ensure that they have the opportunity to realise their true potential.

### **Bradford Children's Trust**

Bradford's Children's Trust recognises that stronger partnerships, greater integration of services and a shared purpose lead to better services for children, young people and families – especially the most vulnerable. The core principle of a shared commitment to improve the lives of children, young people and families – enshrined in the 'duty to co-operate' – remains as important as it ever was.

The vision of Bradford's Children's Trust is that every child and young person should be supported to have the best possible start in life, and be given active help and encouragement towards achieving the outcomes identified in the following themes:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

### **Bradford Safeguarding Children Board**

Bradford Safeguarding Children Board (BSCB) is a statutory body established under the Children Act 2004. It is independently chaired and consists of senior representatives of all the principal agencies and organisations working together to safeguard and promote the welfare of children and young people in the Bradford District. Its statutory objectives are to:

- Co-ordinate local work undertaken by all agencies and individuals to safeguard and promote the welfare of children and young people.
- Ensure the effectiveness of that work

Working Together to Safeguard Children (2015) sets out the responsibilities of the Council's and its key partners in regard to early help. Bradford Safeguarding Children Board has responsibility to monitor the effectiveness of the 'Early Help' being provided to children and families. Ofsted is required to inspect Early Help as part of their inspections of "services for children in need of help and protection, children looked after and care leavers".

### **Education Covenant**

The approach to achieving the best for children, young people and families is driven by the Covenant's priorities. We have clear aspirations for Bradford's children and young people, but it is very clear that the solutions will be a partnership between the people of Bradford and the organisations which deliver services. The participation of young people in making these plans happen is critical.

The Council's offer:

- Keeping schools and education as a top priority
- Driving School Improvement
- Promoting learning from the very best
- Attracting, retaining and developing the best school leaders and teachers
- Providing school places by working together with government
- Helping to make sure children are ready for school
- Supporting children and young people to be ready for work and life
- Raising aspirations through cultural opportunities.

### **People Can**

People Can has been initiated by a range of partners who are concerned about a range of challenges faced by the Bradford District and who want to do something positive about them. People Can emerged out of Bradford Council's New Deal thinking and has involved people from the voluntary and community sector from the outset in its design.

The start point of People Can Make a Difference is recognition of the fantastic voluntary work already being carried out in the Bradford District. People Can is an open invitation to everyone to take part, help others and make a difference.

People can make the difference in a number of ways:

- **Be Neighbourly** – carry out small, informal, everyday acts of kindness
- **Community action** – create a new group, activity or event with likeminded people
- **Volunteer** – devote some of your time to helping others
- **Raise money** – use your skills to raise funds for a community project.

### **Early education providers and schools**

There are clear links between good quality early intervention and improvements in attendance and attainment at school and early education across the key stages of education. Schools play a key and valued role in the delivery of early help across the District. This will continue to be the case and the intention is that through the new arrangement schools can be provided with meaningful support, advice and problem solving approaches that help them in this role.

### **West Yorkshire Police**

Ensuring that there is alignment to the new operating procedures for community policing. This will best utilise a significant amount of intelligence that the police service maintain through their daily interactions with the diverse range of our District. The police and community services being able to understand the main issues for families within communities better supports their abilities to tackle issues around vulnerable victims, managing public protection and reducing crime and anti-social behaviour.

### **Health Services**

We will look at the strong links of all aspects of health working with partners who commission or deliver school nursing, health visiting, primary care, acute hospital services, community services, mental health services and other key services in order to move this programme of work forward.

### **Voluntary and Community Sector**

Bradford has a valued partnership with Voluntary and Community Sectors. Strengthening and developing this partnership is a critical feature of ensuring a multi-layered response to address the needs of families and build resilience within communities.

### **Better Start Bradford**

A Big Lottery funded partnership programme over ten years working with families in three wards – Bowling and Barkerend; Little Horton and Bradford Moor to help give children the best possible start in life.

### **Born in Bradford**

Born in Bradford is one of the largest research studies in the World, tracking the lives of over 30,000 Bradfordians to find out what influences the health and wellbeing of families.

### **Signs of Safety**

We will build on our partnership strengths such as the adoption of Signs of Safety as our assessment and planning tool and the strengths which emerged from our recent partnership Joint Targeted Area Inspection.

We have already adopted Signs of Safety when planning with families both at early help and within child protection conferences.

**APPENDIX 4 – Prevention and Early Help Outcomes Framework 2017 – during consultation we will focus down on those outcomes most directly impacted by Prevention and Early Help.**

<b>Outcome 1 – Children live in caring and resilient communities</b>	
<b>1.1 Children are safe</b>	
<b>a. Children are safe within the home</b>	<ul style="list-style-type: none"> <li>• Reduce incidents of Domestic Violence</li> <li>• Reduce numbers of looked after children</li> <li>• Reduce numbers of children subject to Child Protection Plans</li> </ul>
<b>b. Children are safe within communities</b>	<ul style="list-style-type: none"> <li>• Reduction in ASBOs</li> <li>• Reduced road traffic accidents</li> </ul>
<b>1.2 Children live in resilient communities</b>	
<b>a. Improved social cohesion</b>	<ul style="list-style-type: none"> <li>• Percentage of people who agree that their local area is the place where people live together harmoniously</li> </ul>
<b>b. Increased participation from communities</b>	<ul style="list-style-type: none"> <li>• Increasing numbers reported in 'People Can' projects</li> <li>• Increased participation from communities in the education covenant</li> </ul>
<b>1.3 Children experience positive relationships</b>	
<b>a. Children have improved relationships within the home</b>	<ul style="list-style-type: none"> <li>• Increased levels of positive attachment in the under 5s</li> <li>• Reduced call outs for domestic abuse by the police</li> </ul>
<b>b. Children with complex needs have positive relationships</b>	<ul style="list-style-type: none"> <li>• Reduced number of children with complex needs living out of area</li> <li>• Increased community involvement through short breaks and/or Personal Budgets</li> </ul>



<b>Outcome 2 – Children learn and develop skills for life</b>	
<b>2.1 Children achieve</b>	
<b>a. Children achieve in school</b>	<ul style="list-style-type: none"> <li>• Foundation Stage Profile results improve to meet the national average (currently a Good level of development) AND gaps between our vulnerable groups and boys and girls and their peers nationally reduce (PHOF 1.02)</li> <li>• KS1 results improve and narrowing of gap for vulnerable groups</li> <li>• KS4 results improve and narrowing of gap for vulnerable groups</li> <li>• Post 16 results improve and narrowing of gap for vulnerable groups</li> </ul>
<b>b. More children go onto higher education</b>	<ul style="list-style-type: none"> <li>• Increased number attending university and narrowing the gap for vulnerable groups</li> </ul>
<b>c. Young people go onto high quality employment</b>	<ul style="list-style-type: none"> <li>• Reduced unemployment figures</li> <li>• Increased high level jobs figures</li> <li>• 16-18 year olds not in education, employment or training (NEET) (PHOF 1.05)</li> </ul>
<b>2.2 Children learn in high quality environments</b>	
<b>a. School are of high quality</b>	<ul style="list-style-type: none"> <li>• Increased numbers of schools with leadership graded good or better particularly in deprived areas</li> </ul>
<b>b. Early years provision is of high quality</b>	<ul style="list-style-type: none"> <li>• The proportion of early years settings achieving good or better outcomes in their Ofsted inspections increases to at least meet the national averages particularly in deprived areas</li> </ul>
<b>2.3 Children participate in learning experiences from 2-19</b>	
<b>a. Children attend schools</b>	<ul style="list-style-type: none"> <li>• Improved attendance levels at all key stages including the take up of their place, if eligible, at early years settings for children of non-statutory school age ; to include pupil absence (PHOF 1.03) and other relevant indicators</li> <li>• First time entrants to the justice system (PHOF 1.04)</li> </ul>
<b>b. Children participate in learning 16-18 in line with RPA</b>	<ul style="list-style-type: none"> <li>• Improved participation levels Post 16 year on year</li> </ul>
<b>c. Increased take up of places in pre-school learning (early education and childcare)</b>	<ul style="list-style-type: none"> <li>• Increased take up of eligible 2 year-olds for the universal offer and 3 and 4 year-olds for both the universal offer and the extended additional 15 hours (i.e. the '30' hours offer).</li> </ul>

## Outcome 3 – Children are healthy and well and reach their potential \*

### 1.1

#### a. Fewer baby deaths in first year of life \*

- Infant mortality rate reduces and at a faster rate in deprived areas (PHOF 4.01 & NHSOF 1.6i)
- More babies are breast fed at discharge and 6-8 weeks (PHOF 2.02)
- Reduced smoking for pregnant women at delivery and increased smoke free homes in infancy (PHOF 2.03)
- Improved attachment and bonding and maternal mental health (see Outcome 1.3)

#### b. Fewer children are obese or overweight and there is an increase in physical activity (could remove physical activity as obesity reduction means increased PA and better nutrition by definition)

- In reception aged 5-6 years (PHOF 2.06)
- At age 10-11 years (PHOF 2.06)

#### c. Children will improved oral health

- Decayed, missing, filled teeth (dmft) at age 5 figures improve and at faster rate in deprived areas (PHOF 4.02 & NHSOF 3.7i)

#### d. Children will be emotionally resilient and make good lifestyle choices

- Reduction in self harm admissions (PHOF 2.10)
- Anything else from Future in Minds dashboard approach for mental health – tbc
- Smoking prevalence 15 year olds (PHOF 2.09)
- Under 18 conceptions (PHOF 2.04)

#### e. Children will less often be admitted to hospital due to illness or accidents

- Rates of admissions to hospital for young children aged 0-4 years reduces
- Rates of admission due to accidents reduces (0-14 years and 15-24 years) reduces (PHOF 2.07)
- Killed and Seriously Injured on roads (KSIs for Children & Young People)

## APPENDIX 5 - Key services in scope for the proposed 0-19 Prevention and Early Help Service (Children's Services and Children Centres)

Detailed consultation will be undertaken with affected teams and Trade Unions on proposed structures, job profiles and grading.

Education, Employment & Skills	
Early Childhood Services including the seven children's centre clusters	
Education Safeguarding	
Primary Achievement Team / Literacy / Moderation	
Children's Specialist Services – Targeted Early Help	
Targeted Early Help District-wide teams	
Targeted Early Help Cluster Teams x 5	
Youth Offending Team ( <i>service support functions only</i> )	
<b>Total Vacancies</b>	<b>13.3 x FTE</b>
<b>Total number of staff in scope (including the table below)</b>	<b>468.2 x FTE</b>

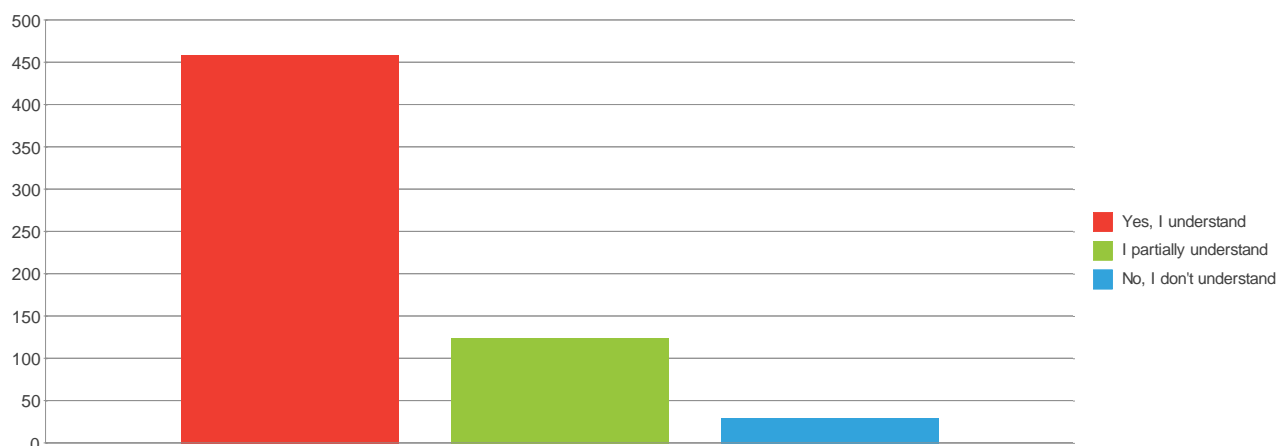
**All the services below within Education, Employment & Skills include financial, administrative, performance, data and project posts. These service support posts are in scope:**

<b>Employment and Skills Service</b>	
Commissioning Team	
Enterprise	
Funding and Sufficiency	
Skills House	
Skills for Work	
Kershaw House	
Disability Services	
Keighley Training Group	
Placements and Work Experience	
<b>Music and Arts</b>	
Music and Arts	
<b>Achievement Service</b>	
Admin Team	
Education Liaison Team	
Information Management Team	
LAC Virtual School	
Governor Service	
<b>Curriculum ICT</b>	
Broadband	
<b>SEND &amp; Behaviour</b>	
SEND & Behaviour	
Education Psychology	
SEBD Team	
SEN Administration	
Communication & Learning	
SEN Team	
SEN Projects	
Business Management	
Sensory Service	
SEN Early Years Intervention	
<b>Total Vacancies</b>	<b>11.8 x fTE</b>
<b>Total number of staff in scope (including the table below)</b>	<b>468.2 x FTE</b>

## APPENDIX 6 - Summary from Engagement

The Council's Children's Services undertook a five week public engagement, from 17 July 2017 to 20 August 2017. Below analysis outlines the responses to the questions:

Do you understand our Vision (what we plan to do)?



612 people answered the above question

Q2. Do you agree with our vision?	
Total responses	609 (6 people chose not to answer this question)
Yes, I agree	481
I partially agree	101
No, I don't agree	27

Q3. Have we identified the right outcomes that will ensure children and young people have the best start in life?	
Total responses	603 (12 people chose not to answer this question)
Yes	535
No	68

Q4. To what extent do you agree with the following parts of our vision to deliver services in local areas?					
	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
Services should target support at the most vulnerable families (611 responses)	44%	40%	12%	3%	2%
Early Help areas will help families access support in a more joined up way (612 responses)	42%	41%	14%	2%	1%
Early Help areas will improve services for families (611 responses)	41%	40%	15%	3%	1%
Early Help areas will help to ensure that communities have services that will meet the needs of the local population (610 responses)	41%	37%	17%	3%	1%

<b>Q5. Do you agree that by developing Early Help we will provide better help for families?</b>					
	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>
Work with families to get positive solutions that will last and help stop family breakdown <b>(609 responses)</b>	48%	38%	11%	2%	1%
Have a 'whole system' approach, so agencies work together and are clear on the support they give. <b>(605 responses)</b>	41%	40%	16%	2%	1%
Build employees confidence and skills to support them in working in positive ways with families. <b>(605 responses)</b>	43%	39%	14%	3%	1%
Make sure that every pound counts so that we can afford services for children and families in the future. <b>(605 responses)</b>	51%	32%	13%	2%	2%

From the above table you can see that the majority of respondents selected 'strongly agree and / or agree' that by the Council and Partners developing Early Help it will provide better help for families.

Some of the comments from respondents are below:

*"Ensure services are not duplicated and families are working in a holistic key worker approach";*

*"The earlier the involvement the faster solutions can be found";*

*"It would be more effective if Early Help workers all used the same recording systems"*

<b>Q6. How important are the following to you when you want to get services for children, young people and families in Bradford?</b>					
	<b>Most Important</b>	<b>Very Important</b>	<b>Important</b>	<b>Somewhat Important</b>	<b>Least Important</b>
Clear information about what services are available <b>(606 responses)</b>	48%	32%	16%	4%	1%
Support in a crisis <b>(608 responses)</b>	51%	31%	13%	4%	1%
Services that I can access close to home <b>(602 responses)</b>	40%	33%	21%	5%	2%
Access to support and advice from trained professionals <b>(602 responses)</b>	42%	33%	18%	5%	2%
Free services <b>(605 responses)</b>	46%	29%	18%	5%	3%
Time of session <b>(598 responses)</b>	36%	27%	24%	10%	3%
Activities on offer <b>(603 responses)</b>	42%	28%	20%	7%	3%
Activities for all the family <b>(603 responses)</b>	40%	28%	20%	9%	4%

The majority of respondents believe that all of the above services for children, young people and families are very important. A common theme throughout the comments related to, access to services needs to be clearer, more signposting so families know what is available locally and across the District.

<b>Q7. How important are the areas below in providing support to families?</b>					
	<b>Most Important</b>	<b>Very Important</b>	<b>Important</b>	<b>Somewhat Important</b>	<b>Least Important</b>
Parenting support <b>(587 responses)</b>	50%	27%	17%	5%	2%
Family mediation <b>(581 responses)</b>	37%	32%	23%	6%	3%
Child development and play <b>(583 responses)</b>	41%	30%	23%	4%	1%
Managing children's behaviour <b>(579 responses)</b>	44%	34%	17%	4%	1%
Family relationships <b>(587 responses)</b>	45%	31%	19%	4%	1%
Practical support and coordinated work with health services <b>(585)</b>	40%	34%	21%	4%	1%
Support with accessing education <b>(587)</b>	47%	27%	21%	4%	1%
Mental health – support for young people <b>(598)</b>	60%	22%	13%	4%	1%

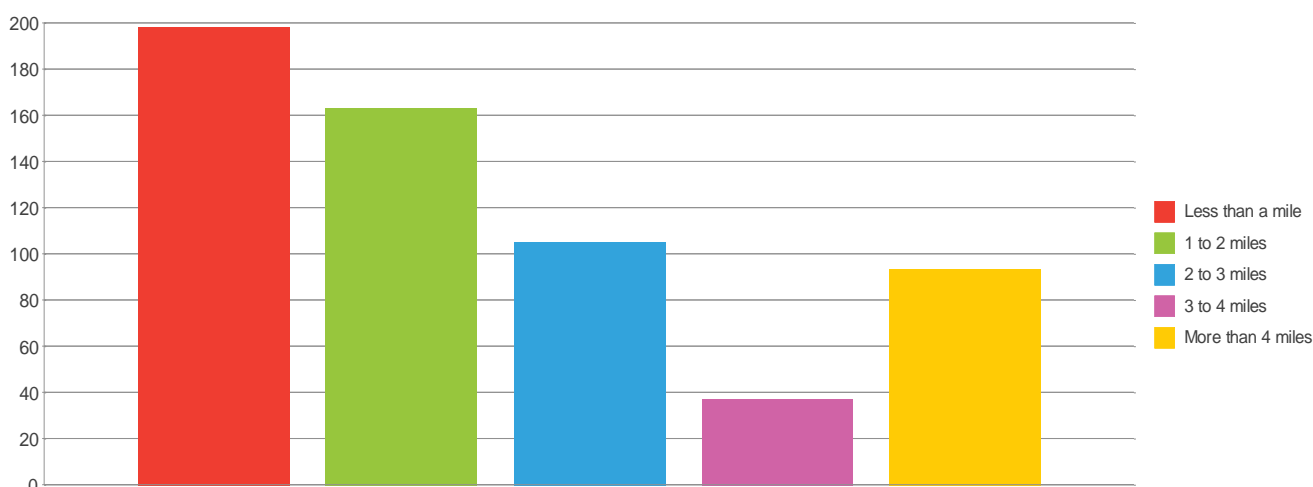
The majority of respondents identified 'mental health – support for young people' as the most important area in providing support to families and this was reflected in the comments people made. These included:

*"Mental Health services are very difficult to access and are very important as problems can escalate quickly".*

*"The rising number of children suffering with mental health issues is worrying".*

*"Education and support for mental health for young people needs to be a priority".*

How far would you travel to access services?



596 responses to the above questions (19 people chose not to answer this question). The chart indicates that people would prefer to access services on a locality footprint, with 60% of the respondents identifying they would travel up to 2 miles to access services.

<b>Q9. By what means?</b>	
Total responses	587 (28 people chose not to respond to this question)
Public transport	35% (205)
Walk	33% (192)
Car	28% (167)
Taxi	3% (16)
Cycle	(1%) (7)

<b>Q10. What services do you currently access and how often?</b>							
	Everyday	Once a week	Every 2 weeks	Once a month	Every 6 months	Once a year	N/A
Children's Centres <b>(473 responses)</b>	11%	16%	4%	6%	3%	4%	56%
Voluntary organisations <b>(472 responses)</b>	9%	19%	6%	10%	5%	7%	45%
GP / Doctors <b>(504 responses)</b>	8%	6%	6%	19%	30%	16%	16%
Other health services (e.g. Health Visitor) <b>(467 responses)</b>	8%	8%	6%	10%	17%	12%	40%
Youth Service <b>(566 responses)</b>	16%	44%	7%	5%	2%	4%	23%

To ensure we reached as many stakeholders as possible from across the District we asked respondents for their postcode. This allowed us to identify those that access services and the areas which they live.

Out of 615 responses, 540 people provided us with their postcode (this included 7 people outside of the Bradford District. The results are below:



Number of responses by postcode:



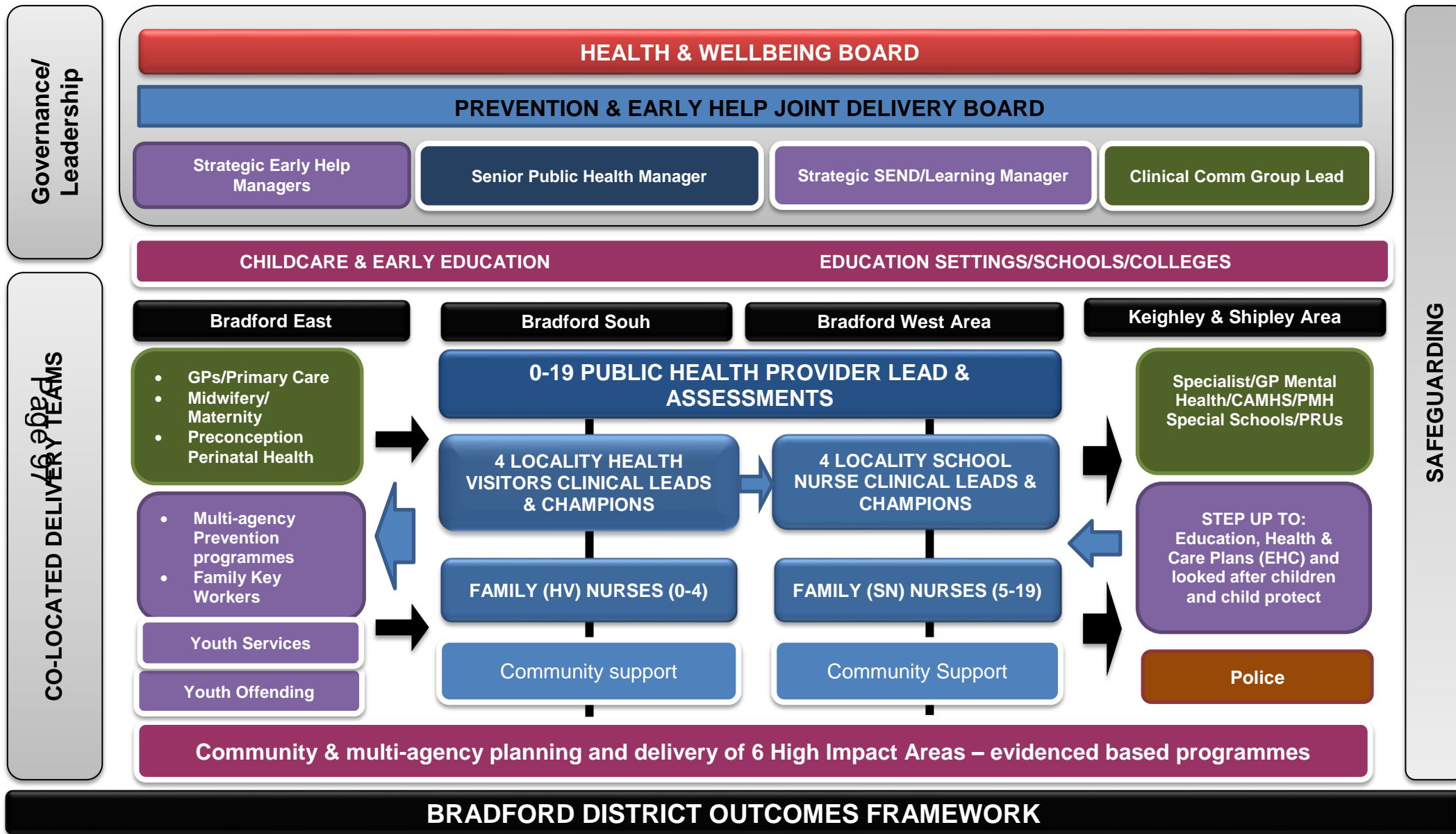
<b>BD1</b>	Bradford City Centre, Little Germany, Goitside, Longlands, Independent Quarter, West End, City Park	<10	<b>BD13</b>	Cullingworth, Clayton Heights Denholme, Queensbury, Thornton, School Green	<10
<b>BD2</b>	Eccleshill, Five Lane Ends, parts of Undercliffe, Fagley, Bolton Woods, Poplars Farm, Swain House, Ashbourne, High House, Grove House	72	<b>BD14</b>	Clayton	<10
<b>BD3</b>	Barkerend, Bradford Moor, Thornbury, Eastbrook, Pollard Park, parts of Laisterdyke, Undercliffe, Wapping	61	<b>BD15</b>	Allerton, Norr, Wilsden, Sandy Lane	<10
<b>BD4</b>	Bierley, East Bowling, East Bierley, Laisterdyke, Tong, Tong Street, Holme Wood, Dudley Hill, Tyersal, Swaine Green, Cutler Heights, Tong Village	15	<b>BD16</b>	Bingley, Cottingley, Eldwick, Harden	25
<b>BD5</b>	Bankfoot, Little Horton, West Bowling, Canterbury, Marshfields, Ripleyville,	50	<b>BD17</b>	Baildon, Shipley	<10
<b>BD6</b>	Buttershaw, Wibsey, Woodside, Westwood Park, Odsal, Staithgate, parts of Horton Bank Top (Cooperville)	<10	<b>BD18</b>	Saltaire, Shipley, Windhill, Wrose	14
<b>BD7</b>	Great Horton, Lidget Green, Scholemoor, Horton Bank Top, Horton Grange	<10	<b>BD20</b>	Cononley, Cross Hills, Glusburn, Kildwick, Silsden, Steeton, Sutton-in-Craven	17
<b>BD8</b>	Manningham, Girdlington, White Abbey, Four Lane Ends, Whetley, Westbourne Green, West Park, Lower Grange, Rhodesway, Crossley Hall, Fairweather Green, Belle Vue	30	<b>BD21</b>	Hainworth, Keighley	103
<b>BD9</b>	Frizinghall, Heaton, Daisy Hill, Haworth Road Estate, Chellow Heights, Chellow Grange	15	<b>BD22</b>	Cowling, Haworth, Oakworth, Oxenhope, Cross Roads	51
<b>BD10</b>	Apperley Bridge, parts of Eccleshill, Greengates, Idle, Ravenscliffe, Thackley, Thorpe Edge	44	<b>LS29</b>	ILKLEY, Addingham, Ben Rhydding, Burley in Wharfedale, Ilkley, Menston	<10
<b>BD12</b>	Low Moor, Oakenshaw, Wyke, Lower Wyke, Delph Hill	<10	<b>Outside the District</b>		<10

Respondents were given the opportunity to make any additional comments, these are summarised below:

Communication:	<ul style="list-style-type: none"> <li>• Better levels of communication and listening to what people need and want;</li> <li>• There needs to be more information provided / published in alternative languages;</li> <li>• Technical language on leaflets and survey has been difficult to understand. Questions are too intensive for our age group.</li> <li>• More face to face drop-in sessions</li> </ul>
Working Practice	<ul style="list-style-type: none"> <li>• Having a clear structure as to how services can be accessed;</li> <li>• Reduce duplication and identify what is working well</li> <li>• We need access to services in the local area</li> <li>• Closer working relationships with all local services, play groups, faith groups and youth services</li> <li>• Empower communities and families (skill them up to be able to assess and trouble shoot out of a crisis themselves with minimum external input.</li> <li>• All services access the same systems (Police, Council, Schools,</li> </ul>

	<p>GPs, Youth Service)</p> <ul style="list-style-type: none"><li>• More activities to expand young children’s social experiences including those with disabilities</li><li>• More youth clubs</li><li>• More youth workers in schools</li></ul>
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APPENDIX 7a – Proposed Prevention and Early Help partnership delivery framework



## **Appendix 7b – Case studies under the proposed model**

### **Scenario 1 - Sanam and Family**

Sanam is a single parent with two children Azra aged 3 and Saeed aged 12. She separated from her husband due to emotional abuse and domestic violence on occasions. Saeed has started High School and there have been several violent episodes at school and at home one resulting in him kicking a hole in his bedroom door. Azra attends the local nursery and her overall social and emotional development is delayed.

### **Whole Family Approach of proposed Prevention and Early Help**

The proposed whole family approach would ensure a holistic family based approach; the health visitor who is involved with Azra would be linked into the approach for Saeed so a whole family approach is taken. The school nurse and Pastoral support lead would work together with the family and involve the Primary Mental Health Link Worker if needed. A Signs of Safety based plan would be made and the school nurse would support Sanam attend the Domestic Abuse Recovery Together group enabling Sanam to gain confidence and move on with opportunities to develop her CV and search for jobs.

In addition, signposting to debt management support would be provided. Saeed would be linked into after school activities and start to attend school regularly. The health visitor works with the nursery and identifies interventions to help Azra to develop her language and communication skills and they are all fully aware of the challenges for Sanam. Azra also gets back on track in terms of her development before she starts school and Sanam joins a 8 week course in family support and then volunteers to advocate on behalf of local families where English is not their first language. She is now looking for part time work in this area.

### **Scenario 2 - Susan, Peter and Family**

Susan and James have three boys aged 2, 6 and 10 years; James, David and Luke. Peter is unemployed and Susan has a low paid part time job. James has a government funded nursery place as his family are living on a low income. James struggles to play with other children, his language is very limited and he has had difficulties settling into nursery.

### **Family Approach of proposed Prevention and Early Help Team**

The new family approach will ensure the whole family is involved. An integrated two year assessment is carried out between the health visitor and nursery key worker and the health visitor links with the area Prevention and Early Help Team and a whole family plan is agreed with the family. This identifies a lot of conflict between the parents and extended family. A key worker will work with the family with the aim of reducing family conflict, support activities to support James and improve his development including support with routines and play at home and ways to reduce family conflict. The key worker will liaise with the health visitor and nursery to ensure a joined up approach and that James makes good progress. His father, Peter is depressed and has been encouraged to seek support from his GP which he has followed up and he has now managed to find a part time job locally.

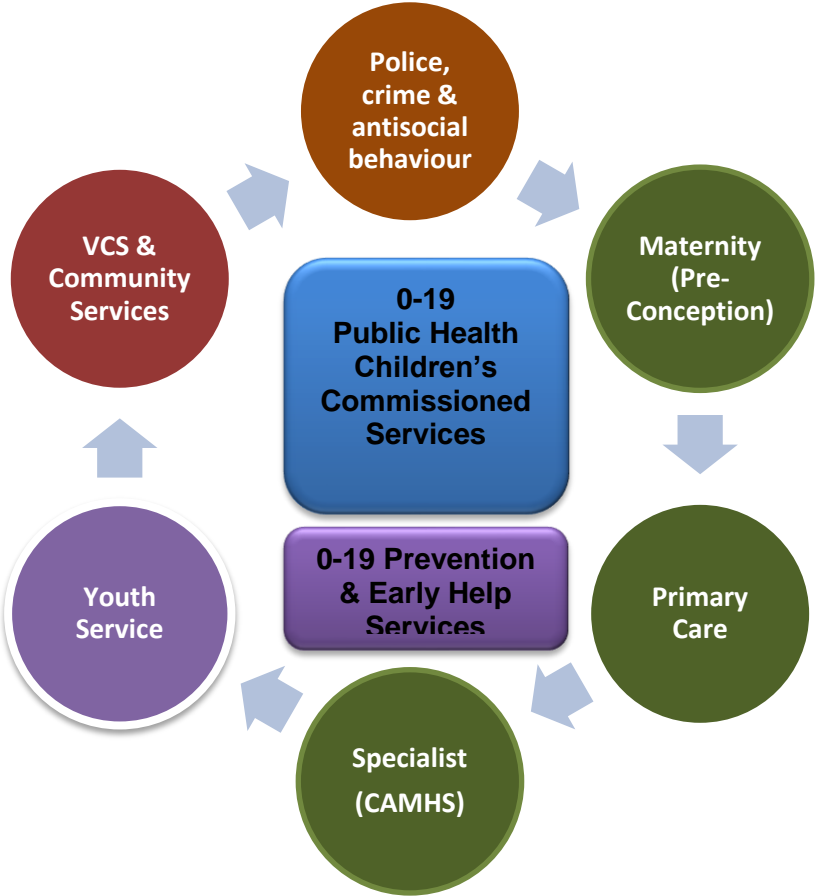
APPENDIX 7c – governance arrangements for the proposed Prevention and Early Help partnership framework

**PREVENTION AND EARLY HELP DELIVERY BOARD focused on improving outcomes and reducing inequalities (see outcomes framework)**

Public Health Teams will be aligned to Prevention and Early Help model and there will be clear pathways and referral mechanisms to family support and prevention interventions.

There will be an agreed menu of evidence based interventions across the District so referral from all services are easily accessible

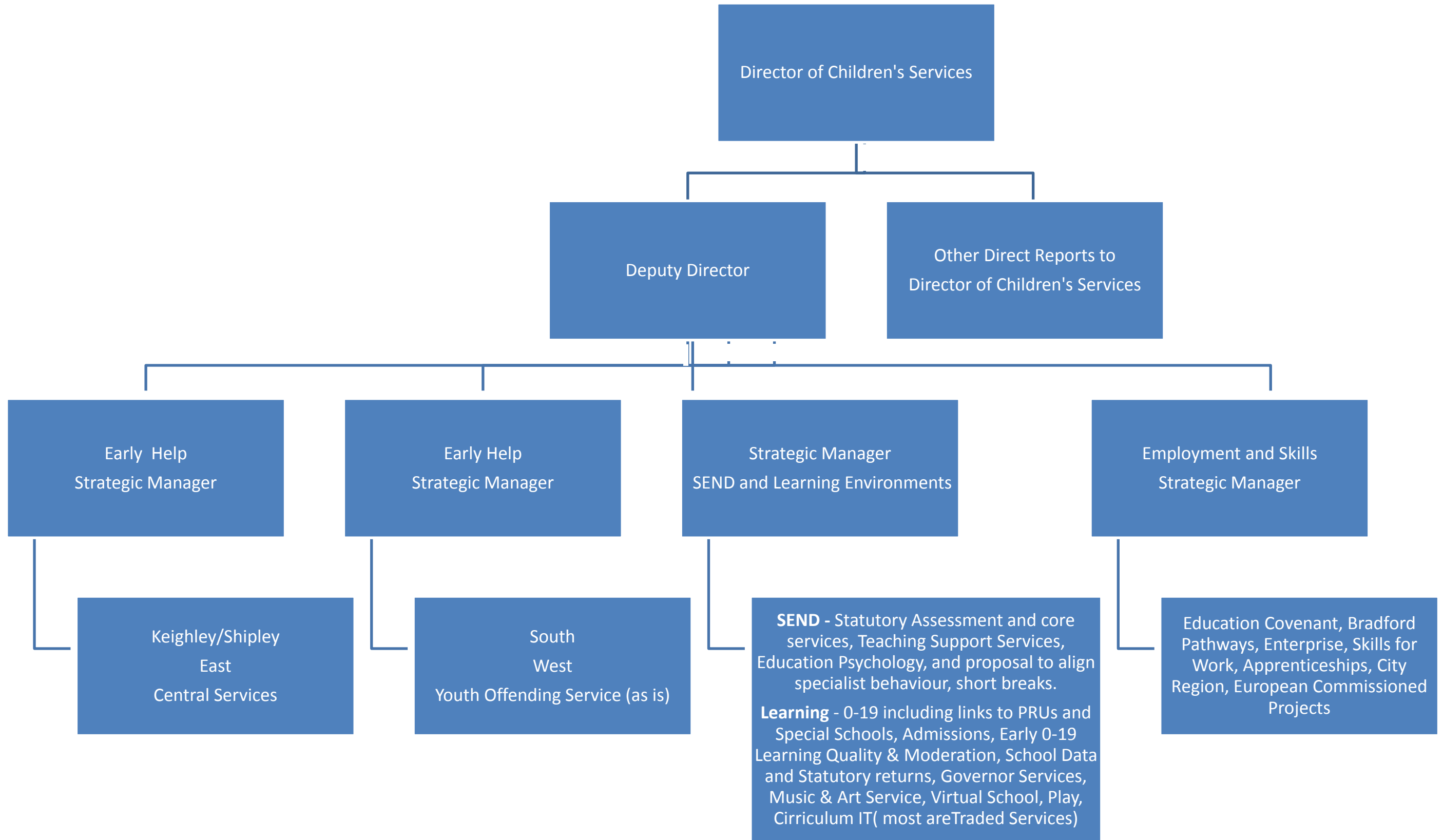
There will be a clear alignment to other services such as Health, Police, maternity and specialist services, making referral and access much easier.



Public Health 0-19 services will be commissioned and aligned to the Prevention and Early Help model. This will include prioritisation according to the locality footprint and health needs.

There will be consistent focus on improving outcomes and reducing inequalities for the district for Children and young people age 0-19 across all services for the district.

The 0-19 public health services will be commissioned so that they are co-located and integrated with the Prevention & Early Help Teams



**The teams and functions below will work together with communities, universal and commissioned services, for example, co-delivery of groups with schools, short breaks for disabled children and young people and commissioned key workers  
Practice leads and champions will be identified**

<p><b>The proposed core functions in each of the four areas:</b></p>	<p><b>The following are proposed to retain a district-wide focus:</b></p>
<p><b>Area Leader:</b></p> <ul style="list-style-type: none"> <li>• To champion and facilitate local partnerships to support delivery</li> <li>• To oversee, implement and report on an Area Outcome Plan</li> <li>• To lead the area teams and oversee delivery of high quality services</li> <li>• To ensure that children, young people and their families have a voice and influence in the area offer</li> <li>• Facilitate integration and co-location with aligned services</li> <li>• Have responsibility for maintaining specialist knowledge and experience in a defined areas of the prevention service, leading on this throughout the service:             <ul style="list-style-type: none"> <li>○ Early childhood development &amp; children’s centre core offer</li> <li>○ Young people’s support</li> <li>○ Commissioning</li> </ul> </li> </ul>	<p><b>Early Education and Childcare Sufficiency Strategy:</b></p> <ul style="list-style-type: none"> <li>• Meet childcare sufficiency duties including universal 2 year-old 15 hour offer and 30 hour offer for 3 and 4 year-olds and working in collaboration with School Admissions Team</li> <li>• Sufficiency strategy and planning and gap analysis</li> <li>• Market development and communications</li> </ul>
<p><b>Prevention Planning Team:</b></p> <ul style="list-style-type: none"> <li>• To work with partners and local communities to develop and implement a offer of evidence based programmes in response to needs</li> <li>• To ensure that the following areas are central to the offer:             <ul style="list-style-type: none"> <li>• Early childhood development and school readiness</li> <li>• Parenting skills through the age ranges</li> <li>• Health and wellbeing</li> <li>• Family and maternal health and mental health</li> <li>• Positive activities for young people</li> </ul> </li> <li>• To facilitate co-delivery with volunteers and service users</li> </ul> <p>A pot of funding will be made available in each area to support community involvement in delivery of prevention activities.</p>	<p><b>Service support:</b></p> <ul style="list-style-type: none"> <li>• Data analysis and predicting/targeting needs</li> <li>• Performance overview/reports</li> <li>• Administration</li> <li>• Commissioning oversight</li> <li>• Financial monitoring</li> <li>• Task focused projects</li> </ul>
<p><b>Public Health 0-19 services</b></p> <ul style="list-style-type: none"> <li>• Statutory responsibility for delivering and commissioning public health services for children 5-19 years and responsibility for children’s public health commissioning for 0-5 years. Delivering on the Department of Health’s Public Health Outcomes Framework.</li> <li>• The functions under these will include:             <ul style="list-style-type: none"> <li>○ Delivery of the five mandated health checks by Health Visiting teams universally to all women antenatal, at birth, 6 months, 1 year and at 2 years</li> <li>○ Leading work with partners to deliver on the Healthy Child Programme and high impact areas for all children 0-19 years, providing clinical leadership to prevention teams and providing an enhanced service to women who are identified with issues such as post natal depression or child health problems</li> <li>○ Delivering on the National Child Measurement Programme, hearing screening and signposting to screening and other services as appropriate</li> <li>○ Identifying health needs through assessment of school age children at Reception, Year 6, Year 10 and transition so needs of children are identified and addressed early with signposting to and working with other key services as appropriate.</li> </ul> </li> <li>• Local authorities also have a statutory responsibility to provide or commission oral health improvement programmes as considered appropriate. This will include:</li> </ul>	<p><b>Early Help Gateway (incorporating Families Information Service):</b></p> <ul style="list-style-type: none"> <li>• Statutory duty to establish and maintain a service providing information, advice and assistance to families with children up to 20 years old (25 years for those with additional needs) regarding: Childcare and Early Education, Parent &amp; Toddler Groups, activities for Children with Additional Needs, leisure activities for all ages and abilities and Family Support Services.</li> <li>• Signpost families to support agencies and make referrals on their behalf for issues including: children’s behaviour, financial difficulties, mental health and domestic violence</li> <li>• Respond to requests for support from the Corporate Contact Centre</li> <li>• Provide an email text service for families in English and also Polish, Slovak, Czech, Urdu &amp; Punjabi</li> </ul>

<ul style="list-style-type: none"> <li>○ Delivery of the fluoride varnish programme</li> <li>○ Supervised tooth brushing in schools</li> <li>○ Support epidemiology and Screening in schools.</li> <li>● A specification will be developed which will ensure that these services are fully aligned to the new proposed functions and the locality footprint.</li> </ul>	
<p><b>Family Key Worker team:</b></p> <ul style="list-style-type: none"> <li>● Facilitate Early Help Panels</li> <li>● Proactively identify families with complex support needs, for example, Families First Payment by Results and families affected by substance misuse, domestic abuse and parental mental health</li> <li>● To supervise high quality case work with individual families</li> <li>● To deliver Payment By Results targets across the area through improved family outcomes</li> </ul>	<p><b>Intensive Family Support:</b></p> <ul style="list-style-type: none"> <li>● Family Group Conferencing</li> <li>● Preventing Repeat children removed by proceedings</li> <li>● Preventing entry into care</li> </ul>
<p><b>Early Education and Childcare Quality:</b></p> <ul style="list-style-type: none"> <li>● Ensuring the highest possible standards of childcare quality through a rigorous support and challenge approach with settings (Private, Independent and Voluntary providers) and childminders who are in receipt of early years funding where Ofsted judgments are Inadequate, Requires Improvement, Not Met and non-compliant and for other childcare providers (including out of school clubs) where Early Years Foundation Stage children are present to monitor quality and safeguarding.</li> <li>● Deliver services to potential new childcare (child minders &amp; group settings) providers from the registration process, ensuring their practice and facilities are of a high standard, to meet the welfare, early learning and development needs of children in the Early Years Foundations Stage.</li> <li>● Maintain the partnership links to promote LA District trends and patterns to identify and promote the strategies to ensure all children receive a great start to improve outcomes at the end of EYFS.</li> </ul>	<p><b>Education Attendance and Safeguarding Leads:</b></p> <ul style="list-style-type: none"> <li>● Overview of educational attendance</li> <li>● Predictive targeting to improve attendance</li> <li>● Traded whole school work</li> <li>● Safeguarding training &amp; guidance to settings and schools</li> <li>● Attendance penalty notices and legal action</li> </ul>
<p><b>Early Education and Childcare Take-up:</b></p> <ul style="list-style-type: none"> <li>● Increasing the uptake of all eligible children for early education places via outreach directly with parents in the community, community groups and organisations and other key partners such as BSB, VCS organisations.</li> <li>● Support children's centres and other partners to increase the uptake of early education in their reach areas.</li> <li>● Key link between Early Years in particular sufficiency, early years funding team, quality of early education/child care provision and partner organisations to ensure a smooth flow of two-way information about services / support for families.</li> </ul>	<p><b>Families First Payment by Results Lead:</b></p> <ul style="list-style-type: none"> <li>● 'Think Family' Workforce development</li> <li>● Signs of Safety</li> <li>● Oversight and delivery of Families First Outcome Plan</li> <li>● Link to commissioned Key Workers service</li> </ul>
<p><b>Diversity and cohesion</b></p> <p>Engage and support Asylum Seekers, Refugees, EU Migrant Workers and Roma families and families from the travelling community to access to education, to promote community cohesion and to offer support and guidance to schools. Focus on school attendance and reducing the numbers of children who are registered as missing education.</p>	



## APPENDIX 9 – Proposed changes to children’s centres aligned to proposed Prevention and Early Help areas.

The proposal is for the children’s centre core offer to be delivered by 0-19 Prevention and Early Help teams managed by the Council. It is proposed that delivery will continue through the following sites. These sites will continue to ensure a geographical spread across each constituency and maintains delivery in those centres with present higher levels of activity. We would plan to maintain and support continued delivery of midwifery & health visiting services across the centres and develop community or family hubs over time.

A FULL (F) centre is expected to deliver around 25 hours of delivery per week for 48 weeks per year. An OUTREACH (O) centre is expected to deliver a minimum of 8 hours of activities with children and families per week.

Area	Sites
West	Midland Road (F) Abbey Green (F) St Edmunds (F) Farnham/Grange (F) Allerton (F) Crossley Hall (F) Heaton (F) Frizinghall (F)  Thornton (O)  Lilycroft/Farcliffe <b>propose to change to Outreach base</b>  Princeville <b>propose to change to Outreach base.</b>
East	Barkerend (F) Mortimer House (F) Communityworks (F) Gateway (F) Fagley (F) Canterbury (F) Woodroyd (F) Burnett Fields (F)  Parkland <b>propose to change to Outreach base.</b>
South	Holme Wood (F) Reeve Hill (F) Woodside (F) Lidget Green (F)  Victoria Hall (O)  Wyke <b>propose to change to Outreach base.</b>  Tyersal <b>propose to change to Outreach base.</b>  Bierley <b>propose to change to Outreach base.</b>

ShIPLEY	Owlet (F) Strong Close (F)  Bingley 2 (O) Bingley 1 (O) Baildon (O)  Hirst Wood <b>propose to change to Outreach base.</b>
Keighley	Low Fold (F) Rainbow (F)  Ilkley 1 (O) Ilkley 2 (O) Daisy Chain (O) Tree Tops (O)  Highfield <b>propose to change to Outreach base.</b>

## APPENDIX 10 – SEN Improvement Test

Objective	Evidence / Data
Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy	<p>Area based activities which are close to children and families; we will continue to deliver the short breaks statement and activities to support disabled young people to access to local leisure.</p> <p>Local Hubs building expertise around disability issues will increase access for disabled children and childcare.</p>
Improved access to specialist staff, both education and other professionals, including any external support and / or outreach services.	We intend to ensure that there is a strong link with the proposals to transform SEND services which will include dedicated and specialist support to universal services particularly childcare and early education; this enhances the offer at a local level.
Improved access to suitable accommodation	<p>An element of the proposed Early Help model includes a commissioning pot which can be deployed to increase Children and Young People access where they need some additional support beyond reasonable adjustments.</p> <p>Children and Young People who need individualised packages of support should be signposted to the statutory single Education Health Care Plan Assessment processes.</p>
Improved supply of suitable places	The proposed Early Help model includes on-going capacity around childcare; access and quality, there will be links with workers and the proposed transformed SEND Services to increase accessibility for Children and Young People with disabilities.
Confirmation from the host school that they are willing to receive pupils with communication and interaction needs	N/A
Confirmation of specific transport arrangements	<p>An area based model will increase accessibility of services for Children, Young People and Families.</p> <p>For those Children and Young People with higher needs a referral to assessment for a personal budget may be required. A range of targeted inclusive activities for disabled children are also commissioned.</p>
Confirmation of how the proposals will be funded and the planning staffing arrangements put in place	The proposed Early Help model will be funded through Council base budget, this includes provision for short breaks, specialist behaviour and inclusion for disabled children and young people.

## Appendix 11 – Equalities Impact Assessment

<b>Department</b>	Children's Services	<b>Version no</b>	0.2
<b>Assessed by</b>	Mark Anslow/Maureen Braden	<b>Date created</b>	10 August 2017
<b>Approved by</b>	Judith Kirk	<b>Date approved</b>	
<b>Updated by</b>		<b>Date updated</b>	14 September 2017
<b>Final approval</b>		<b>Date signed off</b>	

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

### Section 1: What is being assessed?

#### 1.1 Name of proposal to be assessed.

A proposed remodelling of the Prevention and Early Help offer across the District.

#### 1.2 Describe the proposal under assessment and what change it would result in if implemented.

Ensuring effective Prevention and Early Help arrangements for babies, children, young people and families is an essential responsibility and statutory requirement of the Council and its partners.

The way key services are delivered is being transformed; this is due to the need to:

- continue to meet statutory requirements
- ensuring good outcomes for children are supported
- as much resource as possible is deployed to work directly with children, families and communities
- make financial savings required by 2020/21.

Our proposed Prevention and Early Help arrangements have to tackle inequality in order to improve the long term prospects of families most in need.

In light of the reduced budget, the proposed model includes a combination of a small group of central services and four new Prevention and Early Help teams, based on the current Parliamentary constituencies.

The following services are proposed to continue to be delivered centrally:

- Early Help Gateway (incorporating Families Information Service);
- Oversight of education safeguarding
- specialist behaviour support and inclusion;
- short breaks;
- intensive family support;
- youth offending;

- service support, for example admin, finance and performance management

The proposed model will create new 0-19 Prevention and Early Help Teams which will target those wards/areas with the poorest outcome and bring together the delivery of:

- the children's centre core offer across the District;
- targeted key work with individual children and families (Families First);
- parenting support;
- early education and childcare quality and take up;
- education attendance;
- diversity and cohesion.

This will bring together a number of key partnerships, services and commissioning plans. Based on our Families' Needs Assessment, it is proposed the four teams cover:

- Keighley/ShIPLEY combined
- East
- West
- South

The proposed model will support the Council's previous intentions to procure Public Health children's services including Health Visiting, Family Nurse Partnership, School Nursing and Oral Health and will be an opportunity to align services to the constituency footprint. This will also be based on consultation and needs as identified in the Service Reviews for Health Visiting and School Nursing in 2016.

The proposed model also aligns with the Council's Youth Services and ward partnerships.

In order to achieve the required savings we expect this will lead to a reduction in the region of 220-240 (including all seven Children's Centre clusters) full time equivalents across the affected teams and services.

The proposal means that the children's centre core offer will be delivered through the 0-19 Prevention and Early Help Teams. It is also proposed that we align children's centre sites to the Parliamentary constituency boundaries and that the following buildings are reconfigured as Outreach bases (which are expected to deliver a minimum of 8 hours of activities per week with children and families):

- Hirst Wood;
- Highfield;
- Parkland;
- Farcliffe & Lilycroft;
- Princeville;
- Bierley;
- Tyersal;
- Wyke.

## **Section 2: What the impact of the proposal is likely to be**

- 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.**

This proposal is intended to advance the equality of opportunity and a range of outcomes for babies, children, young people and families through universal services in all areas but with a higher level of targeting in those areas in which children experience the poorest outcomes.

In the top ten wards, which will be targeted with enhanced support in the proposed model, there is a strong relationship between deprivation and the poorest outcomes for children and young people.

Proposed area teams will ensure delivery across the district as a whole and will ensure that services are accessible to the needs of our diverse communities.

- 2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

Essential statutory services will be maintained by the LA, as well as those that deliver support to the vulnerable and disadvantaged e.g. through universal and target services.

A model based across areas footprint will help to eliminate discrimination and harassment by fostering a greater understanding of each other's needs, and through early identification, assessment and intervention using specialists and high quality practitioners improve outcomes for children, young people and families.

- 2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

The equality assessment carried out indicates that this proposal is likely to have no or a low impact, and so there is no disproportionate impact on any group who share protected characteristics. There is however a lot of change happening within the system as outlined above.

The changes are expected to lead to a reduction of the workforce in the region of 220-240 full-time equivalents. Final figures will be subject to consultation and subsequent grading of posts and assimilations within the proposed new structure.

The affected workforce will include a higher proportion of women and detailed analysis will also identify any other protected characteristics within the workforce, for example, age.

As the changes are implemented the impacts will be reviewed and measured against the Outcomes Framework.

**2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

<b>Protected Characteristics:</b>	<b>Impact (H, M, L, N)</b>
Age	L
Disability	L
Gender reassignment	N
Race	L
Religion/Belief	N
Pregnancy and maternity	L
Sexual Orientation	N
Sex	M
Marriage and civil partnership	N
<b>Additional Consideration:</b>	
Low income/low wage	L

**2.5 How could the disproportionate negative impacts be mitigated or eliminated?**

(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

We used the information collected from our engagement process to determine whether there would be an impact on any of the equality groups. On-going analytical and evaluation work will be undertaken to ensure services are meeting demand and outcomes are being achieved.

In order to improve outcomes for those with the poorest outcomes we will need to target resources. As such, we will not be able to offer the same level of support in all areas.

Families with low incomes in all areas will be identified and offered support. Ethnic minority children and young people tend to be concentrated in the priority wards.

Each of the proposed Prevention and Early Help Teams will be required to develop a Area Needs Assessment and Offer which will outline how the offer is responding to outcomes for children in their area. This will incorporate and publicise the children's centre services to children under 5 and their families. We will continue to track and monitor the activities offered as already undertaken by children's centres. This will allow us to monitor changes and make adjustments to the offer over time.

For children and young people, our proposed One Family, One Worker, One Plan approach should provide support without a succession of interventions from different agencies.

It may be possible that some children and parents in less deprived areas may find it harder to access children's centre services. We will address this by ensuring that there is a range of sites and activities across all areas but these will be increased in targeted areas. We will also maintain strong relationships with childcare and schools in all areas so that vulnerable children and families in all areas can be provided with additional support when needed.

We are proposing continuation of a range of sites, both designated and outreach in all areas. This should allow for flexibility and stepping up support as and when needs indicates.

Close alignment with Youth Services, Places Services and health services will also allow us to adjust services when needs become apparent.

This document will be updated as we undertake more detailed analysis of impact on protected characteristics within the affected workforce.

### **Section 3: Dependencies from other proposals**

#### **3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.**

Partners engaged with to date include:

- Children, young people, families, parents, carers
- Education settings
- Health colleagues
- Police
- Public and Voluntary sector
- Community Partners
- Businesses
- Council employees
- Elected members

Information has been uploaded onto the Bradford Council Consultation and Engagement webpage, Local Offer site, Bradford Schools Online.

Information was distributed through Children Centre summer events, Libraries, Better Start Bradford parent events and group sessions organised by the Commissioner for Youth Provision and Police Summer Camps.

A summary of the messages from the engagement period is provided in the Executive report alongside an overview of stakeholders to the formal consultation and methods to be used.

A SEN Improvement Test has been completed.

We need to ensure we formally consult widely, for example, people with English as a second language, LGBT young people and fathers.



## **Section 4: What evidence you have used?**

### **4.1 What evidence do you hold to back up this assessment?**

A Families Needs Assessment has been completed.

This document included considerable analysis which provides a baseline of data covering a breadth of information from demographics, deprivation, maternity, health, education and social services and this analysis will underpin the development of the proposed model.

An overview of the affected workforce is in place. Detailed analysis of impact on the workforce is on-going and this assessment updated as appropriate.

Executive report and appendices discussed at the Council Executive on 11 July 2017 and on 7 November 2017 outline the analysis gathered.

### **4.2 Do you need further evidence?**

An initial engagement on was run from 17 July 2017 to 20 August 2017 when a wide range of stakeholders were consulted. This analysis was reviewed and where necessary changes and amendments were made in light of feedback received. This analysis was fed into the Executive Report which will be discussed at the Council Executive on 7 November 2017. There was broad agreement to the proposed vision, outcomes and messages related to people's views about using and accessing services.

## **Section 5: Consultation Feedback**

### **5.1 Results from any previous consultations prior to the proposal development.**

Over 500 parents were surveyed in summer 2016. We asked for their views on Early Help. Main messages received were:

- One-to-one and group sessions with other parents are helpful;
- We want to be able to talk to someone who will listen to our needs. Get to know us and our children if you are supporting us;
- We really value and need 'hands on and practical support' as well as advice. Having a key worker is important as it helps us build a relationship;
- We need advice from people with good knowledge of the people and places where we can receive support in our local communities;
- Getting good advice on managing children's behaviour is really important for us. Easy to access support around behaviour is most helpful before problems become bigger;
- We want support in getting training and better skills;
- We need to know what help is on offer and where we go to get it. Some of us will need extra help to attend groups and services;
- Some services should be available at evenings and weekends for those in work (and don't forget dads);
- We're happy to get help at any time of the day or week, but prefer getting help at home or at a welcoming centre nearby;
- Local venues are important and they should have spaces for private conversations;

- A single point of contact is important so we don't feel like they have to repeat our story again and again.

**5.2 The departmental feedback you provided on the previous consultation (as at 5.1).**

The above feedback was incorporated within developments so far and also considered as part of the present proposals.

**5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).**

The Council Executive is meeting on 7 November 2017 to consider the options and a preferred proposal. Following this meeting, and any amendments that are required to be made, a formal consultation period will begin running from 15 November – 12 February 2018.

**5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.**

Responses to be provided at the end of the formal consultation – February.

**APPENDIX 12 – Summary of consultation stakeholders and interested parties and methods of consultation**

<b>Prevention and Early Help – Stakeholder Consultation Plan</b>			
	<b>Purpose</b>	<b>Type / Method</b>	<b>When / Frequency</b>
<p>Parents and Carers across the District, including Parent and Carer Forums</p> <ul style="list-style-type: none"> <li>• Communities of Interest</li> <li>• LGBT</li> <li>• New Arrivals</li> <li>• Future Parents</li> <li>• Gypsy and Travellers</li> <li>• Refugee and Homelessness</li> <li>• Faith Groups / Leads</li> <li>• Inclusion Groups</li> <li>• Young carer groups</li> <li>• Women’s Health Network</li> </ul> <p>(Reach areas of the top 10 wards (ward officers), clusters)</p>	<p>To ensure wider reach during engagement / consultation / feedback</p> <p>Engage in scoping and design where directly affected</p>	<ul style="list-style-type: none"> <li>- Focus Groups at Children Centres / Libraries</li> <li>- On-line survey</li> <li>- Engagement and Consultation</li> <li>- Council website</li> <li>- Local Offer website</li> <li>- Social media (Twitter / Facebook) / Stay Connected / Bradford App</li> <li>- Families Information Service</li> <li>- Citizen’s e-panel</li> <li>- Bradford Volunteering Centre</li> <li>- New Communities &amp; Travellers</li> </ul>	<ul style="list-style-type: none"> <li>• Initial engagement 18/07/17 to 20/08/17.</li> <li>• Formal consultation from 15/11/17 to 12/02/18</li> <li>• Parents Forum (16/10/17, 29/11/17, 04/01/18, 09/01/18, 15/01/18, 16/01/18)</li> <li>• Public drop-in sessions (venues TBC): 05/12/17 (am), 12/12/17 (am), 23/01/17 (pm), 08/02/17 (pm)</li> <li>• Partner drop-in sessions (venues TBC): 05/12/17 (am), 12/12/17 (am), 23/01/17 (pm), 08/02/17 (pm)</li> </ul>
<p>Children and Young People (including those with SEND)</p> <p>(LGBT, CYP Survey (Language), Youth Service, PALs, Young People’s Support Group)</p> <p>Youth Provision Sessions / Workshop</p>	<p>To ensure wider reach during engagement / consultation / feedback</p> <p>To gather current experience accessing services</p> <p>To engage and consult in scoping and design where directly / indirectly affected</p>	<ul style="list-style-type: none"> <li>- Youth Service</li> <li>- Focus Groups</li> <li>- On-line survey</li> <li>- Social media (Twitter / Facebook) / Stay Connected / Bradford App</li> <li>- Colleges / University</li> <li>- Engagement and Consultation</li> <li>- Council website</li> <li>- Local Offer website</li> </ul>	<ul style="list-style-type: none"> <li>• Engagement completed and analysis reviewed.</li> <li>• Formal consultation to begin on 15/11/17 to 12/02/18</li> <li>• Model to be confirmed in February 2018 once analysis of feedback has been undertaken.</li> <li>• Youth workshops (TBC)</li> </ul>

	<b>Purpose</b>	<b>Type / Method</b>	<b>When / Frequency</b>
Elected Members, Local Ward Members, Executive, CMT, DMT Meetings, Area Committee Meetings Overview & Scrutiny, CCG Ward Level Meetings	<p>To support initiation and on-going implementation across services and teams</p> <p>To keep informed of key information / changes and input into recommendations.</p> <p>Endorse and agree proposals.</p>	<ul style="list-style-type: none"> <li>- Presentations, member briefings and updates</li> <li>- Engagement and Consultation Council website</li> <li>- Local Offer website</li> <li>- Parish and Town Councils</li> <li>- CNet</li> </ul>	<ul style="list-style-type: none"> <li>• CMT on 18/10/17</li> <li>• CMT/Pre-Exec on 24/10/17</li> <li>• Council Executive on 07/11/17</li> <li>• Keighley Area Committee – 14/12/17</li> <li>• Shipley Area Committee – 13/12/17</li> <li>• East Area Committee – 11/01/18</li> <li>• South Area Committee – 30/11/17</li> <li>• West Area Committee – 29/112017</li> <li>• Overview &amp; Scrutiny – (17/01/18)</li> <li>• Member drop-in sessions (venues TBC): 28/11/17, 12/12/17, 15/01/17, 01/02/17</li> <li>• Town and Parish Council Mtg – 14/12/17</li> </ul>
<p>Key Partnership Groups</p> <ul style="list-style-type: none"> <li>- Children’s Trust Board</li> <li>- YOT Board</li> <li>- Safeguarding Board</li> <li>- Early Help Board</li> <li>- Early Years Strategic Group</li> <li>- Accountable Care Board</li> <li>- Self-Care Board</li> <li>- SEND &amp; Behaviour Strategic Partnership</li> <li>- Bradford District Partnership</li> <li>- Health and Wellbeing Board</li> <li>- Futures in Mind</li> <li>- Safer and Stronger</li> </ul>	<p>To support initiation and on-going implementation across services and teams</p> <p>To keep informed of key information / changes and input into recommendations.</p> <p>Endorse and agree proposals.</p>	<ul style="list-style-type: none"> <li>- Presentations, briefings and updates</li> <li>- Engagement and Consultation Council website</li> <li>- Local Offer website</li> </ul>	<ul style="list-style-type: none"> <li>• Accountable Care Board – TBC</li> <li>• Safeguarding Board – (13/12/17)</li> <li>• Children’s Trust Board – (15/12/2017)</li> <li>• YOT Board – TBC</li> <li>• Self-Care Programme Board – TBC</li> <li>• Early Help Board – TBC</li> <li>• BDP – 07/12/17</li> <li>• Health and Wellbeing Board – TBC</li> <li>• SEND Strategic Partnership – ASB (TBC)</li> <li>• Integrated Early Years Strategy Group (12/12/17)</li> </ul>

<p>Partnership</p> <ul style="list-style-type: none"> <li>- Domestic Violence Group</li> <li>- Better Start Bradford Board</li> <li>- Maternity Programme Board</li> </ul>			<ul style="list-style-type: none"> <li>• Better Start Bradford Board (TBC)</li> </ul>
<p>Voluntary Sector, Young Lives Health and Wellbeing Forum</p> <p>Private and Independent Sector</p>	<p>To support initiation and on-going implementation across key services and teams</p> <p>To keep informed of key information / changes and input into recommendations</p>	<ul style="list-style-type: none"> <li>- Weekly briefings and newsletters</li> <li>- 'One off' newsletter for P&amp;EH</li> <li>- Survey</li> <li>- Engagement and Consultation Council website</li> <li>- Social media (Twitter / Facebook / Stay Connected / Bradford App)</li> </ul>	<ul style="list-style-type: none"> <li>• Young Lives Forum sessions (28/11/17 and 29/11/17)</li> </ul>
<p>National Organisations</p> <ul style="list-style-type: none"> <li>• DfE</li> <li>• GP Alliance</li> <li>• Ofsted</li> <li>• National Charities</li> </ul>	<p>To keep informed of key information / changes and input into recommendations</p>	<ul style="list-style-type: none"> <li>- On-line survey</li> <li>- Social media (Twitter / Facebook) / Stay Connected / Bradford App</li> <li>- Engagement and Consultation Council website</li> <li>- Local Offer website</li> </ul>	<ul style="list-style-type: none"> <li>• Maternity Programme Board – TBC</li> <li>• GP Alliance – TBC</li> <li>• Practice Managers - TBC</li> </ul>
<p>Key teams and services:</p> <ul style="list-style-type: none"> <li>• LA</li> <li>• Early Help Panels</li> <li>• Police</li> <li>• Health Visiting and School Nursing</li> <li>• VCS</li> <li>• Children's Centres clusters</li> <li>• Nursery Schools</li> <li>• Care Trust - CAHMS, Child Development Centres</li> </ul>	<p>To engage in scoping and design when directly affected.</p> <p>To keep informed of key information / changes and input into recommendations</p> <p>To deliver changes in practice on the ground</p>	<ul style="list-style-type: none"> <li>- Web-based and newsletter updates</li> <li>- Updates through Management and staff meetings.</li> <li>- Drop-in sessions and briefings with those teams directly affected.</li> <li>- CMT Messages</li> <li>- BradNet</li> <li>- Online survey</li> <li>- Social media (Twitter / Facebook) / Stay Connected / Bradford App</li> <li>- Departmental Consultation Leads</li> <li>- Training and workforce development to targeted teams</li> <li>- Engagement and Consultation</li> <li>- Council website</li> </ul>	<ul style="list-style-type: none"> <li>• Initial briefings to affected staff and colleagues on 30 October 2017 (venue to be confirmed).</li> <li>• Drop-in sessions for internal staff (venue TBC): 13/12/17, 14/12/17, 30/01/17, 01/02/17</li> </ul> <p>Early Help Panels</p> <ul style="list-style-type: none"> <li>• West / Lister Lane – 22/11/17</li> <li>• Airedale/Wharfedale – 19/01/18</li> <li>• Keighley – 23/11/17</li> <li>• Others TBC</li> </ul>

		<ul style="list-style-type: none"> <li>- Local Offer website</li> <li>- Departmental Consultation Leads (see service list)</li> </ul>	
Trade Unions	<p>To keep informed of key information / changes and input into recommendations</p> <p>To consult under Managing Workforce Change as and when required</p>	<ul style="list-style-type: none"> <li>- Briefing through OJC Level 3 in the first instance</li> <li>- Regular monthly meetings with Unions to update on developments throughout programme.</li> <li>- Consultation under Workforce Changes as and when required</li> <li>- Engagement and Consultation Council website</li> <li>- Local Offer website</li> </ul>	<ul style="list-style-type: none"> <li>• OJC Level 3 on 05/10/17</li> <li>• Fortnightly OJC Level 3 meetings to be scheduled (dates to be confirmed)</li> </ul>
<p>All staff from Nurseries, Primary and Secondary Schools, Academies, Supplementary Schools, MATs, Governors</p> <p>Page 16 Letter to be issued to schools w/c 30 October 2017</p>	<p>To keep informed of key information / changes and input into recommendations through an engagement and consultation period.</p> <p>To engage and consult in scoping and design where directly / indirectly affected</p>	<ul style="list-style-type: none"> <li>- Updates provided through the Headteacher briefings</li> <li>- Bradford Schools Online</li> <li>- Online survey</li> <li>- Social media (Twitter / Facebook) / Stay Connected / Bradford App</li> <li>- Engagement and Consultation Council website</li> <li>- Local Offer website</li> </ul>	<ul style="list-style-type: none"> <li>• Initial engagement 18/07/17 – 20/08/17)</li> <li>• Formal consultation from 15/11/17 to 12/02/18</li> <li>• Headteacher, Governors &amp; other key briefings (21 and 27 November 2017) –</li> <li>• EH Cluster Managers – pastoral leads/CAF Leads</li> <li>• BPIP Meeting - TBC</li> </ul>

## Report of the Director for Regeneration to the Executive to be held on 7<sup>th</sup> November 2017.

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**AD**

**Subject:**

**Bradford District Cycle Strategy**

**Summary statement:**

Bradford's first Cycle Strategy was produced in the 2012 and endorsed by the Environment and Waste Overview and Scrutiny Committee. Since 2012 there have 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) have undertaken to update and improve the Cycle Strategy. The Strategy format as presented with this paper 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.

This report also presents the key content of the associated Action Plan with the 'Top 10' issues therein highlighted for committee attention. Also presented with this report are the Key Performance Indicators of the strategy.

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Steve Hartley  
Strategic Director, Place

**Portfolio:**

Planning, Transportation and Highways

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**Overview & Scrutiny Area:**

Environment and Waste



## 1. SUMMARY

See Summary Statement

## 2. BACKGROUND

Since 2012 Bradford has had a Cycle Strategy which was produced by a partnership of the local cycling community, various cycling charities and the Council. As such this strategy was endorsed by the authority via this committee. The original intention was that this original strategy would be in place from 2012 to 2020.

In the intervening years a variety of changes relating to cycling have come to the region and to the district. This includes the increased presence brought by the visit of the Tour de France in 2014, new strategic guidance at the regional level and much increased investment as brought by the CityConnect programme.

These changes led to all participants in the partnership behind the strategy agreeing that the Cycle Strategy and Action Plan should be revisited to reflect the changed reality of current circumstances. The suggested change saw strategy drafted, consulted upon and finalised with an endorsement the Environment and Waste O&S Committee as of April 2017.

The format for both the publication draft of the strategy and the long term annual reporting (for the Action Plan and KPIs) are presented to committee in proposed final form.

## 3. OTHER CONSIDERATIONS

- The attached strategy format is the final layout for the 2016-2026 strategy as endorsed at the Environment and Waste Overview and Scrutiny Committee in April 2017.
- The improved structure of the Cycle Strategy uses three key areas relating to Environment, Encouragement and Engagements the focus for a variety of objectives. These three areas of focus were directly inspired by the key regional strategic cycling document, the West Yorkshire Cycling Prospectus, which was completed in 2014.
- The Action Plan is a 'live' document which is intended to function as a catch all for the aspirations of cycling development work in the district. Given the lengthy nature of such a format it was proposed that a 'Top 10' list should form a key part of the future reporting to the Committee – to present the key issues as understood by the cycling community, raise awareness of these issues within the authority and explore possible solutions to which the authority might be able to contribute. Please see the attached 'Action Plan - Top 10 Priorities' document for full details of the key issues.
- Partner consultation has made it clear that the strategy should consider a range of Key Performance Indicators (KPIs) to help inform on how delivery is having an impact. See attached 'KPIs - April 2017' document.
- It is proposed that this Strategy is only endorsed by the authority rather than adopted. This means that the contents are not binding for the authority but also





that the partnership behind it have relative freedom to set out their ambitions for cycling development.

- Some of the actions of the Action Plan may lead to other documents being produced that could be formally adopted by the authority and in turn appended to the strategy (e.g. a Route Network Strategy) subject to appropriate political scrutiny.

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

As an endorsed document the Cycle Strategy does not place any direct obligation on the authority in terms of finance or resource. It is likely that partner expectation in relation to delivery may increase in association with this document however this will be managed as set out in section 5 below.

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

- The relationship of the Cycle Strategy to Bradford Council will be managed by the Report Contact with once annual reporting to the Environment and Waste O&S Committee.
- Subject to Executive approval the O&S Committee may wish to refer important matters for Executive attention.
- The format of reporting to the Committee will continue to highlight the 'top 10' actions as determined by the membership of the B-Spoke cycle forum and to report on KPIs.
- The Report Contact will meet with the members of the B-Spoke cycle forum at their quarterly meetings. As such the officer will provide practical and pragmatic steer to ensure that content presented at Committee is that which is most pertinent for Committee and Council attention.

#### **6. LEGAL APPRAISAL**

There are no direct legal implications arising from this Report but the Council does have powers under the Cycle Tracks Act 1984 , Highways Act 1980, Traffic Regulation Orders and the general power of competence contained in S.1 of the Localism Act to facilitate cycling within its area

#### **7. OTHER IMPLICATIONS**

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

None

##### **7.2 SUSTAINABILITY IMPLICATIONS**

Positive impact in encouraging sustainable travel behaviours and healthy lifestyles



### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

Positive impact in encouraging sustainable travel behaviours and healthy lifestyles

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

Cycling can and does have a relationship to safety, particularly in highway contexts. A key onus of various elements in the strategy is to improve cycling safety with infrastructure and training opportunity improvements.

### **7.5 HUMAN RIGHTS ACT**

None

### **7.6 TRADE UNION**

None

### **7.7 WARD IMPLICATIONS**

Whole district approach

### **7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

n.a.

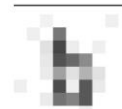
## **8. NOT FOR PUBLICATION DOCUMENTS**

None

## **9. OPTIONS**

9.1 That Executive agrees the recommendations outlined in this report and endorses the Cycle Strategy (Appendix A) and reporting approach of the Action Plan 'Top 10' and KPI reporting.

9.1 That Executive proposes an amends to this report, the Cycle Strategy (Appendix A), the Action Plan 'Top 10' (Appendix B) and/or the KPI reporting (Appendix C).



9.3 That Executive does not agree to the recommendation does not and endorse the Cycle Strategy (Appendix A) or the reporting approach of the Action Plan 'Top 10' and KPI reporting.

## **10. RECOMMENDATIONS**

- (1) That this report be noted by the Executive
- (2) That the below Appendix 1 be endorsed by the Executive
- (3) That the reporting approach of Appendix 2 and Appendix 3 below be endorsed
- (4) That the Executive will consider those important matters as referred to them by the Environment and Waste O&S Committee

## **11. APPENDICES**

- Appendix 1 - Bradford Cycle Strategy
- Appendix 2 - Action Plan – Top 10 Priorities
- Appendix 3 - KPIs – April 2017



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# Action Plan – Top 10 Priorities

# APPENDIX 1

Update Version – April 2017

The Action Plan is a lengthy document that lists actions that are both current priorities as well as longer term aspirations. In order to focus our attentions and capture critical issues such that others can understand our most pressing concerns the below lists one action per objective that the cycling community regard as the most urgent issues in need of attention

Objective	Priority Action	Issues & Opportunities
<b>1A. STRATEGIC ROUTE DEVELOPMENT</b>	Canal Road Greenway – Northern Link crossing Leeds Road at Shipley AND Canal Towpath –Link between Shipley and Apperley Bridge	<b>Issues:</b> Sections incomplete. Difficult getting third parties to engage (particularly Network Rail). Monies for investment have been lost. Needs dedicated time resource. <b>Opportunities:</b> Would serve as key routes to connect many to the city.
<b>1B. LOCAL NETWORK DEVELOPMENT</b>	Develop a Local Network Feasibility and Route Plan	<b>Issues:</b> Local network cycling needs not understood. Most critical in locations where highway schemes in development may impact cycling safety (e.g. North Street, Keighley & Tong Street). <b>Opportunities:</b> Will deliver a comprehensive local network strategy for district cycle routes.
<b>1C. WAYFINDING AND MAINTENANCE</b>	Long term committed cycle specific maintenance fund	<b>Issues:</b> Regular complaints regarding maintenance and repair reaction times. <b>Opportunities:</b> Use of the Highway Maintenance Challenge Fund for cycling (subject to bid inclusion and success). Better link reporting and responses (e.g. perhaps via online tools like CycleScope).
<b>1D. DESTINATION INFRASTRUCTURE</b>	Retention or replacement of closed road cycle circuit of Richard Dunns (RD) quality AND Delivery of a national standard Velodrome	<b>Issues:</b> RD is a major draw for cycling activity, would be major loss. Access to national standard facilities is difficult – nearest indoor velodrome is Manchester. <b>Opportunities:</b> Delivery of at least RD standard replacement would maintain current cycle sports engagement. National standard site would enhance reputation of and health in the district.
<b>2A. CHAMPIONING CYCLING</b>	Political and development champion to take up the list of 10 key issues in this Action Plan as their own priorities	<b>Issues:</b> Cycling community can feel remote from decision making and lacking in opportunity to liaise on key issues. <b>Opportunity:</b> A champion will provide point of contact for community. Promotional activity.
<b>2B. CYCLE TRAINING</b>	Cycle training provided to all reception age children via Learn to Balance and all Year 4/5/6 pupils via Bikeability	<b>Issues:</b> Learn to Balance – pilot programme in place. Funding to end in July 2017. Bikeability – recently expanded programme will in 2017-18 be under funded (much better funded in neighbouring districts). <b>Opportunities:</b> Ultimate aim is both available to all children. Increase in healthy activity and safety awareness.
<b>2C. SUPPORT FOR CYCLING EVENTS &amp; ACTIVITIES</b>	Continuation and expansion of mass participation events (e.g. British Cycling City Rides, Sunday closures and/or creation of a ‘Bradford Classic’)	<b>Issues:</b> (At least once annual) mass British Cycling led event not guaranteed going forward. Safety and traffic management issues in closing roads. <b>Opportunities:</b> With TdF, TdY and SkyRide, Bradford Council now has experience and ability in events and associated management issues. Tourism boost. Reputation and health benefits for district.
<b>3A. ADVERTISING AND PROMOTION</b>	Launch a #cyclebradford campaign to share news and issues on local cycling via social media	<b>Issues:</b> Cycling does not have a prominent or particularly positive public profile in the district. <b>Opportunities:</b> An opportunity to build and maintain the image of positive cycling activity in Bradford district
<b>3B. EDUCATING PARTNERS</b>	Adoption of a Midlands Style minimum passing distance campaign	<b>Issues:</b> Perceptions of danger are common reason given for non-participation. Police engagement required & current interest unknown. <b>Opportunities:</b> Potential to boost participation. To help ensure respectful driver behaviour.
<b>3C. LEADERSHIP, RESPONSIBILITY &amp; DELEGATION</b>	Bradford Council to take a final decision on the potential adoption of Queensbury Tunnel	<b>Issues:</b> Council yet to take position on the asset and the repair programme. Costs still to be confirmed. <b>Opportunities:</b> The tunnel has the potential to be used as part of the Great Northern Railway Trail cycle route. Potential tourism boost. Reputation and health benefits for district.

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# KPIs – April 2017 Appendix 2

Key Performance Indicators are vital in highlighting both the issues that cycling activities can help combat as well as key cycling related achievements. The KPIs have been categorised against the Target areas (pg 10) of the Cycling Strategy. \*Note\* Figures provided are for the latest available years as stated.

Target	Indicator	Data Collected	Previous Year	Last Full Year on Record	Description / Supporting Info
<b>Investment</b> Indicators which either directly indicate cycling investment or which highlight wider societal trends that reinforce the need for investment	Spend on cycling per person	Various sources (annual approx. spend for long term schemes)	<b>2015-16</b> Approximately £4 per person  Inclusive of...  CAPITAL - £2m REVENUE - £150k	<b>2016-17</b> Approximately £1.80 per person  Inclusive of...  CAPITAL - £750k REVENUE - £200k	This figure contains both approximate spend for capital route delivery and revenue / promotion projects. Capital works are invariably the lions share. The drop between the two years is in the most part a reflection of moving on from the delivery of on site works to the design of new schemes (design being a lesser expense). Only a small proportion of the overall spend is from council sources.
	Childhood obesity	No. of obese children in year 6	<b>2014-15</b> Obese 21.5% Obese and overweight 35.7%	<b>2015-16</b> Obese 22.3% Obese and overweight 36.4%	This indicator demonstrates the escalating problem of childhood obesity in Bradford district and highlights the need to combat the issue with opportunities for children to be active.
	New routes	Kilometres of new bespoke cycling specific route built	<b>2015-16</b> <i>TOTAL – 5.6km</i> Stanley Road Junction – 0.4km CS1 – 3.2km Canal Towpath Phase 2 – 2km	<b>2016-17</b> <i>TOTAL – 0km</i>	The seemingly severe difference between the two years is due in the most part to a continuing cycling delivery programme entering a design phase where 5km of work should be delivered with on site work starting in the 2017-18 year.
<b>Innovation</b> Indicators that highlight our success in securing new projects or the success of our existing cutting edge programmes	New cycling schemes secured	Details of new schemes	<b>2015 - 16</b> 1.CCAG2 programme 2.Bikeability Coordinator appointed	<b>2016 - 17</b> 1. Big Bike Revival – 37 events with 790 participants. 2. Capital of Cycling 3. Access Fund - £1.5m for WY on cycling and employment 4. Tour de Yorkshire Stage Start 5.Cycle Cities, Active Cities Conference	The 2015-16 year saw major developments with West Yorkshire securing a second Cycle City Ambition Grant funding allocation and the appointment of a coordinator for the children’s cycle training Bikeability programme. 2016-17 was a year where cycling encouragement activities saw a major boost with the great success of the Cycling UK Big Bike Revival and the emergence of the ‘Capital of Cycling’ community hub in the city centre. This year also saw agreement for major events of the 2017-18 year.
	Bike Friendly Businesses	No. of registered firms	<b>2015-16</b> No data	<b>2016-17</b> 6 participating businesses (2 accredited, 2 failed, 2 pending). 4 others visited but yet to commit.	A key part of the CityConnect programme (which built CS1 and is working on the further 5km of routes), this scheme started in 2016-17. It will see a boost in the 2017-18 year in forming part of the Access Fund programme.
	Sky Ride – mass participation event	No. of participants	<b>2015</b> 4000	<b>2016</b> 5000	The Sky Ride and Breeze programmes are run by British Cycling and seek to get the population more active. Skyride is aimed at a wide cross section of the population. Breeze is specifically for women (where participation is generally low). These indicators show the continued commitment of Bradford Council to the partnership with British Cycling and their programme of events and activities.
	Sky Ride Local	No. of participants	<b>2015</b> 982	<b>2016</b> 996	
	Breeze rides	No. of participants	<b>2015</b> 248	<b>2016</b> 243	

	Disability cycling	No. of participants	<b>2015</b> 205 participants (project breakdown not recorded)	<b>2016</b> 7 projects with a total of 368 participants	Bradford Disability Sports and Leisure have both improved their recording methods and increased activity over the two years with new work including women and girls sessions, increased engagement with disabled university students and cycling activities working with the Holme Farm Trust disability day centre provision.
	Cycle Sports	No. of events and participants	<b>2015</b> Cycle Sports Events – 36 Race participants – no data Race license holders – no data	<b>2016</b> Cycle Sports Events – 11 Race participants – 722 Race license holders – 255	This indicator provides an insight into the number of cycle sports events held in the district, the number of people these events attract (participants) and the number of active sports level cyclists (license holders) the district produces. Combined, these three indicators will provide a useful insight into the role of cycle sports in Bradford District.
<b>Towards a sustainable economy</b> Indications as to what affect our programme is having on modal choice	Travel to school	Hands up survey - %age by mode (All data from Primary Schools. Active Travel incl cycling, walking and scooting/skating)	<b>2014-15 academic yr</b> Active Travel - 60.7% Car - 39.2%	<b>2015-16 academic yr</b> Active Travel - 64.4% Car - 33.4%	The Hands Up survey is conducted as part of the Active School Travel Project working in a select number of the districts most in need schools (where obesity, poverty or school programme interest are highest) to increase children's and families participation in cycling and walking.
	Commuter cycling	Data from various vehicle count locations - %age by mode	<b>2015</b> 0.4% on city cordon	<b>2016</b> 0.4% on city cordon	10 year census data (last undertaken 2011) gives a modal split of 0.47%. It is anecdotally understood this figure should have increased in recent years. The only readily available source of data for counts taken on an annual basis is the city cordon traffic count. The commonality between the census and cordon figures is indicative of the big challenge the district faces in reaching a modal share of 5%.
<b>Normalised cycling</b> Indications as to the effect that our programme is having on public perception that cycling is attractive, safe and accessible	Active People Survey	%age of people physically active (cycling at least once a month)	<b>2013/14</b> 7.4% cycling at least once a month	<b>2014/15</b> 6.8% cycling at least once a month	The downward trend between the two latest available years is a matter for concern but cycling enthusiasm is anecdotally thought to have increased since the Tour de France in 2014. Further releases of the survey may prove enlightening.
	Registered cycle clubs	No. of clubs	No data	<b>2016</b> (British Cycling) –13 (Cycling UK) – 5	Whilst it is unfortunate that colleagues couldn't provide raw data from the previous year, anecdotally there is understood to be an increase in participation at the club level (indeed Bradford has the most clubs of any West Yorkshire district) which is source for encouragement into the longer term.
	Registered club members	No. of members at each club	No data	<b>2016</b> (British Cycling) – 2651 members	
	Cycle accidents	No. of accidents with cyclist injury	<b>2014</b> KSIs – 20 Total - 130	<b>2015</b> KSIs – 25 Total - 121	The year on year change here is a mixed picture with a lower number of total incidents but an increase in serious incidents. Longer term trends do however show a downward trend in casualty figures.
	Bridleways Legally Recorded	No. of orders processed	<b>2015</b> 1 order, 150 metres	<b>2016</b> 1 order, 624 metres	Bridleway legal orders are vital tools in preserving and protecting the legal status of routes across the district. Currently, those being recorded tend to be those with the highest strategic value, the rate at which they are recorded is expected to intensify in the years up to 2026 when a legal



					change will effectively 'freeze' the definitive map of such routes.
	Women Cycling	% Split of female users of CityConnect Routes	No data	<b>2016</b> Valley Road – 5% Airedale – 8%	This indicator was added to highlight a known issue in cycling, levels of women's participation. It confirms that levels are indeed very low compared to the male population. There may be issues in recording this indicator on an annual basis (thanks to loose programme requirements).
<b>Increased confidence and safety</b> Monitoring our children's and adults' cycle training programmes	Balance bike participants	No. of participants	No data	<b>2016</b> 1133	Balance Bikes are designed for very young children to develop the skill of balance prior to riding, this skill is shown to increase engagement and ability in later learning. In starting in the spring term of 2016 there is only one years worth of data for the Balance Bikes programme.
	Balance bike participating schools	No. of participating schools	No data	<b>2016</b> 23	
	Bikeability participants	No. of participants	<b>2015</b> 1761	<b>2016</b> 3046	The very impressive improvement in the Bikeability figures is a reflection of the impact from hiring a permanent Bikeability coordinator. If it wasn't for caps in the central government funding for this programme the target of all Year 5 and 6 children being trained would likely be attainable.
	Bikeability participating schools	No. of participating schools	<b>2015</b> 54	<b>2016</b> 77	
	Active School Travel programme	No. of participating schools	<b>Academic Yr 2014-15</b> 22	<b>Academic Yr 2015-16</b> 26	The Active School Travel Project is a programme working in a select number of the districts most in need schools (where obesity, poverty or school programme interest are highest) to increase children's and families participation in cycling and walking.
	Active School Travel engagements	No. of participants	<b>Academic Yr 2014-15</b> 12,591	<b>Academic Yr 2015-16</b> 12,114	
	Adult Cycle Training	No. of participants	<b>2015</b> Approx. 700 engagements on the go:cycling programme	<b>2016</b> 62 participants across 2 CityConnect and Cycling UK Health programmes	The quite severe drop in participation rates here is due to the end of the Local Sustainable Transport fund adult training programme in early 2015. This has meant a significant roll back to very geographically focused training delivery for an offer that was previously available district wide.

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*Making Bradford District a place where cycling is naturally part of everyone's daily life*



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# Keeping the Wheels Spinning

**Bradford District Cycle Strategy 2016 - 2026**





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3. Keeping the wheels in motion	6
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5. Our Cycle Strategy	10
6. Our Action Plan	21
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# 1. Setting the wheels in motion



The first ever Strategy for Cycling for Bradford District, *'Setting the Wheels in Motion, 2012-2020'*, was produced in 2012. The strategy has been pivotal in setting out the approach to cycling development in Bradford District and set out a range of principles that we seek to take forward as we keep those wheels spinning:

## OUR PRINCIPLES

- Writing the strategy was a combined effort between a range of partners from all the major sectors that have an interest in cycling. This partnership continues to be a key strength for the district and now holds regular meetings in the form of the Bradford Cycle Forum known as B-Spoke
- It covers all aspects of cycling and cycling-related activity in Bradford
- It has a highly pro-active approach with a number of defined working areas set out in an action plan
- It set open information sharing on cycling activity as a priority in the District and led to the establishment of a website for all things cycling related in Bradford District.

Much has happened since 2012 for cycling development (*see page 5 for some of our key achievements*). The largest single event was

undoubtedly the arrival of the Tour de France in 2014. The district of Bradford contains some of the best places to ride a bicycle in the world! If proof was needed, the worldwide attention on the 5th and 6th July that year and the front page of the Times on 7th July 2014 showed that!

The region is now well established as a fixture on the international cycling circuit with the World Cycling Championships of 2019 now set to come to the region.

Inspired by the visit of the tour to Yorkshire, new cycling strategies have been developed by partners at the regional tourism agency Welcome to Yorkshire and in regional government at the West Yorkshire Combined Authority. We also saw in 2016 the publication of the draft national *Walking and Cycling Investment Strategy*.

The need to be in line with regional and national strategies, developed since 2012, is one of the reasons that we felt it important to update the Bradford strategy. But it's not just cycling focused strategy that has changed since then. We have also seen the emergence of new economic and transport strategies at the regional level. The priorities of the Strategic Economic Plan (SEP), the West Yorkshire Transport Strategy and the West Yorkshire Low Emissions Strategies carry a responsibility to deliver 'good growth' in combining the need to develop the economy with a need to do so sustainably.

Strong local strategy helps to ensure that national and regional vision is aligned with local aspiration. In close alignment with the Bradford District Public Health, Physical Activity and Sport and Bradford Low Emissions Strategies this updated Cycling Strategy will help to ensure that our successful economic future is also one where the health of our local population and environments are assured.

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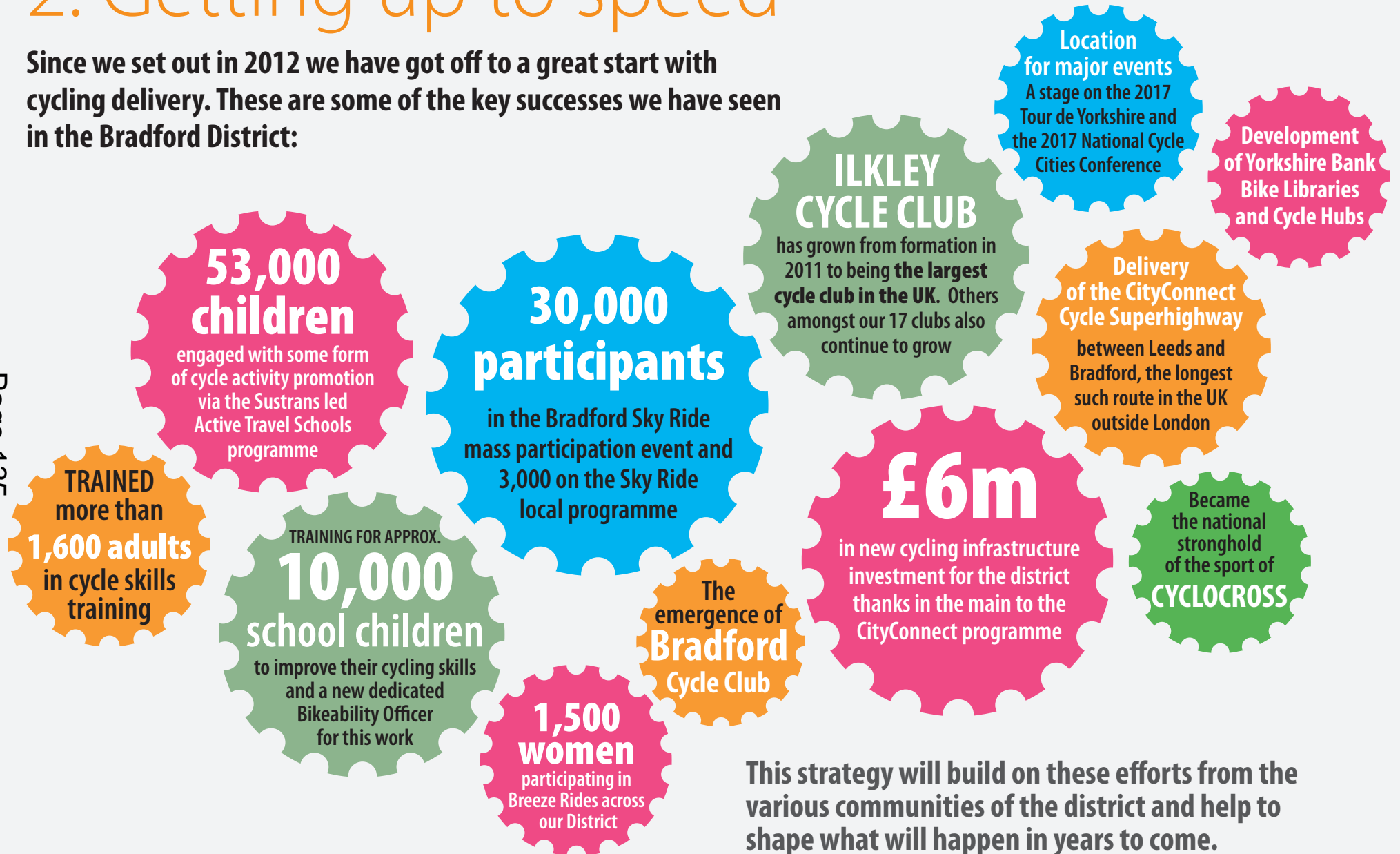




# 2. Getting up to speed

Since we set out in 2012 we have got off to a great start with cycling delivery. These are some of the key successes we have seen in the Bradford District:

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This strategy will build on these efforts from the various communities of the district and help to shape what will happen in years to come.

# 3. Keeping the wheels spinning

## OUR VISION

There is much more work to do to build on the 2012 Strategy and to fully open up cycling opportunities to both residents of the district and to visitors. Over 2016 and 2017 we have re-visited the strategy to make sure we are building on the momentum that has been established since 2012 and to keep those wheels in motion and ensure we maintain Bradford's place as an emerging cycling city and district. Central to our renewed efforts is our bold new vision to:

**“Make Bradford District a place where cycling is naturally part of everyone’s daily life”**

This vision links with and reinforces cycling partner visions both nationally and regionally: British Cycling, Cycling UK, Sustrans, DfT, Sport England, Public Health England and West Yorkshire Combined Authority.

## OUR TARGETS

To achieve this vision we have set the below headline targets to be met by 2026:

- **INVESTMENT** £10 from external sources invested per head, per year to deliver transformational change
- **INNOVATION** Cutting edge cycle projects delivered every year
- **TOWARDS A SUSTAINABLE ECONOMY** Contributing to ‘good growth’ with 5% of commuter trips by bike
- **NORMALISED CYCLING** Progressing delivery of a cycle network that is attractive, safe and accessible for all, in all environments
- **INCREASING CONFIDENCE AND SAFETY** All primary children will receive cycle training in school and we will increase uptake of cycle training amongst adults year on year.



*“delivery of a cycle network that is attractive, safe and accessible for all”*

# The Bradford Partnership

The 2012 Cycling Strategy was born out of a cross agency, cross community approach. We are committed to continuing this approach. We believe a strong partnership approach to be an essential ingredient to help us deliver our bold ambitions. We want partnership to be a key theme running through this strategy as we believe that it is through communities taking leadership and working with government as well as other agencies that positive change is brought about.

## B-Spoke (Bradford District Cycle Forum)

Established since 2010 as a non-constituted consultation and discussion forum for cycling in Bradford District, B-Spoke has developed a reputation as an excellent advisory and consultative forum for members from all sectors involved in cycling to interact, define opinion and share ideas. The Forum is based very much on an all welcome, non-membership based approach with individuals, charities, Bradford Council and other bodies all represented on an informal basis. This has allowed the group to become popular as a forum not just for cycle campaigning but also for government and third sector officers

to attend. The role of the Independent Chair ensures a balanced approach. B-Spoke has already contributed significantly to cycling issues on a district and region-wide basis, and continues to do so. B-spoke is the owner of the Bradford Cycling Strategy, and will be drawing up agreed Terms of Reference for ongoing advisory operations as part of the cycle strategy delivery.

## Bradford Cycling Campaign

Established in 2015, Bradford Cycle Campaign is a source of grassroots energy for those with a passion for cycling and cycling-related activity in Bradford District, identifying key issues, adding weight to national campaigns, organising events and highlighting key issues to work towards high quality cycling delivery in Bradford. Members communicate to discuss the issues and identify priority campaigning concerns which are shared with wider stakeholders and delivered straight to the relevant places via B-Spoke.

[www.bradfordcc.org](http://www.bradfordcc.org)

## Cycle Bradford

Cycle Bradford is the brand for cycling in our district. It is not a group but instead a unifying label that will, going forward, offer collective brand identity unifying the network of facilities, organisations and advocates working together on cycling activity with the aim of improving access to cycling opportunities. Cycle Bradford is an integral part of wider district strategies, including the Active Bradford Physical Activity and Sport Strategy. This brand has a website which has been developed to primarily function as a signposting facility to allow anyone with an interest in cycling in Bradford District to gain easy access to the information they need in order to take part.

[www.cyclebradford.org.uk](http://www.cyclebradford.org.uk)



# 4. Why cycle? Setting out the benefits

Since the 2012 strategy investment in cycling has increased greatly. Despite increased interest in cycling and improved delivery of opportunity there is much more to be done. That is the purpose of this strategy update. It is a fact that the spending remains tight and that direct funding for significant cycling development will continue to be difficult to secure.

It is therefore more important than ever that we set out the many imperative reasons why cycling should be an integral activity in people's lives, all of which carry significant direct and indirect economic benefits.

## CONVENIENCE

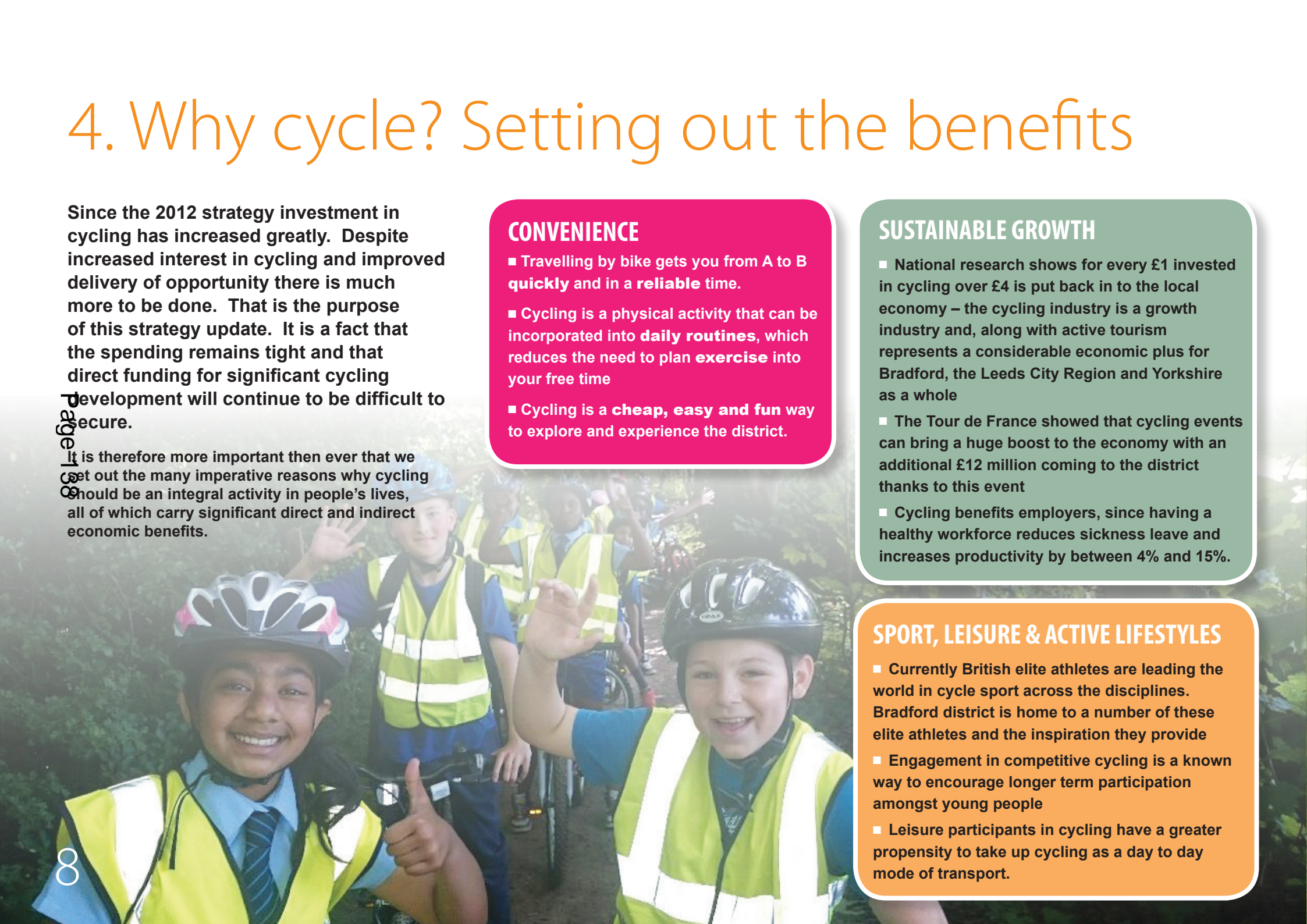
- Travelling by bike gets you from A to B **quickly** and in a **reliable** time.
- Cycling is a physical activity that can be incorporated into **daily routines**, which reduces the need to plan **exercise** into your free time
- Cycling is a **cheap, easy and fun** way to explore and experience the district.

## SUSTAINABLE GROWTH

- National research shows for every £1 invested in cycling over £4 is put back in to the local economy – the cycling industry is a growth industry and, along with active tourism represents a considerable economic plus for Bradford, the Leeds City Region and Yorkshire as a whole
- The Tour de France showed that cycling events can bring a huge boost to the economy with an additional £12 million coming to the district thanks to this event
- Cycling benefits employers, since having a healthy workforce reduces sickness leave and increases productivity by between 4% and 15%.

## SPORT, LEISURE & ACTIVE LIFESTYLES

- Currently British elite athletes are leading the world in cycle sport across the disciplines. Bradford district is home to a number of these elite athletes and the inspiration they provide
- Engagement in competitive cycling is a known way to encourage longer term participation amongst young people
- Leisure participants in cycling have a greater propensity to take up cycling as a day to day mode of transport.



## ENVIRONMENT

- Road transport in Bradford produces over 590,000 tonnes of CO<sub>2</sub> per year contributing towards climate change
- Cycling has very low environmental impact and helps contribute towards a pleasant urban environment. Conversely motor vehicles are the single largest contributor to poor air quality which contributes towards the cause of death in 6.3% of deaths, a total of 61,000, in the region per year
- Cycling gets citizens out and about in their local neighbourhoods helping to enrich and enliven communities
- The benefits of cycling as a form of physical activity outweigh the risks from a road safety perspective.

## ACTIVE TOURISM & MAJOR EVENTS

- The Tour de France has fundamentally shifted the perception of our region, and places in our district, as being some of the best places to the cycle in the world
- We have a well established history of delivering mass participation events in our district in our partnership working with British Cycling
- We also continue to work in partnership with Sustrans to develop routes such as the Great Northern Railway Trail and the Airedale Greenway. Leisure routes have a positive effect on the tourist economy.

## HEALTH

- Poor air quality caused by traffic pollution has a significant impact on the health of communities in Bradford
- If obesity trends continue unchecked 60% of the population will be obese by 2050
- The cost of inactivity per year to the NHS in Bradford is £10m (Sport England, 2013). We need to get active. Regular cycling means that you increase the chance of living longer and having fewer illnesses
- Cycling can lead to positive mental health as it connects people to the outside world and reduces the stresses often felt sitting in congested traffic.

## WHY CYCLING IS IMPORTANT TO LOCAL AUTHORITIES & THEIR PARTNERS

- Increased physical activity and in turn improved health for our citizens means individuals are less of a burden upon health services across their lifetimes
- Reductions in congestion have the combined benefits of improving accessibility and air quality and can have a positive affect upon the local economy
- Cycling specific schemes generally produce high Benefit Cost Ratios (critical in transport scheme decision making).





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Big Red Bridge Consultation Event

## 5. Our Cycle Strategy

The previous pages have set out the vision for cycling in Bradford and the partnership that will drive forward delivery of the vision. The rest of the strategy is about how we will work to deliver our vision to make cycling a normal part of day to day life for every resident and visitor to Bradford District.

### TARGETS

Being open about what our targets are and what we are trying to achieve is essential to drive forward performance, ensuring this strategy will be delivered.

**INVESTMENT** £10 from external sources invested per head, per year to deliver transformational change

**INNOVATION** Cutting edge cycle projects delivered every year

**TOWARDS A SUSTAINABLE ECONOMY** Contributing to 'good growth' with 5% of commuter trips into the city centre by bike

**NORMALISED CYCLING** Progressing delivery of a cycle network that is attractive, safe and accessible for all, in all environments

**INCREASING CONFIDENCE AND SAFETY** All primary children will receive cycle training in school and we will increase uptake of cycle training amongst adults year on year.



## Aims

Our targets to increase cycling are ambitious and we recognise that there is more to do to achieve them. Through listening to consultation on the strategy and with inspiration from the West Yorkshire Cycle Prospectus we have developed three key aims. These mutually dependent aims are as follows:



Delivery on the above targets and aims will produce a **transformation** in the way that cycling is perceived, practised and participated in.

## Objectives, Actions and Delivery

In this chapter we introduce the objectives that will deliver on the three key aims. Further detail on the actions behind each objective can be found at the back of this strategy in the separate Action Plan document. Each Objective has its own small Action Plan Section with a number of Actions listed. The Action Plan is the 'live' part of the strategy that the partners will use going forward to list actions, timescales for delivery, monitoring and funding information. As such it can be continually updated and adapted as projects develop.

In the consultation for, and drafting of this strategy update partners provided a range of ideas for future projects that we wanted to capture to help set the direction of our vision even where we might not have a resource in place to deliver them yet. To help differentiate between these future schemes, those that are current and those we have completed the Action Plan is presented with a version of the RAG system and has Red (future), AMBER (current) and Green (complete) colour coded actions to help partners understand our progress.

## Monitoring

To help achieve success it is important to measure the progress we are making to meet our aims, objectives and targets and that we are held accountable against our progress. There are two ways in which we will measure this.

Firstly, we will use the Action Plan as a live document recording progress of actions with the RAG system detailed above.

Secondly, it is also useful to understand progress with the monitoring of a wider range of factors that can help us to measure performance. These Key Performance Indicators (KPIs) will be treated as a live record and as such will also form part of the Action Plan, therefore allowing for emerging individual indicators to be added as well as old and no longer relevant indicators to be removed. It is important that we commit to recording data that we know we can understand and record effectively.

At the time of strategy completion the list of confirmed KPIs to form part of the strategy was confirmed as the table overleaf shows.

TARGET	INDICATOR	DATA COLLECTED
<b>Investment</b> Indicators which either directly indicate cycling investment or which highlight wider societal trends that reinforce the need for investment	Spend on cycling per person	Various sources (annual approx. spend for long term schemes)
	Childhood obesity	No. of obese children in Year 6
	New routes	Kilometres of new bespoke cycling specific route built
<b>Innovation</b> Indicators that highlight our success in securing new projects or the success of our existing cutting edge programmes	New cycling schemes secured	No. of new schemes
	Bike Friendly Businesses	No. of registered firms
	Mass participation event	No. of participants
	Led ride (Local programme)	No. of participants
	Breeze rides	No. of participants
	Disability cycling	No. of participants
	Cycle Sports	No. of participants
<b>Towards a sustainable economy</b> Indications as to what affect our programme is having on modal choice	Travel to school	Hands up survey - % by mode*
	Commuter cycling	Data from various vehicle count locations - % by mode*
<b>Normalised cycling</b> Indications as to the affect that our programme is having on public perception that cycling is attractive, safe and accessible	Active People Survey	%age of people physically active
	Registered cycle clubs	No. of clubs
	Registered club members	No. of members at each club
	Cycle accidents	No. of KSIs involving cyclists
	Bridleways Legally Recorded	No. of orders processed
	Women Cycling	% split female users on City Connect routes
<b>Increased confidence and safety</b> Monitoring our children's and adults' cycle training programmes	Balance bike participants	No. of participants
	Balance bike participating schools	No. of participating schools
	Bikeability participants	No. of participants
	Bikeability participating schools	No. of participating schools
	Active School Travel programme	No. of participating schools
	Active School Travel engagements	No. of participants
	Adult Cycle Training	No. of participants

\*results only representative of a sample rather than whole district





## Accountability

Reporting on the Strategy and the Action Plan and the KPIs will be undertaken formally on an annual basis to the Environment and Waste Overview and Scrutiny Committee of Bradford Council. This committee formally endorsed the 2012 version of the strategy and continues to support the vision to make Bradford District a place where cycling is naturally part of everyone's daily life.

More informally the Action Plan will be regularly reviewed by the Bradford District Cycle Forum, B-Spoke as part of their bi-monthly meeting structure. This regular review will inform the report taken to the Committee and will therefore lead to key issues as understood by members of the cycling community being brought to the attention of key district decision makers for escalation where required.



## Aim 1:

### Improve the environment for cycling

**The ENVIRONMENT for cycling is defined as “places where people can cycle and feel fully confident and able to do so”. Such places include roads, dedicated cycle routes, bridleways, canal towpaths, cycle circuits, cycle sports facilities, parks, schools, colleges, universities, gyms and work places.**

The list above includes two main types of cycling infrastructure:

**DESTINATIONS** - places where cycling happens as an activity in itself but also the places from which we start and end our journeys; our workplaces, schools and homes

**ROUTES** - the routes along which we travel between destinations. The journeys we make along these routes can be for a range of reasons including our commute, touring holidays, leisure, races and other mass participation events or just to pop to the shops!

The combination of routes and destinations for cycling can be collectively referred to as a “Cycling Network”.

Destinations are critical. For cycling to feel accessible to all we must be confident that we

have the right facilities at both the start and end of our journeys (e.g. storage, showers, and drying facilities) such that cycling is a natural choice. And yet destinations can be about so much more than facilitating convenient journeys. In Bradford we have a strategic ambition to bring world renowned facilities to the district such as a Yorkshire velodrome and Yorkshire cycling museum. To think of destinations on this scale is to pull cycling to the forefront of our local economy and we are proud to hold this scale of ambition for the district.

The routes of our Cycling Network cater for a variety of different uses. This can include catering for longer distance uses such as touring, tourism, major events and the leisure and commuter journeys of more experienced users. However our routes are also, if not more so, about providing for more local journeys to connect people to destinations within five miles.

An additional factor to consider for the Bradford Cycle Network is topography. Bradford District is a hilly place. This can be an advantage when we consider the attraction of the district's hills from a sporting perspective. However, topography also contributes towards funnelling a whole



range of transport types into the valleys of Bradford District. This includes cyclists, most particularly commuters. Given that space is at a premium in the valley corridors we must consequently work harder to make sure that cycling is a safe and attractive activity in these busy environments.

All of the above factors require that we develop a strong strategy to understand what infrastructure is needed. In turn we need to deliver that infrastructure to make that network a great place for cycle journeys to be undertaken with confidence for all, from those of 8 to 80 years of age and at all levels of physical ability. This broad range of our citizens will only feel enabled to cycle every day if we reprioritise public space to favour more vulnerable users (i.e. cyclists and pedestrians).

This work has already started. With the CityConnect programme we are seeing a step change with nationally leading ambition in the delivery of the Cycle Superhighway between Leeds and Bradford, on the Canal Road Corridor and with further improvements to the Leeds-Liverpool Canal towpath. But there are still many gaps that cause our network to be disjointed and some journeys to remain difficult for many to feel confident taking on a bike.

Of course, we must also acknowledge that where infrastructure is developed its continued maintenance is just as important. Surfacing arrangements, street sweeping, parking issues, winter maintenance, the positive engagement of volunteer rangers and the long term sustainability of hubs are all vital considerations in a long life approach to delivering a great Cycling Network.

As well as improving routes and places, we need to improve information on how to get around on the local network. This means signs, maps and a strategic approach to providing info on cycle routes. The Schematic Network Map provides a first indication of how a Cycle Network Map and the individually numbered routes of that network start to take shape with continuous direct routes providing for cycled journeys through the varied urban and rural environments of the district. Each route is numbered and would have corresponding on route signage to make journeys and destinations across the district easy and accessible.

The above mapping of routes and ambitious destination development ideas provide a vision for a bespoke future Cycling Network. We know this vision is only the start and we will with our Action Plan tackle the issues in order to deliver a high quality Cycling Network that is accessible for all.

**We therefore have FOUR KEY OBJECTIVES to provide the focus for the various actions required to ultimately deliver that Network:**



**OBJECTIVE 1A**  
**STRATEGIC ROUTE DEVELOPMENT**

Develop top-class, dedicated cycling routes that provide key arteries for cycling across and within the district. Develop a series of priority schemes to form the critical strategic routes of this strategy. When delivered these schemes will provide the framework to connect local neighbourhoods to a wider network as well as providing for long distance touring and leisure journeys.



**OBJECTIVE 1B**  
**LOCAL NETWORK DEVELOPMENT**

Develop high-quality local networks via placemaking within neighbourhoods and key public areas (including town and city centres) that connect sensibly to core cycle routes, transport hubs and key destinations. Work to ensure that as national guidance and bespoke delivery advances, development in our local network is reflective of these evolving circumstances.

**OBJECTIVE 1C**  
**WAYFINDING AND MAINTENANCE**

Develop a strategy for, and in turn deliver, a range of classed, numbered and signed routes to enable riders of all standards and on all types of journey to enjoy easily navigable journeys on our local Cycling Network. Where network elements are in place ensure that appropriate maintenance regimes are also in place.



**OBJECTIVE 1D**  
**DESTINATION INFRASTRUCTURE**

The expectation for quality facilities to be provided at destinations, as standard, throughout the district. This requires good quality cycle parking, showering and storage facilities in our workplaces, schools and homes. It also means that public cycle storage should be provided to facilitate all journeys, to a standard and in the right locations. This objective also exists to promote the development of a network of bespoke quality 'hub' destinations across the district where cycling takes place. This ranges from local facilities running community cycling activity through to nationally recognised bespoke facilities.

# Routes Development

This map gives an indication of our understanding, at the time of publishing, of the Bradford Cycle Network, what has already been delivered and where we need to make further investment to deliver that bespoke network. It also acknowledges that as well as routes between places we need to make neighbourhood environments better, safer places to cycle. Further, it provides a number of locations that already have some form of facility that, in helping people to get access to bikes, training or activities help to increase levels of participation.

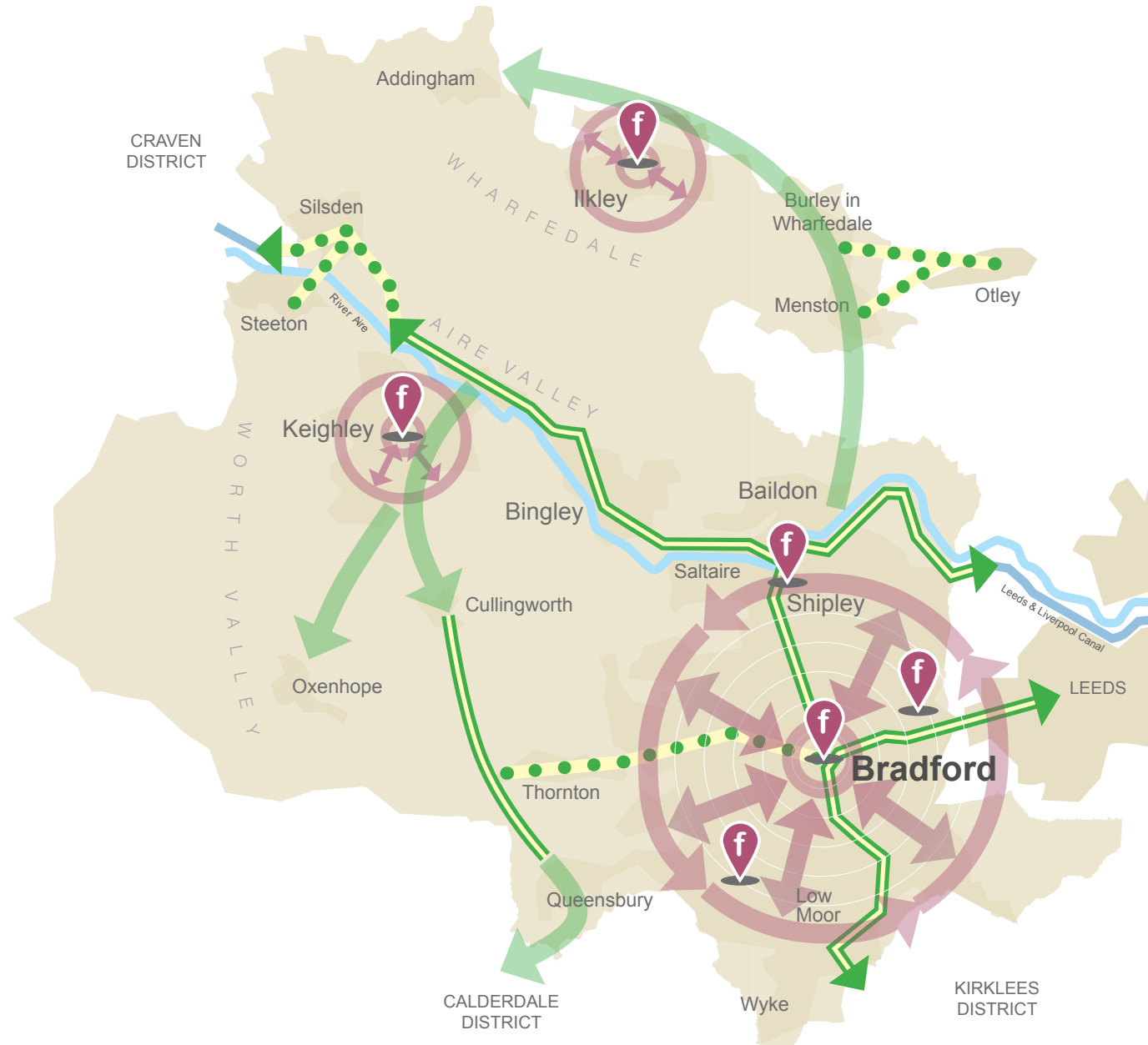
**KEY**

**Arterial Routes / NCN**

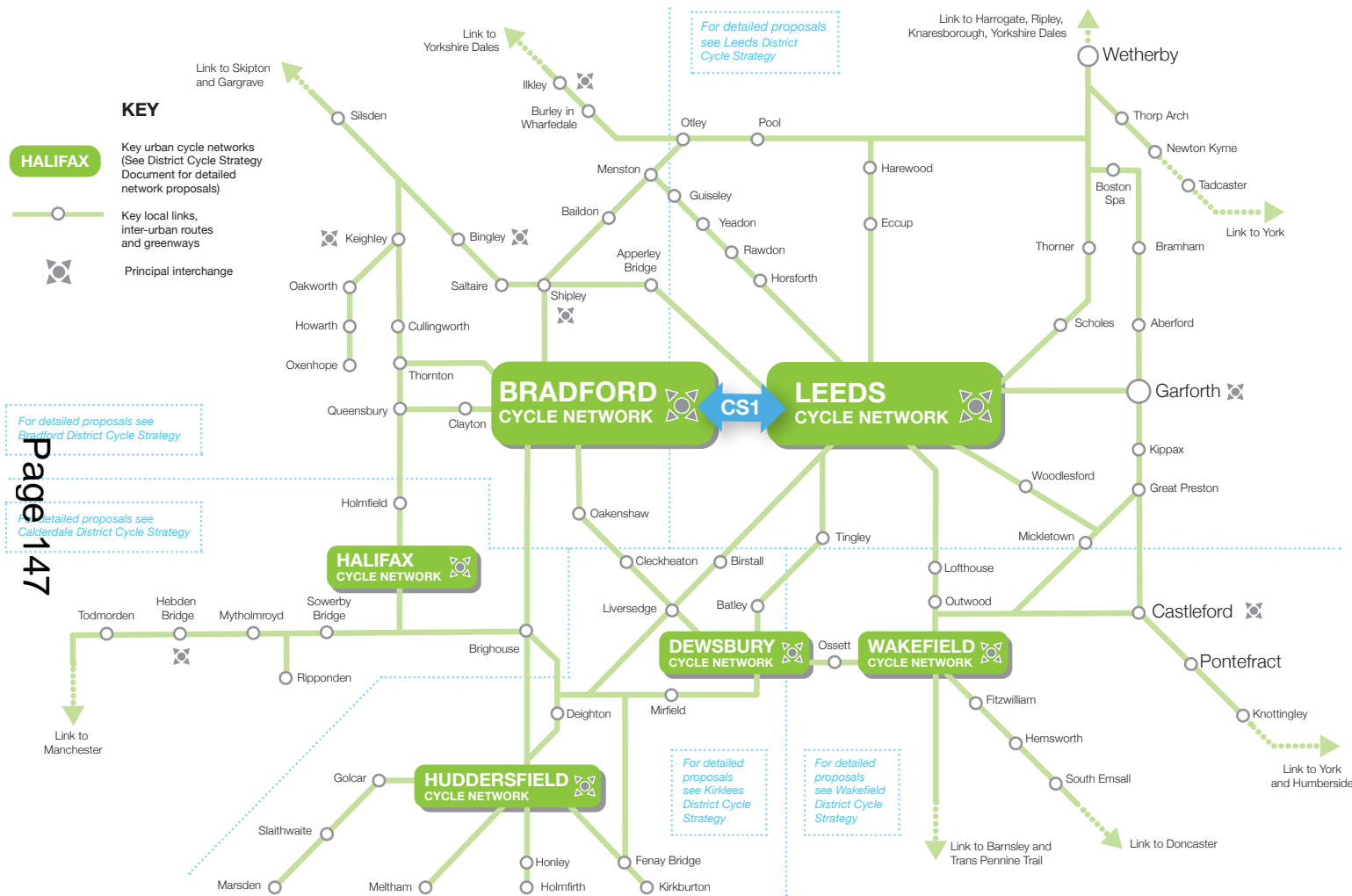
- Complete/under construction
- Feasibility work commenced
- Future routes?

**Local Routes / Connections**

- Urban Areas - local connectivity to be assessed
- Cycling facilities / hubs



# Regional Schematic Network

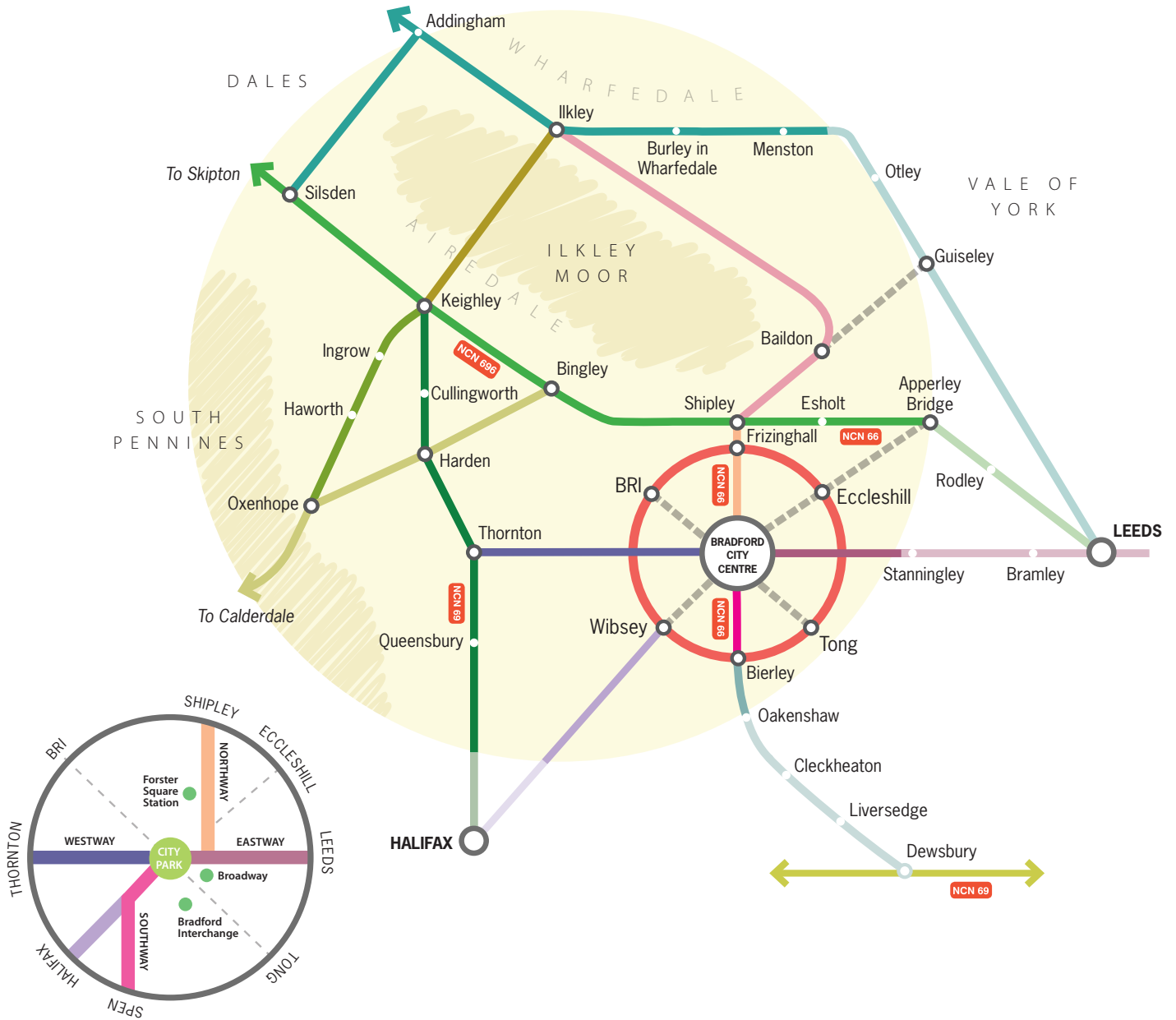


Regionally, a cycle network concept has been developed which may come to form an element of the forthcoming West Yorkshire Transport Strategy and the separate Cycle Prospectus. This schematic map provides an idea of some of the longer distance commuting, leisure and touring routes that are, or could become, important in forming our region's wider Cycling Network.

# District Schematic Network

A draft schematic for the future of a fully signed, integrated and intuitive Bradford Cycle Network. Similarly to the regional schematic, this map sets out a vision for our network where some routes are already in place and others are longer term aspirations.

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SUPER HIGHWAYS	
	City Orbital
	Key Local Routes
	Route To Halifax
	Wharfedale Link
	Northway
	Eastway
	Westway
	Southway
GREENWAYS	
	Airedale Greenway
	Spen Valley Greenway
	Calder Valley Greenway
	Wharfedale Greenway
	Great Northern Railway Trail
	Worth Valley Greenway
	Aire - Calder Link
	Moor Road

## Aim 2: PROVIDE GREATER ENCOURAGEMENT FOR CYCLING

**Having taken steps to ensure the environment for cycling is being and will continue to be developed, it is equally important to enable participation with ENCOURAGEMENT to all existing and potential cyclists to get out and ride. This aim looks towards how people and activities can work to encourage cycling to be a part of daily life for people of all ages.**

Confidence to cycle is not just feeling safe and secure about the routes we travel on. It is just as important that people are confident in their own cycle skills and feel enabled to take part in cycling as a positive experience. It is important that we have a simply structured and therefore accessible approach to how we encourage participation help people to get cycle training and develop their skills, whatever their age.

Cycling must be seen as an accepted and valued activity that can be a practical, fun and exciting part of life in Bradford District both as a means of transport and as an activity in its own right. To foster this view it is important that we have cycling champions in our communities to provide a positive message and a platform for cycling, events to encourage participation and training to help the citizens of

Bradford feel confident in their own skills and abilities.

We also need to build upon our success in attracting the Tour de France to our region to deliver a fantastic programme of events ranging from the world renowned to the locally organised. We have a fantastic club heritage in the district, with West Yorkshire having the highest number of registered clubs at the time of writing, many of whom are involved in the organisation of a range of fantastic events. Enthusing people to partake in sporting and leisure activities also helps as a way to enable people to feel confident in cycling as a mode of travel. We must continue in the delivery of proven successful activities and also be ambitious in our work to bring new and exciting events to the district that put us on the map as the cycling destination of choice.

Finally we must recognise that cycling activity is a wide ranging positive element in local life. It is a critical part in the story of our sporting prowess, our districts reputation, our economy and our children's futures. To ensure Bradford District's success in all these respects cycling must play a central part.

**Providing encouragement for cycling will therefore be achieved via the following THREE KEY OBJECTIVES:**

### OBJECTIVE 2A

#### CHAMPIONING CYCLING

Harness the enthusiasm and experience of key Bradford people and organisations that already are or can become active champions of cycling in all its aspects. Identify and embrace these key figures as champions and use their positive influence to encourage communities and partners to play their part in making cycling a natural part in all our day to day lives.

### OBJECTIVE 2B

#### CYCLE TRAINING

Ensure appropriate training in cycling skills and in cycle maintenance skills is available regardless of age, gender, status and income.

### OBJECTIVE 2C

#### SUPPORT FOR CYCLING EVENTS AND ACTIVITIES

Support and promote existing and new events (from World Class sporting events to regular community activities) in the Bradford District that residents and visitors alike can take part in, watch, be inspired by and be part of.



## Aim 3: IMPROVE ENGAGEMENT IN CYCLING

**The key to creating true transformation is ensuring that there is constant, open, clear and positive information exchange between partners and that those partnerships retain an understanding of the issues from the participant perspective.**

With interest and investment in cycling on the increase and the improved environment and encouragement for cycling that will be delivered as a result of this strategy, it is important that these relationships are strengthened and that new emphasis and focus is placed upon communication and leadership between and from a variety of sectors. All partners must play their part and all must be held to account to ensure collective success in delivery.

One of the most common reasons cited by people who have not got involved is because they “didn’t know” that something was going on. Or, even if they did, the perception was that it was somehow “not for them”. Clear communication of the vast range of cycling activities for all that are available in Bradford is a significant task but one that will be made

much easier by the wider development of this strategy and by the partnership approach to its delivery.

It is also important to understand that often a targeted and tailored message is necessary to create better awareness and understanding and break down barriers to cycling being an inclusive activity. This is not just about increasing participation in cycling but also crucially educating all users of public space to respectfully and safely share those spaces with others.

### This results in the following THREE KEY OBJECTIVES:

.....

## OBJECTIVE 3A

### ADVERTISING AND PROMOTION

Enhance the message of all forms of cycling and Bradford’s cycling “offer” by the clever and targeted use of marketing and social media to promote cycling as a natural activity and/or choice of transport mode and to actively disseminate all relevant information via all media outlets. This includes supporting, adding value to and promoting key cycling partner campaigns and initiatives.



.....

## OBJECTIVE 3B

### EDUCATING PARTNERS

Ensure that all partners have an appropriate awareness of cycling needs and safety requirements. On one level this is about engagement with professionals and leaders who can work to make sure cycling opportunity is centrally considered in development decisions and should be such for all sections of the population. This objective is also about the need to innovate in ways of communicating with all public realm users. This is important so as help create a proactive relationship with all communities and foster a positive view of cycling as well as to deter dangerous behaviours. Further, we must add Bradford’s voice to national lobbying to improve national standards for cycling-friendly infrastructure and signage and effect legal status for key issues.

.....

## OBJECTIVE 3C

### LEADERSHIP, RESPONSIBILITY AND DELEGATION

Determine, via the B-Spoke Partnership, who must take a lead on each of the various aspects of cycling development and be responsible for outputs and results. Ensure that engagement across the various partners is co-ordinated so as to present a unified and constructive voice for cycling. Ensure that partners play leadership roles such that cycling is integrated into every facet of everyday design, development, activity and promotion to overtly convey the message that cycling is not only permitted but is actively encouraged.



# 6. Our Action Plan

**The Action Plan lists a comprehensive range of the projects that we are considering as priorities in Bradford District and that, once implemented, will contribute towards reaching our targets.**

**We have taken a decision that this action plan, whilst not exhaustive, should function to capture the wide range of projects that we would wish to see enacted in the district, even where delivery possibilities are not currently clear. Equally, to help highlight where progress is proving effective but where we need to add further to it, it will also contain some completed schemes.**

As such the action plan is RAG rated using the basic principle of:

<b>GREEN</b>	<b>Completed projects / highlighting successes</b>
<b>AMBER</b>	<b>Current projects</b>
<b>RED</b>	<b>Future projects</b>

The action plan is sub-divided into ten sections that correspond to the ten objectives of the strategy.

These various projects of the action plan will be monitored both through a regular review of their progress by the B-Spoke partnership and against an annual tracking of progress against KPIs. The inclusion of various KPIs can change over time much like progress against key actions, as such the listing and recording of KPIs is also included in the action plan as the live part of the strategy. Any failing in progress against KPIs will help to inform and review the various priorities of the action plan.

Many projects that will meet our objectives are dependent on funding and in order to implement this Strategy we are constantly working to secure new sources of funding through public, private and third sectors on local, national and European levels.

As a live document that can be updated at any time, the Action Plan sits separately from the Strategy. Both documents can be found online at: [www.cyclebradford.org.uk](http://www.cyclebradford.org.uk)

# 7. Appendices



# Action Plan – Top 10 Priorities

## Update Version – dd/mm/yyyy

Progress on the Action Plan is reported to councillor committee on a regular basis (at least once annually). The Action Plan is a lengthy document that lists actions that are both current priorities as well as longer term aspirations. In order to focus attention and capture critical issues in a concise format, the most pressing concerns of the cycling community are listed in this Top 10 format with one Priority per objective area. Below is the basic report format for the reports. Reports can be found on the council meeting minutes at [www.bradford.gov.uk](http://www.bradford.gov.uk)

Objective	Priority Action	Issues & Opportunities
1A. STRATEGIC ROUTE DEVELOPMENT		Issues: Opportunities:
1B. LOCAL NETWORK DEVELOPMENT		Issues: Opportunities:
1C. WAYFINDING AND MAINTENANCE		Issues: Opportunities:
1D. DESTINATION INFRASTRUCTURE		Issues: Opportunities:
2A. CHAMPIONING CYCLING		Issues: Opportunity:
2B. CYCLE TRAINING		Issues: Opportunities:
2C. SUPPORT FOR CYCLING EVENTS & ACTIVITIES		Issues: Opportunities:
3A. ADVERTISING AND PROMOTION		Issues: Opportunities:
3B. EDUCATING PARTNERS		Issues: Opportunities:
3C. LEADERSHIP, RESPONSIBILITY & DELEGATION		Issues: Opportunities:

# KPI

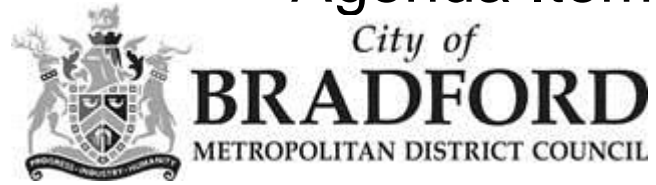
Progress on Key Performance Indicators is also reported to councillor committee on a regular basis (at least once annually). These figures highlight progress against the issues we tackling, such as obesity in children, as well as the various initiatives we have in place to deal with those issues. Below is the basic report format. Reports can be found on the council minutes at [www.bradford.gov.uk](http://www.bradford.gov.uk)

Key Performance Indicators are vital in highlighting both the issues that cycling activities can help combat as well as key cycling related achievements. The KPIs have been categorised against the Target areas (pg 10) of the Cycling Strategy. \*Note\* Figures provided are for the latest available years as stated.

Target	Indicator	Data Collected	Previous Year	Last Full Year on Record	Description / Supporting Info
<b>Investment</b>	Spend on cycling per person	Various sources (annual approx. spend for long term schemes)			
	Childhood obesity	No. of obese children in year 6			
	New routes	Kilometres of new bespoke cycling specific route built			
<b>Innovation</b>	New cycling schemes secured	Details of new schemes			
	Bike Friendly Businesses	No. of registered firms			
	Sky Ride – mass participation event	No. of participants			
	Sky Ride Local	No. of participants			
	Breeze rides	No. of participants			
	Disability cycling	No. of participants			
	Cycle Sports	No. of events and participants			
<b>Towards a sustainable economy</b>	Travel to school	Hands up survey - %age by mode			
	Commuter cycling	Data from various vehicle count locations - %age by mode			
<b>Normalised cycling</b>	Active People Survey	%age of people physically active			
	Registered cycle clubs	No. of clubs			
	Registered club members	No. of members at each club			
	Cycle accidents	No. of accidents with cyclist injury			
	Bridleways Legally Recorded	No. of orders processed			
	Women Cycling	% Split of female users of CityConnect Routes			
<b>Increased confidence and safety</b> Monitoring our children's and adults' cycle training programmes	Balance bike participants	No. of participants			
	Balance bike participating schools	No. of participating schools			
	Bikeability participants	No. of participants			
	Bikeability participating schools	No. of participating schools			
	Active School Travel programme	No. of participating schools			
	Active School Travel engagements	No. of participants			
	Adult Cycle Training	No. of participants			







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

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**AE**

### **Subject:**

The implementation of new powers introduced under the Housing and Planning Act 2016 to issue civil penalty notices for Housing Act offences.

### **Summary statement:**

The Housing and Planning Act 2016 introduces a number of amendments to the Housing Act 2004. One of these amendments is to introduce a new section into the Act which establishes 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 first adopt and publicise its policy with regard to the use of civil penalty notices for these offences.

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

This report outlines the general implications of the amendments to the Housing Act 2004 and introduces 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.

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Steve Hartley  
Strategic Director of Place

### **Portfolio:**

**Regeneration, Housing, Planning & Transport**

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Principal Housing Manager  
Phone: (01274) 431163  
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### **Overview & Scrutiny Area:**

**Regeneration and Economy**

## 1. SUMMARY

The Housing and Planning Act 2016 introduces a number of amendments to the Housing Act 2004. One of these amendments is to introduce a new section into the Act which establishes 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 first adopt and publicise its policy with regard to the use of civil penalty notices for these offences.

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

This report outlines the general implications of the amendments to the Housing Act 2004 and introduces 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.

## 2. BACKGROUND

2.1 The importance of decent homes that people can afford to live in is one of the six key objectives within the Council Plan. Addressing poor housing conditions contributes not only to the housing objective within the Council Plan but also more widely as:-

- Good quality housing attracts companies and workers - leading to an economically prosperous district
- Children and young people are better able to benefit from education if they are well housed – leading to a district of excellence in learning
- Good quality housing promotes community safety – leading to a safer place in which to live, work and play
- High quality, affordable, warm homes promote health and wellbeing – leading to a healthy district

2.2 In 2015 the Council commissioned a Stock Modelling assessment of housing conditions in the district. Conducted by the Building Research Establishment, the findings indicate that:

- The importance of the private rented sector in the district has grown significantly from 11% of housing (22,200 dwellings) in 2007 to 18% of housing (39,382 dwellings) in 2015.
- 8,291 (21%) of dwellings in the private rented sector have a Category 1 hazard
- The estimated cost of mitigating all hazards in the private rented sector is £19.8m

A comparison with the results from the previous Stock Condition Survey undertaken in 2007 indicates that there has been a slight improvement in property conditions but that there are still significant issues with property condition in the private sector and, in particular, the private rented sector.

The importance of addressing these poor conditions in order to create a good quality private rented sector for the District is recognised as a priority in the Council's "Housing and



- 2.3 The Housing and Planning Act 2016 introduces a range of new measures to tackle rogue landlords and improve conditions in the private rented sector.

This new legislation will provide a valuable tool to ensure that landlords carry out their roles professionally and should discourage less professional landlords from the sector. It will also help the Council to continue to improve conditions in the local housing market which is particularly important as the size of the private rented sector continues to grow.

- 2.4 Schedule 9 of the Housing and Planning Act 2016 inserts a new section into the Housing Act 2004 which establishes the legal basis for imposing civil penalties as an alternative to prosecution for specific offences under the Housing Act 2004. The Council cannot apply a civil penalty and prosecute for the same offence.

- 2.5 A civil penalty is a financial penalty imposed by a Council on an individual or organisation as an alternative to prosecution. Under the above legislation the Council would be able to impose a civil penalty of up to £30,000 per offence for the following offences under the Housing Act 2004:

- Section 30 – failure to comply with an improvement notice
- Section 72 – mandatory licensing of Houses in Multiple Occupation (HMO)
- Section 95 – licensing under Part 3 of the Housing Act 2004
- Section 139 – failure to comply with an overcrowding notice
- Section 234 – breach of management regulations in respect of HMO

- 2.6 In order to implement these new powers the Council must first adopt and publicise its policy with regard to the use of these civil penalties.

- 2.7 The powers cannot be applied retrospectively so will not apply to offences committed prior to the implementation date for the legislation, i.e. April 6<sup>th</sup> 2017.

- 2.8 In considering whether use of a civil penalty notice would be appropriate, the Council must ensure that it applies the same criminal standard of proof as that required for a prosecution i.e. the Council must be satisfied beyond reasonable doubt that the landlord has committed the offence. The Council has a Private Sector Housing Enforcement Policy which was formally adopted on February 28<sup>th</sup> 2006. In order to impose civil penalties for Housing offences the existing Enforcement Policy needs to be amended to include these as an option for officers when considering the most appropriate course of action to take.

- 2.9 The Housing and Planning Act 2016 also extends the use of Rent Repayment Orders to cover a much wider range of housing offences.

A Rent Repayment Order is an order made by the First-tier Tribunal requiring a landlord to repay a specified amount of rent.

Applications for Rent Repayment Orders can be made by either a tenant or the Council.

Previously applications for Rent Repayment Orders could only be made where a landlord had been convicted of offences relating to licensing offences under the Housing Act 2004. The new provisions under the Housing and Planning Act 2016 extend the use of Rent Repayment Orders for additional housing offences including:

- Section 30 – failure to comply with an Improvement notice
- Section 32 – failure to comply with a Prohibition Order

The new provisions also mean that an application for a Rent Repayment Order can also be made where a landlord has committed certain offences whether or not they have been convicted of the offence. In such circumstances the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence.

- 2.10 The need to incorporate these new powers into the Private Sector Housing Enforcement policy has also provided the opportunity to review the existing policy to ensure that it is robust and up to date. This includes the inclusion of the Council's agreed approach to The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 as agreed at the Executive on February 10<sup>th</sup> 2015 and the Statement of principles for determining financial penalties under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 which were determined under delegated authority by the Strategic Director of Regeneration and Culture on December 23<sup>rd</sup> 2015. Details of these powers and their implementation are included in the proposed amended Private Sector Housing Enforcement Policy.

The proposed amended Private Sector Housing Enforcement Policy is attached as Appendix 1 to this report.

- 2.11 The overriding principle when considering civil penalties is that the landlord (as defined by the Housing Act 2004 as the owner, person having control or the licence holder) should not make any financial gain as a result of their failure to comply with the relevant legislation. The guidance advises that the Council should consider a range of factors when setting the penalty. The factors being:

- Level of culpability
- Level of harm
- Severity of the offence
- Aggravating Factors
- Mitigating Factors
- The penalty should be fair and reasonable
- The penalty to be such as to be a deterrent and remove the gain derived through the failure to comply

- 2.12 Following a decision to impose a civil penalty rather than alternative legal action, the Council must follow the procedure outlined in schedule 13Aa of the Housing Act 2004 and which is outlined in the proposed Civil Penalties policy attached as Appendix 2 to this report.

This procedure includes a requirement that the Council must serve an initial Notice of Intent that the Council intends to impose a monetary penalty within 28 days. During this period the person served with the notice can make written representations and/or could choose to pay the penalty amount. The Council must consider any representations and has the discretion to apply, vary or withdraw the fine. A final notice confirming the penalty must be served following the period for representations.

- 2.13 The Council must, as part of the Notice procedure, set out the amount of the financial penalty, the reasons for imposing the penalty, information about how to pay, the payment period, the appeal process and timeframe and the consequences of failing to comply with the notice.

- 2.14 If the Council decides to serve a final notice, following the 28 day period for representations, then the person can appeal to the First Tier Property Tribunal. During this appeal stage the final notice is suspended until the appeal is determined or withdrawn by either party.

### **3. OTHER CONSIDERATIONS**

- 3.1 Housing officers have been working with colleagues across West Yorkshire to agree a consistent approach across the sub region with regard to the enforcement approach to Civil Penalty notices for Housing Act offences and level of monetary fine. This is important due to the fact that property owners often operate across local authority boundaries.

A number of other proposed new powers in The Housing and Planning Act 2016 are still to be introduced. Officers from the Housing service will continue to work with the other Authorities to ensure shared learning and a consistent approach.

- 3.2 Other proposed new powers in The Housing and Planning Act 2016 include proposals to introduce banning orders and to extend the mandatory licensing scheme for Houses in Multiple Occupation (HMOs). Implementation of further new powers may require further amendments to the Council's Private Sector Housing Enforcement Policy. This report therefore requests that delegated authority be given to the relevant Strategic Director in consultation with the Portfolio holder Regeneration, Housing, Planning & Transport to approve any further amendments that will need to be incorporated, as and when such additional powers come into force, into the Council's Private Sector Housing Enforcement Policy.
- 3.3 There has already been some publicity about the new requirements from landlord organisations to their members but in order to raise awareness of the requirements to a wider audience, it is proposed that the Council should publicise the legislation and the Council's approach to agents, owners and tenants through local media, Stay Connected and the Council's website, etc.

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

- 4.1 The statutory guidance states that the Council can retain any income derived from civil penalty notices provided that it is used to further the Local Authority's statutory functions in relation to their enforcement activities covering the private rented sector.

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

There are no significant risks arising out of the implementation of the proposed recommendations.

### **6. LEGAL APPRAISAL**

- 6.1 The Housing Act 2004 already provides a broad range of duties and powers for councils to assist them in their enforcement actions including:

- The service of Formal Notices to require improvements to properties to reduce or eliminate risks to the occupiers
- Licensing of Houses in Multiple Occupation (HMO)
- Regulations prescribing management in HMOs

- 6.2 There are presently two main sanctions that are available to the council for breaches of the legal standards; the necessary works can be undertaken and the costs incurred by the council recharged and/or the offenders can be prosecuted.
- 6.3 The Housing and Planning Act 2016 enhances the existing powers and in particular introduces the ability for the Council to impose a civil financial penalty and/or apply for rent repayment orders.
- 6.4 These two powers became available on the 6th April 2017, they are not retrospective and do not apply to offences committed before this date. There are other additional powers that are scheduled to be introduced in October 2017.
- 6.5 The Council is subject to the public sector equality duty pursuant to the Equality Act 2010. When making a decision in respect of this report the Council must have regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation; and
  - advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and
  - foster good relations between those who share a relevant protected characteristic and those who don't.

For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In addition the Council also considers any disproportionate impact on persons on low income and low wage. An Equality Impact Assessment has been undertaken on the proposed policy for the Use of Civil Penalties for Housing Offences and is attached at Appendix 3.

- 6.6 Failure to ensure compliance with legislation and relevant standards may compromise the health, safety and welfare of the residents of and visitors to the Bradford Metropolitan District who access private sector residential properties and potentially inhibit the Council's ability to collect the income from any penalties imposed.
- 6.7 An updated Private Sector Housing Enforcement Policy reflecting current legislation reduces the risk of challenge.
- 6.8 This Report sets out the means by which the Council will discharge its statutory enforcement functions so far as they impact on Private Sector Housing and ensure that Private Sector Housing enforcement activities are fair, proportionate and consistent. The policy has been written with regard to the Regulator's Code produced by the Better Regulation Delivery Office.

## **7. OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

The improvement of housing conditions in the District will have a positive impact on those groups and individuals who suffer multiple disadvantages associated with poor quality and inadequate housing.

An Equality Impact Assessment has been undertaken on the proposed Policy for the Use of Civil Penalties for Housing Offences. This is attached as Appendix 3 to this report.

## **7.2 SUSTAINABILITY IMPLICATIONS**

Clarifying and enhancing the Council's approach to enforcement provides support to residents living in private rented accommodation. As a governance development for the District it seeks to indirectly support social and economic well-being, prosperity and resilience.

The practices and impact of landlords, lettings agents and property managers has a direct impact on people's quality of life and these arrangements for the Housing Standards Team and the Council will be a key development in this respect.

## **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

None.

## **7.4 COMMUNITY SAFETY IMPLICATIONS**

7.4.1 The presence of poor quality privately rented housing within communities can impact on community safety, the fear of crime and the feelings that residents have towards their neighbourhood. As a result, the success of the team in improving property conditions can have a significant impact on whole streets and neighbourhoods.

7.4.2 Poor quality privately rented housing can, in some cases, attract antisocial behaviour and criminal activity. Where necessary the team work with neighbourhood wardens, Neighbourhood Services and the police to highlight and tackle problematic properties and criminal activity, ensuring that action can be taken where possible.

## **7.5 HUMAN RIGHTS ACT**

Proportionality and reasonableness must be applied when setting the level of fine and exercising the discretion to reduce it upon receipt of representations in response to the service of civil penalty notices.

## **7.6 TRADE UNION**

None.

## **7.7 WARD IMPLICATIONS**

Housing Standards work is largely reactive and covers the whole District.

All housing enforcement activity is taken in line with the Council's Private Sector Housing Enforcement Policy.

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

None.

**8. NOT FOR PUBLICATION DOCUMENTS**

None.

**9. OPTIONS**

**9.1 Option 1 – to adopt the proposed Policy for the use of civil penalties for housing offences and the proposed amended Private Sector Housing Enforcement Policy and to delegate to the relevant Strategic Director in consultation with the Portfolio holder Regeneration, Housing, Planning & Transport the authority to approve any further amendments to the Council’s Private Sector Housing Enforcement Policy as and when additional powers available under the Housing and Planning Act 2016 come into force.**

The Housing and Planning Act 2016 inserts a new section into the Housing Act 2004 which establishes 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 first adopt and publicise its policy with regard to the use of these civil penalties and amend the existing Enforcement Policy to include civil penalty notices as an option for officers when considering the most appropriate course of action to take.

The proposed policy has been developed in conjunction with other West Yorkshire and York authorities and will ensure a consistent approach for this type of offence across the sub region.

A number of other proposed new powers in The Housing and Planning Act 2016 are still to be introduced. Delegating authority to the Strategic Director, Place in consultation with the Portfolio holder Regeneration, Housing, Planning & Transport to make decisions about any further amendments to the Council’s Private Sector Housing Enforcement Policy and the proposed 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) will obviate the need for additional reports to be considered by Executive in order to implement further powers.

**9.2 Option 2 – do nothing.**

The Council will not be able to implement civil penalties as an alternative to prosecution for specific offences under the Housing Act 2004 unless it first adopts and publicises a policy with regard to the use of these new powers.

It is proposed that the Council’s Private Sector Housing Enforcement Policy be amended to incorporate Civil Penalty Notices and this has provided the opportunity

to review the policy to ensure that it is robust and up to date and to allow the inclusion of the Council's approach to The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 as agreed at the Executive on February 10th 2015 and the Statement of principles for determining financial penalties under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 which were determined under delegated authority by the Strategic Director of Regeneration and Culture on December 23rd 2015. Details of these powers and their implementation are included in the amended Private Sector Housing Enforcement Policy (attached as Appendix 1 to this report).

This option would necessitate consideration of a further report to amend the Council's Private Sector Housing Enforcement Policy without the amendments relating to the use of civil penalty notices.

## **10. RECOMMENDATIONS**

It is recommended that Option 1 be approved and:

- 10.1 That the Executive adopts the proposed Policy for the Use of Civil Penalties for Housing Offences as set out in Appendix 2 to this Report.
- 10.2 That the Executive adopts the proposed amended Private Sector Housing Enforcement Policy as set out in Appendix 1 to this Report.
- 10.3 That the Executive delegates to the Strategic Director, Place 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.

## **11. APPENDICES**

Appendix 1: Proposed Private Sector Housing Enforcement Policy

Appendix 2: City of Bradford Metropolitan District Council – Proposed Policy for the Use of Civil Penalties for Housing Offences

Appendix 3: Equality Impact Assessment on the proposed Policy for the Use of Civil Penalties for Housing Offences

## **12. BACKGROUND DOCUMENTS**

Department for Communities and Local Government: Civil penalties under the Housing and Planning Act 2016 Guidance for Local Housing Authorities

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# Private Sector Housing Enforcement Policy

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THIS DOCUMENT FORMALLY RECEIVED APPROVAL FOR ISSUE FROM:  
EXECUTIVE COMMITTEE ON XXXXXX

This document is also available in Braille, on tape and in **large print**. If you require it in one of these forms please contact

# Bradford 431010

## PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

### Aim

The aim of this policy is to secure effective compliance with legislation while minimising the burden to the Council, individuals, organisations and businesses.

The policy is explained in general terms, as it is intended to be applied in a wide range of situations, the approach adopted by the Private Sector Housing Service when carrying out the Council's powers to enforce a wide range of legislation.

The policy is based on the following principles: -

- \* **Consistency:** to ensure that similar issues are dealt with in the same way
- \* **Fairness:** to ensure a fair and even handed approach
- \* **Transparency:** to ensure that the enforcement action taken by the Council is easily understood by individuals, organisations and businesses
- \* **Objectivity:** all enforcement decisions will be fair, independent and objective.

The policy has been written with regard to the Regulator's Code produced by the Better Regulation Delivery Office.

## 1.0 Introduction

1.1 One of the priorities for action for the City of Bradford Metropolitan District Council (the Council) is to ensure good quality healthy housing for all, targeting those properties that present the greatest risk to health and safety.

In order to achieve this priority the Council: -

- a) Will seek to ensure properties achieve the appropriate standards in co-operation with the owners/agents and tenants by the provision of clear advice, guidance, encouragement and recommendations for improvements.
- b) Will utilise all appropriate enforcement action to achieve the appropriate standards in properties found to be jeopardising the health, safety or welfare of individuals and will, where legislation allows, make an appropriate charge for doing so.
- c) Will regularly review its policy, standards, schemes and methods of assessing risk and will, in doing so, consider the views of interested parties and individuals. All such policies and standards, etc. will be made freely available.
- d) Will seek to carry out its responsibilities efficiently and effectively in a way, which is open, clear and helpful to owners and occupiers and affirms its commitment to achieving consistent, balanced and fair enforcement.
- e) Will ensure that provision is made for interpreting information where individuals have difficulty in understanding English.
- f) Will make arrangements to carry out visits outside of normal office hours where appropriate.

1.2 It is the Council's policy that enforcement action in relation to Private Sector Housing will be related to risk. The policy will be implemented through visits and inspections; all enforcement decisions will be based on risk to health/safety and welfare.

1.3 Assessment of risk will be based on current research, legislation and specific guidance.

1.4 Action taken by the Council will be appropriate to the risk or hazard identified, having regard to the occupancy and type of property.

1.5 The Private Sector Housing Service has investigative and enforcement powers relating to all private housing regardless of tenure. However the approach may vary depending on the tenure of the household.

- **Private Landlords and Tenants**

Tenants within rented accommodation do not have the same level of control over their homes, in the same way that owner occupiers do. They are reliant on landlords or their agent to adequately maintain their homes in accordance with legal requirements.

The Council will normally take enforcement action where required, against landlords or agents who are putting the health, safety and welfare of their tenants at risk, or in circumstances where conditions at the tenanted property are causing serious issues to neighbouring property.

The Council would normally expect the tenant of a property to have informed their landlord and/ or agent of any property related problem and allowed reasonable time for remedial action before contacting the Council for assistance.

- **Owner Occupiers**

Owner occupiers are usually in a position to make informed decisions about maintenance or safety issues in their homes. Formal enforcement action against this tenure group would normally be limited.

Officers would always aim to provide owner occupiers with appropriate advice as to how they can mitigate any hazards identified. In cases, however, where there is a severe risk to the health and safety of occupiers, or where there are conditions that have the potential to cause serious issues to neighbouring property, the Council may take formal action against owner occupiers.

- **Registered Providers (RP)**

These are usually Housing Associations that are private, non-profit making organisations which provide low cost “social housing” for people in need. Their performance is scrutinised by the Homes and Communities Agency and the Housing Ombudsman.

Registered providers have written arrangements for reporting problems and clear response times for addressing these issues, in addition to having systems for registering any complaints about service failure.

The Council will not normally take action against an RP, unless the problem in question has been properly reported to the RP, which has then failed to take the appropriate action. The Council will consider enforcement action against an RP where there are significant risks to the health, safety and welfare of tenants and/or the wider public.

- 1.6 On completion of an investigation the next course of action shall be determined by reference to Section 3.0 of this Policy document.
- 1.7 The Council's officers will abide by the policy at all times.
- 1.8 The legislation relating to Private Sector Housing can be enforced by several enforcement agencies. Where there are shared enforcement roles e.g. with other council services or external agencies such as West Yorkshire Fire & Rescue Authority, Health & Safety Executive, West Yorkshire Police etc., officers will ensure that:
- Investigations are led by the most appropriate enforcing authority;
  - Any housing enforcement action is undertaken in accordance with agreed protocols and will involve the relevant authority or service in the investigations, information gathering and sharing to ensure it is carried out effectively.

Where a business has registered with a Primary Authority under the Regulatory Enforcement and Sanctions Act 2008 then the Council, during the course of its appropriate enforcement duties, will comply with these Primary Authority requirements, take advice from the partner organisation, where appropriate, and/or will advise such agencies of any contraventions for which that agency is responsible.

- 1.9 It is recognised that any policy is unlikely to take account of every individual situation. Each case therefore needs to be considered on its merits. This policy will act as the guide for officers. In cases where officers consider that a decision should be made outside this policy, they will first refer the matter to the appropriate Strategic Director who will consider all of the information prior to making a decision.

- 1.10 Officers carrying out enforcement functions have been authorised by the Council in accordance with the Scheme of Delegation. Each officer will carry an identification card.
- 1.11 Authorised officers may exercise their power of entry to enter premises in order to perform the Council's statutory functions.

## 2.0 Enforcement Action

In order to achieve and maintain consistency in Private Sector Housing enforcement the Council will normally use the following range of enforcement options as appropriate: -

No action

Informal Action

Statutory Notices/Orders

Civil Penalty Notices

Simple Caution

Prosecution

Default

Emergency Measures

### 2.1 Informal Action

Informal action will include verbal advice, advisory letters and “Notification of Works Required ” (in respect of contraventions of housing legislation).

Informal action will be considered appropriate in the following circumstances: -

- a) the act or omission is not serious enough to warrant formal action,
- b) from the individual/company’s past history it can be reasonably expected that informal action will achieve compliance,
- c) the consequences of non-compliance will not pose a significant risk to



the health and safety of the public.

- d) in instances where action is deemed necessary to remedy breaches of housing legislation “Notification of Works Required” will normally be given to individuals/companies prior to any formal action being taken. The use of informal action in these circumstances will be related to risk to health/safety/welfare.

Any documentation sent to individuals/companies through informal action will: -

- i) indicate the legislation contravened (if appropriate), the measures to be taken to ensure compliance with any legal requirements and any timeframe for compliance
- ii) contain all the information necessary to understand what work is required and why it is necessary
- iii) in the case of informal action taken under housing legislation, include an advisory warning that should it be necessary for the Council to take formal action in respect of the said matter that a charge will be made at a level fixed within the Council’s agreed charges, and that the Authority will take steps to recover debts incurred in this way. This warning will also indicate methods by which the debt may be recovered.
- iv) give individuals/companies the opportunity to contact the appropriate officer to discuss the matter further.

Officers giving verbal advice will ensure that they clearly differentiate between those items, which are legal requirements, and those, which are recommended as good practice. Where necessary, any verbal advice given will be confirmed in writing.

## 2.2 Statutory Notices/Orders

The Council will serve statutory notices where they have a statutory

responsibility to do so, taking into account the following criteria:-

- a) there are significant contraventions of legislation but prosecution is not appropriate,
- b) where informal action has not achieved the desired effect,
- c) there is a lack of confidence that the individual/company will respond to an informal approach,
- d) there is a history of non-compliance with informal action,
- e) standards are generally poor with little management awareness of statutory requirements,
- f) the consequences of non-compliance could be potentially serious to public health,
- g) Where a prosecution is envisaged but there is an identified need for effective action to be taken as quickly as possible in order to remedy conditions which pose an immediate risk to health/safety/welfare.

The use of statutory notices will normally be related to risk to health/safety/welfare.

Officers serving statutory notices will be prepared to discuss the works specified with individuals/company representatives and will fully consider any representations made.

Where a formal notice is served, the method and timeframe for appealing against the notice (i.e. if you feel that the notice is excessive in its requirements) will be provided in writing at the same time. The notice will explain what is wrong, what is required to put things right (where appropriate), what will happen if the notice is not complied with and, where statute dictates, will specify the reasons for the enforcement action being taken.

Failure to comply with a statutory notice will normally result in further enforcement action through either the issuing of a Civil Penalty Notice (where appropriate) or the instigation of legal proceedings.

The decision whether to take:

- Informal or Formal action
- Further enforcement action

will be documented.

Certain notices, orders and charges are required to be registered as a local land charge and whilst the matter is outstanding, these will be disclosed to any prospective purchaser making a local land search.

### 2.3 Civil Penalty Notices, Monetary Penalties and Penalty Charges

Civil Penalty Notices, Monetary Penalties or Penalty Charges can be applied under certain legislation where there is a breach in legal requirements.

The Council will normally serve civil penalty notices for relevant Housing Act offences in the first instance. The decision to do so will be based on risks, present and future, to health, safety and welfare.

Decisions relating to civil penalty notices or monetary penalties will be made in line with the Council's policies and/or general principles relating to those specific duties and powers. All decisions will be documented.

Where a penalty is not paid within the prescribed period, legal proceedings will be instituted for non-payment.

The Council's policy and principles in relation to the:

- Civil penalties issued under the Housing and Planning Act 2016 and
- Financial penalties issued under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

are attached to this policy at Appendix 1 and 2 respectively.

#### 2.4 Rent Repayment Orders

A Rent Repayment Order (RRO) is an order made by the First-tier Tribunal requiring a landlord to repay a specified amount of rent.

The Council will normally consider applying to the First-tier Tribunal for a Rent Repayment Order where:

- a landlord has been convicted of a relevant offence under housing legislation or
- a landlord has been issued a civil penalty notice for Housing offences

When making an application for a Rent Repayment Order officers will have regard to the Rent Repayment Orders under the Housing and Planning Act 2016 Guidance for Local Housing Authorities.

All decisions will be documented.

#### 2.5 Simple Cautions

Administration of a simple caution is a serious matter. It may be used to influence any future decision whether or not to institute proceedings if the person should offend again. Simple Cautions may also be referred to in subsequent court proceedings.

The Council may offer simple cautions as an alternative to prosecution in order to: -

- a) deal quickly and simply with less serious offences
- b) to divert less serious offences away from the Courts, and
- c) where there is a low likelihood of repeat offences

The Council will normally only offer simple cautions where: -

- a) there is evidence of the offender's guilt sufficient to give a realistic prospect of conviction
- b) the offender admits the offence, and
- c) the offender clearly understands the significance of a formal caution and gives informed consent to being cautioned
- d) the use of a formal caution is considered to be in the public interest.

Simple cautions must not be used as a substitute for prosecutions, which would otherwise be defective.

Simple cautions may not be appropriate where it would prevent a Compensation Order from being made through the Courts.

The Council would not normally offer a simple caution where a civil penalty notice is available as an alternative option to prosecution.

The decision process to determine whether to prosecute offenders, issue a civil penalty notice or issue a simple caution including the recommendation from the officer will be documented. This document should then be passed to the appropriate Housing Manager and Principal Manager for their consideration.

The Principal Manager may exercise discretion in reaching a decision to issue a formal caution, civil penalty notice or prosecute. The Principal Manager must be able to justify a decision, which is contrary to that indicated by the documented decision matrix.

If the decision is taken to prosecute, a copy of the matrix must be placed in the prosecution file so that the advocate can indicate to the Court how the decision was arrived at, if necessary.

Simple cautions will only be administered by those officers listed in Section 3.1 – “Decision Making – Simple Cautions”. The Principal Manager will normally administer the caution.

Simple cautions will only be administered in the Council’s offices except where the offender is elderly, infirm or otherwise vulnerable.

When considering the issuing of a simple caution the Principal Manager may consult Legal Services if necessary.

A central register of cautions issued will be maintained. One copy of each simple caution issued must be sent to the Management Officer within one week of issue.

Where an individual/company declines the offer of a simple caution the Council will invariably instigate legal proceedings.

Any decisions to offer a simple caution will be made in accordance with guidance issued by the Ministry of Justice.

## 2.6 Prosecution

The Council recognises that the decision to prosecute is significant and could have far reaching consequences upon the alleged offender.

The Council will only instigate legal proceedings where there is sufficient, admissible and reliable evidence that an offence has been committed by an identifiable individual or company, that there is a realistic prospect of conviction and that prosecution for the offence is in the public interest.

The decision to prosecute will only be made by those officers listed in Section 3.2 - "Decision Making – Prosecutions".

In making the decision to prosecute the following factors will be considered, in line with the guidance in the Code of Practice for Crown Prosecutors: -

- a) the seriousness of the offence;
- b) the previous history of the landlord/owner or person responsible;
- c) the ability of witnesses and their willingness to co-operate;
- d) evidence that the individual or company is concerned to prevent a recurrence of the problem;
- e) whether a prosecution would be in the public interest and the importance of the case,
- f) whether other action, such as issuing a simple caution, a civil penalty notice or the service of a statutory notice would be more appropriate or effective
- g) any explanation by the individual/company.

In exceptional circumstances the Council will consider prosecution at the same time as the service of a statutory notice.

Any departure from this policy when making a decision with regard to prosecution will require justification and authorisation from a Principal Manager.

The decision whether to prosecute or take an alternative course of action will be documented.

All prosecutions will be brought without unnecessary delay.



2.7 Default

The Council will normally only carry out works in default of a statutory notice where

- a) there is an imminent risk to health/safety/welfare, such that the consequences of not taking immediate and decisive action would be unacceptable or
- b) statute does not permit prosecution for non-compliance with a statutory notice, e.g. Local Government (Miscellaneous Provisions) Act 1982 section 29, Public Health Act 1936 section 79 or
- c) in the case of Building Act 1984 Section 59, where the Housing Manager is satisfied that circumstances are such that default is the best course of action.

In exceptional circumstances, the Council will consider default in addition to other enforcement action such as a civil penalty notice or prosecution.

Where the Council has undertaken work in default it will recover the actual capital costs for the work and an administrative charge to recover costs incurred in arranging for a contractor; supervising the work and all associated administrative procedures.

The Council will register all costs incurred in undertaking default works as a local land charge against the premises.

Authorised officers may exercise their power of entry to enter premises in order to perform the Council's statutory functions.

The Council will consider taking enforcement action in cases where officers or contractors are obstructed in undertaking their duties or carrying out works. The same obstruction offences still apply once emergency procedures have commenced.

2.8 Emergency Measures

The Council will only use emergency enforcement powers under housing legislation where there is an imminent risk of serious harm.

In such circumstances the Council will take whatever remedial action it considers necessary to remove an imminent risk of serious harm. This could include taking remedial action in respect of a hazard and the recovery of reasonable expenses or prohibiting the use of all or part of a property.

Such emergency measures will only be taken where the Housing Manager is satisfied that the use of emergency powers is the best course of action.

Where emergency measures are taken, the owner of the property or other relevant person will be advised of the method and timeframe for appeal against the action taken.

### **3.0 Decision Making**

#### **3.1 Simple Cautions**

The following officers are authorised to administer formal cautions: -

Strategic Director of Place  
Assistant Director (Economy and Development)  
Principal Manager (Housing Operations)

#### **3.2 Prosecutions**

The following officers may authorise the instigation of legal proceedings subject to the final approval of Legal Services: -

Strategic Director of Place  
Assistant Director (Economy and Development)  
Principal Manager (Housing Operations)

The following officers will be consulted as part of the decision making process: -

Housing Managers  
Senior Environmental Health Officer (where appropriate)  
The Officer dealing with the case

#### **4.0 Houses In Multiple Occupation ( H.M.O's )**

- 4.1 Housing legislation requires that certain categories of H.M.O must be licensed by the Council.
- 4.2 The Council charges a licence fee for H.M.O licences. Details of the licence fees are included in the Council's Fees and Charges.
- 4.3 Properties inspected will be assessed in accordance with the Council's approved standards for H.M.O.'s. These standards are available from the Housing Office and on the Authority's website.
- 4.4 The Council will seek to identify all HMO's in the District and will, in the first instance, assess each property under its approved risk assessment process and identify those that require a licence. It will endeavour to re-assess properties at least once every five years and owners, agents and occupiers will be encouraged to assess their own houses and to agree to carry out phased improvements.
- 4.5 The Council will endeavour to ensure that owners are fully aware of their responsibilities and do not unnecessarily expose themselves to enforcement action through lack of understanding or information. However, properties inspected which fail to meet the relevant standards or licence conditions will be subject to appropriate enforcement action to remedy all deficiencies.
- 4.6 Licences for the mandatory H.M.O. licensing scheme will normally be granted for a five year period. However those who are late in making a licence application will be issued with a reduced term licence.
- 4.7 The Council will endeavour to inspect all licensed H.M.Os at least once during the licence period for that property. Properties inspected which fail to meet the relevant standards or licence conditions will be subject to appropriate enforcement action to remedy all deficiencies.
- 4.8 Documentation issued as part of an H.M.O licence will include details of the appeals process.

- 4.9 The Council has a Zero tolerance approach to the mandatory licensing of H.M.Os. Where the Council becomes aware of a licensable H.M.O that is being operated without a licence it will normally take formal enforcement action such as issuing a civil penalty notice or prosecution.

In these circumstances the Council may issue a reduced term licence and remove any entitlement to any fee discount.

- 4.10 In line with legislation, the Council can refuse to issue, to vary or revoke a H.M.O. licence. Where such action is deemed appropriate details of the decision will be documented.

## 5.0 Property Redress Scheme

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 requires all letting agents or property management businesses to be a member of a government approved or administered redress scheme.

Where a letting agent or property manager is identified as not being registered with one of the schemes, then a monetary penalty will be imposed by the Council.

In line with the legislation, Notices will be served on an individual/organisation prior to a monetary penalty being issued.

Where a letting agent or property manager demonstrates to the Council that they have joined one of the above redress schemes within the 28 day notice period specified within the notice the Council will reduce the fine level to only recover the costs associated with administering these powers in relation to the specific case.

Details of the financial penalties are included in the Council's Fees and Charges.

There is no limit to the number of fines that can be levied on a single letting agent or property manager if they continue not to be a member of a scheme.

Decisions on when to enforce a monetary penalty will be documented.

Where a penalty is not paid within the prescribed period, legal proceedings will be instituted for non-payment.

## 6.0 Harassment and Unlawful Eviction

6.1 Where the service becomes aware of allegations of offences of harassment of illegal eviction which threaten a tenant's rights in their tenancy they will normally refer the tenant to an appropriate partner organisation for assistance.

## 7.0 Charging for Enforcement Action

The Council will normally make a reasonable charge to recover administrative and other expenses incurred when taking the enforcement action under the Housing Act 2004. This will include when the following notices are served or actions taken:

- Serving an Improvement Notice under Sections 11 and/or 12;
- Making a Prohibition Order under Section 20 or 21;
- Serving a Hazard Awareness Notice under Section 28 or 29;
- Taking Emergency Remedial Action under Section 40;
- Making an Emergency Prohibition Order under Section 43;
- Undertaking an annual review of a Suspended Improvement Notice or a Suspended Prohibition Order, and
- Making a Demolition Order under Section 265 of the Housing Act 1985.

Any charges made for taking enforcement action will be detailed in a 'Demand or Payment' notice. The Charge will be recovered through the Council's Debt Recovery Service.

This charge is registerable as a local land charge on the Land Charges Register

Details of the financial penalties are included in the Council's Fees and Charges.

## 8.0 Fines, Recovery of Costs and Proceeds of Crime

In prosecution cases the Council will seek to recover the costs incurred in taking a prosecution case, which include administrative costs incurred for preparing the prosecution file; attendance at court and Legal costs for preparing and presenting the case.

In cases where a property has been let illegally, or where there has been a breach of legal requirements, the Council will consider applying to the First Tier Tribunal Service to recover rent from a landlord through a Rent Repayment Order. It will also give advice to tenants on how they may recover rents through applying to the Tribunal Service in these circumstances.

Where there is substantial financial gain for a landlord or owner through non-compliance with legislative requirements in the private rented sector, the Council will consider taking action to confiscate or recover monies gained through illegal

## Appendix 1

activities under the Proceeds of Crime Act 2002.

### 9.0 Compliments and Complaints

As required by the Regulators Code, the authority has a Compliments and Complaints Procedure which allows all service users to give a compliment, give feedback or make a formal complaint. This can be accessed through the Council's website or by telephoning the contact centre.

#### **Further Contact**

If you require any further information, you can contact this service at:

Housing Service  
8<sup>th</sup> Floor Margaret MacMillan Tower  
Princes Way  
Bradford  
BD1 1NN

Tel: 01274 434520

Email: [CHPEnquiries@bradford.gov.uk](mailto:CHPEnquiries@bradford.gov.uk)



**Appendix 1**

**CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL**

**POLICY FOR THE USE OF CIVIL PENALTIES FOR HOUSING OFFENCES**

This policy is intended to operate in accordance with the City of Bradford Metropolitan District Council's Private Sector Housing Enforcement Policy (the Enforcement Policy) published by the Council and the Civil Penalties under the Housing and Planning Act 2016, Guidance for Local Authorities published by the Department of Communities and Local Government (DCLG).

**Introduction**

The Housing and Planning Act 2016 introduces a number of amendments to the Housing Act 2004. Schedule 9 of the Housing and Planning Act 2016 inserts a new Section 249A into the Housing Act 2004 which establishes the legal basis for imposing civil penalties as an alternative to prosecution for specific offences under the Housing Act 2004.

Civil penalties are an alternative when a landlord fails to comply with:

- Section 30 – failure to comply with an improvement notice
- Section 72 – mandatory licensing of HMO
- Section 95 – licensing under Part 3 of the Housing Act 2004
- Section 139 – failure to comply with an overcrowding notice
- Section 234 – breach of management regulations in respect of HMO

The Government has laid out statutory guidance as to the process and the criteria that needs to consider when determining Civil Penalties. These are:

- Level of culpability
- Level of harm
- Severity of the offence
- Aggravating Factors
- Mitigating Factors
- Penalty to be fair and reasonable
- Penalty to be such as to be a deterrent and remove the gain derived through the failure to comply

The statutory guidance indicates that the Council should ensure that the civil penalty acts as a punishment, takes into account any previous patterns of offending and no offender should benefit as a result of committing an offence.

The legislation allows a maximum financial penalty of £30,000 per offence. In

determining the level of any penalty the Council will have regard to local circumstances, the relevant local enforcement policy and the relevant Government guidance detailing the factors to take into account, as shown above.

The overriding principle when considering civil penalties is that the landlord (as defined by the Housing Act 2004 as the owner, person having control or the licence holder) should not make any financial gain as a result of their failure to comply with the relevant legislation.

### **What is the burden of proof for a civil penalty?**

The proof is the same as set out previously for the offences under the Housing Act 2004. For a criminal prosecution the Council must satisfy itself that it can show beyond reasonable doubt that the landlord has committed the offence and that if heard in a magistrates' court there would be realistic prospect of conviction.

The Council will consider:

- Does it have sufficient evidence to prove beyond reasonable doubt that an offence has been committed by the landlord?
- Is there a public interest in imposing a Civil Penalty on the landlord in respect of the offence?
- Has the Council taken into account its own Enforcement Policy when deciding to impose the civil penalty including the alternative option of prosecuting for the offence?

In considering the evidence and making decisions officers will have regard to the Evidentiary State of the Full Code Test in the "Crown Prosecution Service Code for Crown Prosecutors" published by the Director of Public Prosecutions and the Public Interest Stage of the Full Code Test in the "Crown Prosecution Service Code for Crown Prosecutions" published by the Director of Public Prosecutions.

All decisions as to determining whether or not to pursue a Civil Penalty will be in accordance with the Private Sector Housing Enforcement Policy and will be documented.

### **Process for Imposing a Civil Penalty**

Where it has been determined that a financial penalty is the most appropriate course of action the Council will follow the process set out below:

A "Notice of Intent" shall be served on the person suspected of committing the offence. The Notice shall specify:

## Appendix 1

- a. The amount of any proposed financial penalty
- b. The reasons for proposing the financial penalty
- c. Information about the right to make representation to the Council.

The person to which the notice relates will be given 28 days to make written representation to the Council about the proposal to impose a financial penalty.

To enable the Council to consider any representations made it will be the landlord's responsibility to provide appropriate and satisfactory documentary evidence to support their submission. Failure to provide such evidence within the timescale will mean that the Council will not be able to consider any representation against the level of penalty imposed.

Representations can only be made by the recipients served with a Notice of Intention. No other parties have an automatic right to make representations. The Council will consider any information provided on a case by case basis.

Following the 28 day period the Council will decide, whether it receives written representation or not:

- a. Whether to impose a financial penalty on the person, and
- b. The value of any such penalty imposed.

If the Council decides to impose a financial penalty, a final notice will be issued imposing that penalty. The final notice will specify:

- a. the amount of the financial penalty,
- b. the reasons for imposing the penalty,
- c. information about how to pay the penalty,
- d. the period for payment of the penalty,
- e. information about rights of appeal to the Fire Tier Tribunal,
- f. the consequences of failure to comply with the notice.

The Council can at any time withdraw either the Notice of Intent or Final Notice or reduce the level of penalty imposed. Where a decision is made to withdraw or vary a notice the person on whom the notice was served will be informed in writing.

If the Council decides to withdraw a civil penalty, it has the right to pursue a prosecution against the landlord for the original offence for which it was imposed. Each case will be considered on its merits and decisions will be taken having regard to Crown Prosecution Service guidance and the Council's Enforcement Policy.

A landlord who has been served a Final Notice has the right of appeal to a First Tier Tribunal. In the event of such an appeal the civil penalty would be suspended until the appeal is determined or withdrawn.

Payment of the civil penalty will be within 28 days of the date of the Final Notice,

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unless appealed. Where appealed and the decision to serve the Notice is upheld it will be for the Tribunal to specify the period in which the landlord is to pay any fine imposed.

The Council will normally consider a reduction of up to a third of the penalty if at the first opportunity the landlord admits guilt for the offence and immediately remedies any outstanding issues. This is in line with the Sentencing Guidelines. Any reduction will only be available for the first offence and will not be less than the minimum level of penalty or the level of financial gain plus £2000 or 10% (whichever is the greater). Any subsequent offence will not be subject to any reduction.

The discount will only be applied to the landlord when the Council serves the Notice of Intent and the following criteria is met:

- The payment is made within the 28 days of the date of the Notice of Intent
- The payment is made in full

At any point after 28 days of service of the notice of the Notice of Intent there will be no further offer of any reduction in the level of penalty.

If the financial penalty imposed is not paid within the appropriate time period, either 28 days from the date of the Final Notice or within such time as determined by the First Tier Tribunal the Council will commend proceedings to recover the debt owed. This will include the recovery of any additional costs to the Council from having to undertake such action.

A certificate signed by the Chief Financial Officer for the Authority including the outstanding financial penalty imposed unless the offender has supplied any financial information to the contrary.

It is for the offender to disclose to the Council such data relevant to his financial position as this will enable it to assess and determine what they can reasonably afford to pay.

Where the Council is not satisfied that it has been given sufficient reliable information, the Council will be entitled to draw reasonable inferences as to the offender's means from evidence it has heard and from all the circumstances of the case. ***This may include the inference that the offender can pay any financial penalty.***

When considering the level of any financial penalty the final determining factor will always be the level of financial gain as a result of the landlord's failure to comply with the relevant legislation.

### **Consequence of a Civil Penalty**

Financial Penalties are an alternative to criminal proceedings. A landlord cannot be prosecuted for the same offence once the penalty has been paid and the matter

concluded.

Where a civil penalty has been imposed on a landlord it will not automatically prevent the Council from granting a licence under Part 2 or 3 of the Housing Act 2004. The Council will consider each case on its merits including the reasons for the penalty and the extent of the person's involvement in any property under consideration.

Where a person has received two financial penalties under the legislation in any 12 month period, irrespective of the locality to which the offences were committed, the Council will normally consider making an entry on the national database of rogue landlords and property agents. When considering making an entry, the Council will have regard to any guidance issued by the Secretary of State and best practise available.

### **Determining the Level of the Civil Penalties**

Section 143(1) Criminal Justice Act 2003 states: "In considering the seriousness of any offence the court must consider the offender's culpability in committing the offence and any harm which the offence caused, was intended to cause or might foreseeably cause". It also considers harm as encompassing those offences where harm is caused but also those where neither individuals nor the community suffer harm but a risk of harm is present.

In order to set the level of the penalty the Council will determine the offence category using the culpability and harm factors below:

#### **Level of Culpability**

The level of culpability of a landlord will depend upon a number of factors:

#### **High Level of culpability**

A landlord will be deemed to be highly culpable when they intentionally or recklessly breach or wilfully disregard the law.

Factors that will contribute to this assessment will include:

- They have a history of non-compliance
- Despite a number of opportunities to comply they have failed to do so
- They have been obstructive as part of the investigation
- Failure to comply results in significant risk to individuals
- They are a Member of a recognised landlord association or accreditation scheme
- They are an Experience landlord with a portfolio of properties who is failing to comply with their obligations

## Appendix 1

- Serious and/or systematic failure to comply with their legal duties

### **Medium level**

A landlord commits an offence through an act or omission a person exercising reasonable care would not commit.

Factors that will contribute to this assessment will include:

- It is a first offence – with no high level culpability criteria being met
- Failure is not a significant risk to individuals
- The landlord had systems in place to manage risk or comply with their legal duties but these were not sufficient or adhered to or implemented.

### **Low Level**

A landlord fails to comply or commit an offence with little fault.

Factors that will contribute to this assessment will include:

- No or minimal warning of circumstances
- Minor breaches
- Isolated occurrence
- A significant effort has been made to comply but was inadequate in achieving compliance

The above examples are not exclusive and other factors may be taken into account when considering the level of culpability.

### **Level of Harm**

When considering the level of harm both the actual, potential and likelihood of the harm will be considered:

#### **High level of harm**

A high level of harm could constitute:

- Serious effect on individual(s) or widespread impact
- Harm to a vulnerable individual
- High risk of an adverse effect on an individual

#### **Medium level of harm**

A medium level of harm could constitute:

- Adverse effect on an individual – not high level of harm
- Medium risk of harm to an individual

## Appendix 1

- Low risk of a serious effect
- The Council's work as a regulator to address risks to health is inhibited.

### Low level of harm

A low level of harm could constitute:

- Low risk of harm or potential harm
- Little risk of an adverse effect on individual(s)

The above examples are not exclusive and other factors may be taken into account when considering the level of harm.

The statutory guidance states that the harm caused and vulnerability of the individual are important factors in determining the level of penalty.

The Housing Act 2004 defines a vulnerable individual(s) as one who is at greater harm and therefore the penalty proposed will normally be greater when vulnerability is an issue.

### Determination of the Level of Penalty

The statutory guidance makes it clear that it is for each Council to determine the level of fin imposed under the Housing and Planning Act. The table below shows the initial level of fine for each level of culpability and harm, including the minimum level of fine that the Council will normally impose for each classification.

DETERMINTION OF CIVIL PENALTY LEVEL					
LEVEL OF CULPABILITY	LEVEL OF HARM	MINIMUM FINE LEVEL (when considering mitigating factors)			
		HIGH	MED	LOW	
HIGH		25000	15000	7500	6000
MED		15000	10000	5000	4000
LOW		7500	5000	2500	2000

### Adjustments to the Initial Penalty Determination

In order to determine the final penalty the Council will consider both aggravating and mitigating factors in each case. Officers will then adjust the initial level of the penalty based on these factors.

Below is a list of both aggravating and mitigation factors which will be considered as part of the determination. The list is not exhaustive and other factors may be



considered depending on the circumstances of each case.

**Aggravating factors could include:**

- Previous relevant convictions and time elapsed since those convictions
- Motivated by financial gain
- Obstruction of the investigation
- Deliberate concealment of the activity/evidence
- Number of items of non-compliance – greater the number the greater the potential aggravating factor
- Record of letting substandard accommodation
- Record of poor management/inadequate management provision
- Lack of a tenancy agreement/rent paid in case

When considering previous offences regard will be given to the guidance on Banning Orders as well as any other relevant offence such as trafficking etc.

**Mitigating factors could include:**

- Co-operation with the investigation e.g. turns up for PACE interview
- Voluntary steps taken to address issues e.g. submits a licence application
- Acceptance of responsibility e.g. accepts guilt for the offence(s)
- Willingness to undertake training
- Willingness to join a recognised landlord accreditation scheme
- Health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns
- No previous convictions
- Vulnerable individual(s) where their vulnerability is linked to the commission of the offence
- Good character and/or exemplary conduct

For each aggravating or mitigating factor which applies to each specific case the level of fine normally be adjusted by 5% of the initial fine, up to the maximum £30k or to the minimum fine for each determined level of culpability and harm as shown in the table above.

The only exception to this principle will normally be for the number of items of non-compliance which will be 5% for the first 5 items and 10% for any number of items greater than this level of non-compliance with items on any notice which has not been complied with.

**Totally Principle**

If issuing a financial penalty for more than one offence, or where the offender has already been issued with a financial penalty, officers will consider whether the total

penalties are just and proportionate to the offending behaviour.

Where the offender is issued with more than one financial penalty, officers will consider the following guidance from the definitive guideline on Offences Taken into Consideration and Totality.

‘The total financial penalty is inevitably cumulative.

The Council will determine the financial penalty for each individual offence based on the seriousness of the offence and taking into account the circumstances of the case including the financial circumstances of the offender so far as they are known, or appear, to the Council.

Officers will add up the financial penalties for each offence and consider if they are just and proportionate.

If the aggregate total is not just and proportionate officers will consider how to reach a just and proportionate financial penalty. There are a number of ways in which this can be achieved.

For example:

- where an offender is to be penalised for two or more offences that arose out of the same incident or where there are multiple offences of a repetitive kind, especially when committed against the same person, it will be appropriate to impose for the most serious offence a financial penalty. This should reflect the totality of the offending where this can be achieved within the maximum penalty for that offence. No separate penalty should be imposed for the other offences;
- where an offender is to be penalised for two or more offences that arose out of different incidents, it will often be appropriate to impose a separate financial penalty for each of the offences. The Council should add up the financial penalties for each offence and consider if they are just and proportionate. If the aggregate amount is not just and proportionate the Council should consider whether all of the financial penalties can be proportionately reduced. Separate financial penalties should then be passed.

Where separate financial penalties are passed, the Council must be careful to ensure that there is no ‘double-counting.’

### **Final determinate of the level of any civil penalty**

The final determinate of any civil penalty MUST be the general principle:

**THE CIVIL PENALTY SHOULD BE FAIR AND PROPORTIONATE BUT IN ALL INSTANCES SHOULD ACT AS A DETERRENT AND REMOVE ANY GAIN AS A**

## **RESULT OF THE OFFENCE**

The statutory guidance states that a guiding principle of civil penalties is that they should remove any financial benefit that the landlord may have obtained as a result of committing the offence. This means that the amount of the civil penalty imposed must never be less than what it would have cost the landlord to comply with the legislation in the first place.

When determining any gain as a result of the offence the Council will take into account the following issues:

- Cost of the works required to comply with the legislation
- Any licence fees avoided
- Rent for the full period of the non-compliance
- Any other factors resulting in a financial benefit – potential cost of rehousing any tenants by the Council
- As a deterrent, the cost to the Council of the investigation.

When determining whether a penalty is fair and proportionate then the following issues will be considered:

- Impact of the financial penalty on the offender's ability to comply with the law
- Impact of the penalty on third party – employment of staff, customers etc.
- Impact on the offender – is it proportionate to their means – loss of home etc.

It must be remembered that as landlords they are property owners and if they claim inability to pay and show their income is small then there can always be consideration to the property(ies) they own which can be sold or refinanced.

As part of any investigation into a landlord's ability to pay the following needs to be considered:

- Company House records if a limited company
- Credit checks – these will show outstanding debts and commitments on properties the landlord owns
- Size of portfolio – could a landlord sell a property to finance the penalty
- Refinance – is there the ability to raise money against their asset base
- Rental income on their portfolio not just the property to which the offence relates
- Personal income including their own home

All decisions will be documented. This will include the reasons for the financial penalty and how the amount of the penalty was determined.

## **Appendix 2**

### **Statement of principles for determining financial penalties**

#### **The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

##### **Introduction**

This statement sets out the principles that Bradford Metropolitan District Council (the Council) will apply in exercising its powers to require a relevant landlord (landlord) to pay a financial penalty.

##### **Purpose of this Statement of Principles**

The Council is required under these Regulations to prepare and publish a statement of principles and it must follow this guide when deciding on the amount of a penalty charge.

The Council may revise its statement principles at any time, but where it does so, it must publish a revised statement.

When deciding on the amount for the penalty charge, the Council will have regard to the statement of principles published at the time when the breach in question occurred.

##### **The legal framework**

The powers come from the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (the Regulations), being a Statutory Instrument (2015 No 1693) which came into force on 1 October 2015.

The Regulations place a duty on landlords, which include freeholders or leaseholders who have created a tenancy, lease, licence, sub-lease or sub-licence. The Regulations exclude registered providers of social housing.

The duty requires that landlords ensure that:

- a smoke alarm is installed on each storey of premises where there is living accommodation
- a carbon monoxide alarm is installed in any room of premises used as living accommodation, which contained a solid fuel burning appliance.

AND for tenancies starting from 1 October 2015

- checks are made by the landlord or someone acting on his behalf that the alarm(s) is/are in proper working order on the day the tenancy starts.

Where the Council believe that a landlord is in breach of one or more of the above duties, the Council must serve a remedial notice on the landlord. The remedial notice is a notice served under Regulation 5.

If the landlord, then fails to take the remedial action specified in the notice within specified timescale, the Council can require a landlord to pay a penalty charge. The power to charge of penalty comes from Regulation 8.

A landlord will not be considered to be in breach of their duty to comply with the remedial notice, if they can demonstrate they have taken all reasonable steps to comply. This can be done by making written representations to the Council within 28 days of when the remedial notice is served.

The Council will impose a penalty charge where it is satisfied, on the balance of probabilities, that the landlord has not complied with the action specified in the remedial notice within the required timescale.

### **Criteria for determining the amount of a financial penalty**

A failure to comply with the requirements of a remedial notice allows the Council to require payment of a penalty charge.

Where a landlord fails to comply with a remedial notice within the specified time the Council will normally impose a financial penalty.

The Regulations state the amount of the penalty charge must not exceed £5,000.

The penalty charge comprises two parts, a punitive element for failure to comply with the absolute requirements to comply with a remedial notice and a cost element relating to investigative costs, officer time, administration and any remedial works arranged and carried out by the Council's contractors.

The penalty charge is payable within 30 days beginning with the day on which the penalty charge notice is served.

The Council has discretion to offer any early payment reduction if a landlord pays the penalty charge within 14 days beginning with the day the penalty charge notice is served.

The charges are as follows:

- £2,500 for the first breach to comply with a remedial notice.
- £1,250 for early payment, representing 50% reduction, for the first breach to comply with a remedial notice.

- £5,000 for each subsequent breach to comply with a remedial notice
- £2,500 for early payment, representing 50% reduction, for each subsequent breach to comply with a remedial notice

**Remedial Action taken in default of the landlord**

Where the Council is satisfied that a landlord has not complied with a specification described in the remedial notice in the required timescale and consent is given by the occupier, the Council will arrange for remedial works to be undertaken in default of the landlord. This work in default will be undertaken within 28 days of the Council being satisfied of the breach. In these circumstances, battery operated alarms will be installed as a quick and immediate response.

Smoke Alarms – In order to comply with these Regulations, smoke alarms will be installed at every storey of residential accommodation. This may provide only a temporary solution as the property may be high risk because of:

- its mode of occupancy such as a house in multiple occupation or building converted into one or more flats,
- having an unsafe internal layout where fire escape routes pass through a living room or kitchens, or
- is 3 or more storeys high.

A full fire risk assessment will subsequently be undertaken, with regards to the Council's Fire Safety Principles and LACORS Housing – fire safety guidance. This will consider the adequacy of the type and coverage of the smoke alarm system, fire escape routes including escape windows and fire separation measures such as fire doors and protected walls and ceilings. Any further works required to address serious fire safety hazards in residential property, that are not undertake though informal agreement, will be enforced using the Housing Act 2004, in accordance with the Council's Enforcement Policy.

Carbon Monoxide Alarms – In order to comply with these Regulations, a carbon monoxide alarm will be installed in every room containing a solid fuel appliance.

**All communications** for representations made against the Remedial Notice (regulation 5) are to be sent to:

Liam Jowett  
Housing Standards Manager  
Economy and Development  
8<sup>th</sup> Floor Margaret McMillan Tower  
Princes Way  
Bradford BD1 1NN

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Or the Penalty Charge Notice (regulation 8) are to be sent to:

Julie Rhodes

Principal Operations Manager

8<sup>th</sup> Floor Margaret McMillan Tower

Princes Way

Bradford BD1 1NN

Or by email to [CHPEnquiries@bradford.gov.uk](mailto:CHPEnquiries@bradford.gov.uk)

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## **CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL**

### **POLICY FOR THE USE OF CIVIL PENALTIES FOR HOUSING OFFENCES**

This policy is intended to operate in accordance with the City of Bradford Metropolitan District Council's Private Sector Housing Enforcement Policy (the Enforcement Policy) published by the Council and the Civil Penalties under the Housing and Planning Act 2016, Guidance for Local Authorities published by the Department of Communities and Local Government (DCLG).

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Civil penalties are an alternative when a landlord fails to comply with:

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- Section 72 – mandatory licensing of HMO
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- Section 139 – failure to comply with an overcrowding notice
- Section 234 – breach of management regulations in respect of HMO

The Government has laid out statutory guidance as to the process and the criteria that needs to consider when determining Civil Penalties. These are:

- Level of culpability
- Level of harm
- Severity of the offence
- Aggravating Factors
- Mitigating Factors
- Penalty to be fair and reasonable
- Penalty to be such as to be a deterrent and remove the gain derived through the failure to comply

The statutory guidance indicates that the Council should ensure that the civil penalty acts as a punishment, takes into account any previous patterns of offending and no offender should benefit as a result of committing an offence.

The legislation allows a maximum financial penalty of £30,000 per offence. In determining the level of any penalty the Council will have regard to local circumstances, the relevant local enforcement policy and the relevant Government guidance detailing the factors to take into account, as shown above.

The overriding principle when considering civil penalties is that the landlord (as defined by the Housing Act 2004 as the owner, person having control or the licence holder) should not make any financial gain as a result of their failure to comply with the relevant legislation.

### **What is the burden of proof for a civil penalty?**

The proof is the same as set out previously for the offences under the Housing Act 2004. For a criminal prosecution the Council must satisfy itself that it can show beyond reasonable doubt that the landlord has committed the offence and that if heard in a magistrates' court there would be realistic prospect of conviction.

The Council will consider:

- Does it have sufficient evidence to prove beyond reasonable doubt that an offence has been committed by the landlord?
- Is there a public interest in imposing a Civil Penalty on the landlord in respect of the offence?
- Has the Council taken into account its own Enforcement Policy when deciding to impose the civil penalty including the alternative option of prosecuting for the offence?

In considering the evidence and making decisions officers will have regard to the Evidentiary Stage of the Full Code Test in the "Crown Prosecution Service Code for Crown Prosecutors" published by the Director of Public Prosecutions and the Public Interest Stage of the Full Code Test in the "Crown Prosecution Service Code for Crown Prosecutors" published by the Director of Public Prosecutions.

All decisions as to determining whether or not to pursue a Civil Penalty will be in accordance with the Private Sector Housing Enforcement Policy and will be documented.

### **Process for Imposing a Civil Penalty**

Where it has been determined that a financial penalty is the most appropriate course of action the Council will follow the process set out below:

A "Notice of Intent" shall be served on the person suspected of committing the offence. The Notice shall specify:

- a. The amount of any proposed financial penalty
- b. The reasons for proposing the financial penalty
- c. Information about the right to make representation to the Council.

The person to which the notice relates will be given 28 days to make written representation to the Council about the proposal to impose a financial penalty.

To enable the Council to consider any representations made it will be the landlord's responsibility to provide appropriate and satisfactory documentary evidence to support their submission. Failure to provide such evidence within the timescale will mean that the Council will not be able to consider any representation against the level of penalty imposed.

Representations can only be made by the recipients served with a Notice of Intention. No other parties have an automatic right to make representations. The Council will consider any information provided on a case by case basis.

Following the 28 day period the Council will decide, whether it receives written representation or not:

- a. Whether to impose a financial penalty on the person, and
- b. The value of any such penalty imposed.

If the Council decides to impose a financial penalty, a final notice will be issued imposing that penalty. The final notice will specify:

- a. the amount of the financial penalty,
- b. the reasons for imposing the penalty,
- c. information about how to pay the penalty,
- d. the period for payment of the penalty,
- e. information about rights of appeal to the First tier Tribunal
- f. the consequences of failure to comply with the notice.

The Council can at any time withdraw either the Notice of Intent or Final Notice or reduce the level of penalty imposed. Where a decision is made to withdraw or vary a notice the person on whom the notice was served will be informed in writing.

If the Council decides to withdraw a civil penalty, it has the right to pursue a prosecution against the landlord for the original offence for which it was imposed. Each case will be considered on its merits and decisions will be taken have regard to Crown Prosecution Service guidance and the Council's Enforcement Policy.

A landlord who has been served a Final Notice has the right of appeal to a First Tier Tribunal. In the event of such an appeal the civil penalty would be suspended until the appeal is determined or withdrawn.

Payment of the civil penalty will be within 28 days of the date of the Final Notice, unless appealed. Where appealed and the decision to serve the Notice is upheld it will be for the Tribunal to specify the period in which the landlord is to pay any fine imposed.

The Council will normally consider a reduction of up to a third of the penalty if at the first opportunity the landlord admits guilt for the offence and immediately remedies any outstanding issues. This is in line with the Sentencing Guidelines. Any reduction will only be available for the first offence and will not be less than the minimum level of penalty or the level of financial gain plus £2000 or 10% (whichever is the greater). Any subsequent offence will not be subject to any reduction.

The discount will only be applied to the landlord when the Council serves the Notice of Intent and the following criteria is met:

- The payment is made within the 28 days of the date of the Notice of Intent
- The payment is made in full

At any point after 28 days of service of the notice of the Notice of Intent there will be no further offer of any reduction in the level of penalty.

If the financial penalty imposed is not paid within the appropriate time period, either 28 days from the date of the Final Notice or within such time as determined by the First Tier Tribunal the Council will commence proceedings to recover the debt owed. This will include the recovery of any additional costs to the Council from having to undertake such action.

A certificate signed by the Chief Finance Officer for the Authority including the outstanding amount due will normally be accepted by the courts as conclusive proof of any outstanding payment due to the Council.

In setting a financial penalty, the Council may conclude that the offender is able to pay any financial penalty imposed unless the offender has supplied any financial information to the contrary.

It is for the offender to disclose to the Council such data relevant to his financial position as this will enable it to assess and determine what they can reasonably afford to pay.

Where the Council is not satisfied that it has been given sufficient reliable information, the Council will be entitled to draw reasonable inferences as to the offender's means from evidence it has heard and from all the circumstances of the case. ***This may include the inference that the offender can pay any financial penalty.***

When considering the level of any financial penalty the final determining factor will always be the level of financial gain as a result of the landlord's failure to comply with the relevant legislation.

### **Consequences of a Civil Penalty**

Financial Penalties are an alternative to criminal proceedings. A landlord cannot be prosecuted for the same offence once the penalty has been paid and the matter concluded.

Where a civil penalty has been imposed on a landlord it will not automatically prevent the Council from granting a licence under Part 2 or 3 of the Housing Act 2004. The Council will consider each case on its merits including the reasons for the penalty and the extent of the person's involvement in any property under consideration.

Where a person has received two financial penalties under this legislation in any 12 month period, irrespective of the locality to which the offences were committed, the Council will normally consider making an entry on the national database of rogue landlords and property agents. When considering making an entry, the Council will have regard to any guidance issued by the Secretary of State and best practise available.

### **Determining the Level of the Civil Penalties**

Section 143(1) Criminal Justice Act 2003 states: "In considering the seriousness of any offence the court must consider the offender's culpability in committing the offence and any harm which the offence caused, was intended to cause or might foreseeably caused". It also considers harm as encompassing those offences where harm is caused but also those where neither individuals nor the community suffer harm but a risk of harm is present.

In order to set the level of the penalty the Council will determine the offence category using the culpability and harm factors below:

### **Level of Culpability**

The level of culpability of a landlord will depend upon a number of factors:

#### **High level of culpability**

A landlord will be deemed to be highly culpable when they intentionally or recklessly breach or wilfully disregard the law.

Factors that will contribute to this assessment will include:

- They have a history of non-compliance
- Despite a number of opportunities to comply they have failed to do so
- They have been obstructive as part of the investigation
- Failure to comply results in significant risk to individuals
- They are a Member of a recognised landlord association or accreditation scheme
- They are a Public figure who should have been aware of their actions
- They are an Experienced landlord with a portfolio of properties who is failing to comply with their obligations
- Serious and/or systematic failure to comply with their legal duties

#### **Medium level**

A landlord commits an offence through an act or omission a person exercising reasonable care would not commit.

Factors that will contribute to this assessment will include:

- It is a first offence – with no high level culpability criteria being met
- Failure is not a significant risk to individuals
- The landlord had systems in place to manage risk or comply with their legal duties but these were not sufficient or adhered to or implemented.

#### **Low level**

A landlord fails to comply or commit an offence with little fault.

Factors that will contribute to this assessment will include:

- No or minimal warning of circumstances/risk
- Minor breaches
- Isolated occurrence
- A significant effort has been made to comply but was inadequate in achieving compliance

The above examples are not exclusive and other factors may be taken into account when considering the level of culpability.

### **Level of Harm**

When considering the level of harm both the actual, potential and likelihood of the harm will be considered:

#### **High level of harm**

A high level of harm could constitute:

- Serious effect on individual(s) or widespread impact
- Harm to a vulnerable individual
- High risk of an adverse effect on an individual

#### **Medium level of harm**

A medium level of harm could constitute:

- Adverse effect on an individual – not high level of harm
- Medium risk of harm to an individual
- Low risk of a serious effect
- The Council's work as a regulator to address risks to health is inhibited

#### **Low level of harm**

A low level of harm could constitute:

- Low risk of harm or potential harm
- Little risk of an adverse effect on individual(s)

The above examples are not exclusive and other factors may be taken into account when considering the level of harm.

The statutory guidance states that the harm caused and vulnerability of the individual are important factors in determining the level of penalty.

The Housing Act 2004 defines a vulnerable individual(s) as one who is at greater harm and therefore the penalty proposed will normally be greater when vulnerability is an issue.

### Determination of the Level of Penalty

The statutory guidance makes it clear that it is for each Council to determine the level of fine imposed under the Housing and Planning Act. The table below shows the initial level of fine for each level of culpability and harm, including the minimum level of fine that the Council will normally impose for each classification:

<b>DETERMINATION OF CIVIL PENALTY LEVEL</b>				
<b>LEVEL OF CULPABILITY</b>	<b>LEVEL OF HARM</b>			<b>MINIMUM FINE LEVEL</b> (when considering mitigating factors)
	<b>HIGH</b>	<b>MED</b>	<b>LOW</b>	
<b>HIGH</b>	25000	15000	7500	6000
<b>MED</b>	15000	10000	5000	4000
<b>LOW</b>	7500	5000	2500	2000

### Adjustments to the Initial Penalty Determination

In order to determine the final penalty the Council will consider both aggravating and mitigating factors in each case. Officers will then adjust the initial level of the penalty based on these factors.

Below is a list of both aggravating and mitigation factors which will be considered as part of the determination. The list is not exhaustive and other factors may be considered depending on the circumstances of each case.

#### Aggravating factors could include:

- Previous relevant convictions and time elapsed since those convictions
- Motivated by financial gain
- Obstruction of the investigation
- Deliberate concealment of the activity/evidence
- Number of items of non-compliance – greater the number the greater the potential aggravating factor
- Record of letting substandard accommodation
- Record of poor management/ inadequate management provision
- Lack of a tenancy agreement/rent paid in cash

When considering previous offences regard will be given to the guidance on Banning Orders as well as any other relevant offence such as trafficking etc.

#### Mitigating factors could include:

- Co-operation with the investigation e.g. turns up for a PACE interview
- Voluntary steps taken to address issues e.g. submits a licence application
- Acceptance of responsibility e.g. accepts guilt for the offence(s)
- Willingness to undertake training
- Willingness to join a recognised landlord accreditation scheme
- Health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns

- No previous convictions
- Vulnerable individual(s) where their vulnerability is linked to the commission of the offence
- Good character and/or exemplary conduct

For each aggravation or mitigating factor which applies to each specific case the level of fine will normally be adjusted by 5% of the initial fine, up to the maximum £30k or to the minimum fine for each determined level of culpability and harm as shown in the table above.

The only exception to this principle will normally be for the number of items of non-compliance which will be 5% for the first 5 items and 10% for any number of items greater than this level of non-compliance with items on any notice which has not been complied with.

### **Totality Principle**

If issuing a financial penalty for more than one offence, or where the offender has already been issued with a financial penalty, officers will consider whether the total penalties are just and proportionate to the offending behaviour.

Where the offender is issued with more than one financial penalty, officers will consider the following guidance from the definitive guideline on Offences Taken into Consideration and Totality.

‘The total financial penalty is inevitably cumulative.

The Council will determine the financial penalty for each individual offence based on the seriousness of the offence and taking into account the circumstances of the case including the financial circumstances of the offender so far as they are known, or appear, to the Council.

Officers will add up the financial penalties for each offence and consider if they are just and proportionate.

If the aggregate total is not just and proportionate officers will consider how to reach a just and proportionate financial penalty. There are a number of ways in which this can be achieved.

For example:

- where an offender is to be penalised for two or more offences that arose out of the same incident or where there are multiple offences of a repetitive kind, especially when committed against the same person, it will often be appropriate to impose for the most serious offence a financial penalty. This should reflect the totality of the offending where this can be achieved within the maximum penalty for that offence. No separate penalty should be imposed for the other offences;
- where an offender is to be penalised for two or more offences that arose out of different incidents, it will often be appropriate to impose a separate financial penalties for each of the offences. The Council should add up the financial penalties for each offence and consider if they are just and proportionate. If the aggregate amount is not just and proportionate the Council should consider whether all of the financial penalties can be proportionately reduced. Separate financial penalties should then be passed.



Where separate financial penalties are passed, the Council must be careful to ensure that there is no 'double-counting.'

### **Final determinate of the level of any civil penalty**

The final determinate of any civil penalty MUST be the general principle:

#### **THE CIVIL PENALTY SHOULD BE FAIR AND PROPORTIONATE BUT IN ALL INSTANCES SHOULD ACT AS A DETERRENT AND REMOVE ANY GAIN AS A RESULT OF THE OFFENCE**

The statutory guidance states that a guiding principle of civil penalties is that they should remove any financial benefit that the landlord may have obtained as a result of committing the offence. This means that the amount of the civil penalty imposed must never be less than what it would have cost the landlord to comply with the legislation in the first place.

When determining any gain as a result of the offence the Council will take into account the following issues:

- Cost of the works required to comply with the legislation
- Any licence fees avoided
- Rent for the full period of the non-compliance
- Any other factors resulting in a financial benefit – potential cost of rehousing any tenants by the Council
- As a deterrent, the cost to the Council of their investigation.

When determining whether a penalty is fair and proportionate then the following issues will be considered:

- Impact of the financial penalty on the offender's ability to comply with the law
- Impact of the penalty on third party – employment of staff, customers etc.
- Impact on the offender – is it proportionate to their means – loss of home etc.

It must be remembered that as landlords they are property owners and if they claim inability to pay and show their income is small then there can always be consideration to the property(ies) they own which can be sold or refinanced.

As part of any investigation into a landlord's ability to pay the following needs to be considered:

- Company House records if a limited company
- Credit checks – these will show outstanding debts and commitments on properties the landlord owns
- Size of portfolio – could a landlord sell a property to finance the penalty
- Refinance – is there the ability to raise money against their asset base.
- Rental income on their portfolio not just the property to which the offence relates
- Personal income including their own home

All decisions will be documented. This will include the reasons for the financial penalty and how the amount of the penalty was determined.

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**Equality Impact Assessment Form**

Reference –

<b>Department</b>	Place	<b>Version no</b>	1
<b>Assessed by</b>	Julie Rhodes	<b>Date created</b>	17.10.17
<b>Approved by</b>	Shelagh O'Neill	<b>Date approved</b>	17.10.17
<b>Updated by</b>		<b>Date updated</b>	
<b>Final approval</b>		<b>Date signed off</b>	

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

**Section 1: What is being assessed?****1.1 Name of proposal to be assessed.**

The proposed Council policy relating to the use of civil penalty notices for housing offences.

**1.2 Describe the proposal under assessment and what change it would result in if implemented.**

The Housing and Planning Act 2016 introduces a number of amendments to the Housing Act 2004. One of these amendments is to introduce a new section into the Act which establishes 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 first adopt and publicise its policy with regard to the use of civil penalty notices for these offences.

A civil penalty is a financial penalty imposed by a Council on an individual or organisation as an alternative to prosecution. Under the above legislation the Council would be able to impose a civil penalty of up to £30,000 per offence for the following offences under the Housing Act 2004:

- Section 30 – failure to comply with an improvement notice

## APPENDIX 3

- Section 72 – mandatory licensing of Houses in Multiple Occupation (HMO)
- Section 95 – licensing under Part 3 of the Housing Act 2004
- Section 139 – failure to comply with an overcrowding notice
- Section 234 – breach of management regulations in respect of HMO

Prior to the introduction of civil penalty notices, the Council would have prosecuted the individual or organisation responsible for the offence. If the prosecution was successful the Courts could have imposed a financial penalty, often for an unlimited amount (dependent on the offence) on the individual/organisation.

The Government has laid out statutory guidance as to the process and the criteria that needs to consider when determining Civil Penalties. These are:

Level of culpability

Level of harm

Severity of the offence

Aggravating Factors

Mitigating Factors

Penalty to be fair and reasonable

Penalty to be such as to be a deterrent and remove the gain derived through the failure to comply

The statutory guidance indicates that the Council should ensure that the civil penalty acts as a punishment, takes into account any previous patterns of offending and no offender should benefit as a result of committing an offence.

The legislation allows a maximum financial penalty of £30,000 per offence. In determining the level of any penalty the Council will have regard to local circumstances, the relevant local enforcement policy and the relevant Government guidance detailing the factors to take into account, as shown above.

## Section 2: What the impact of the proposal is likely to be

### 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.

Poor quality housing in the private rented sector is often occupied by more vulnerable individuals. The proposed policy will enable the Council to penalise any individual/organisation that commits a housing offence by failing to comply with housing legislation.

Compliance with housing legislation will ensure that housing conditions are improved by removing hazards that are prejudicial to the health and safety of tenants. This should indirectly improve opportunities available to those with protected characteristics.

**2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

Poor quality housing in the private rented sector is often occupied by more vulnerable individuals. The proposed policy will enable the Council to penalise any individual/organisation that commits a housing offence by failing to comply with housing legislation.

Compliance with housing legislation will ensure that housing conditions are improved by removing hazards that are prejudicial to the health and safety of tenants.

**2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

The policy should advance equality of opportunity between tenants who share a protected characteristic and those who don't (please refer to 2.1).

The policy will have an equal impact on all landlords. The Council's Private Sector Housing Enforcement Policy will ensure that any action taken against landlords will be based on risk and will normally give landlords the opportunity to address any hazards to health and safety informally before any formal action is taken, meaning that a civil penalty would normally only be served where a landlord has not taken such opportunities to comply. This policy will ensure that a defined set of criteria are applied consistently when deciding whether to enforce a civil penalty.

The power to civil penalty notices for housing offences is introduced by the Housing and Planning Act 2016. Prior to the introduction of this legislation the Department for Communities and Local Government (DCLG) undertook an equality impact assessment of the proposed new powers. The DCLG has also extensively publicised the new powers with landlord organisations and in the general media.

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

Publicising the proposed policy through the press and the Council's website will raise awareness amongst landlords of their legal obligations.

**2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
----------------------------	------------------------

Age	L
Disability	L
Gender reassignment	L
Race	L
Religion/Belief	L
Pregnancy and maternity	L
Sexual Orientation	L
Sex	L
Marriage and civil partnership	L
<b>Additional Consideration:</b>	
Low income/low wage	N

**2.5 How could the disproportionate negative impacts be mitigated or eliminated?**  
 (Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

N/A

### Section 3: Dependencies from other proposals

**3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.**

Legal, Finance (including Debt Recovery and Fraud).  
 No additional equality impacts identified.

### Section 4: What evidence you have used?

**4.1 What evidence do you hold to back up this assessment?**

DCLG guidance  
 DCLG consultation.  
 Performance data relating to Housing Operations service  
 Stock Condition Survey 2015 data.

#### **4.2 Do you need further evidence?**

No.

### **Section 5: Consultation Feedback**

#### **5.1 Results from any previous consultations prior to the proposal development.**

The power to civil penalty notices for housing offences is introduced by the Housing and Planning Act 2016. Prior to the introduction of this legislation the Department for Communities and Local Government (DCLG) undertook an equality impact assessment of the proposed new powers. The DCLG has also extensively publicised the new powers with landlord organisations and in the general media.

Housing officers have worked with colleagues across West Yorkshire to agree a consistent approach across the sub region with regard to the enforcement approach to Civil Penalty notices for Housing Act offences and level of monetary fine. This is important due to the fact that property owners often operate across local authority boundaries.

A number of other proposed new powers in The Housing and Planning Act 2016 are still to be introduced. Officers from the Housing service will continue to work with the other Authorities to ensure shared learning and a consistent approach.

#### **5.2 The departmental feedback you provided on the previous consultation (as at 5.1).**

The Council provided a response to the DCLG consultation on the Housing and Planning Act 2016.

#### **5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).**

N/A

#### **5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.**

N/A

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## Report of the Strategic Director of Place to the meeting of Executive to be held on 7 November 2017.

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AF

**Subject: Local Plan – Bradford City Centre Area Action Plan (AAP) and Shipley & Canal Road Corridor AAP – Planning Inspectors Report & Adoption**

### **Summary statement:**

The Council is in the process of preparing a new Local Plan which will 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 is 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 will 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 has now received the Planning Inspector's Final Report and recommendations on the two AAPs.

The Inspector has 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 concludes that the Bradford City Centre AAP and Shipley & Canal Road Corridor AAP can both be considered to be legally compliant and sound, providing a limited set of Main Modifications are made to the plans, as submitted.

The purpose of this report 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.

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Julian Jackson  
Assistant Director – Planning,  
Transportation & Highways

### **Portfolio:**

Regeneration, Planning and Transport

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### **Overview & Scrutiny Area:**

Regeneration & Economy

## 1. SUMMARY

- 1.1 The Council is in the process of preparing a new Local Plan which will 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 is 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 will 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 has now received the Planning Inspector's Final Report and recommendations on the two AAPs.
- 1.2 The Inspector has 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 concludes that the Bradford City Centre AAP and Shipley & Canal Road Corridor AAP can both be considered to be legally compliant and sound, providing a limited set of Main Modifications are made to the plans, as submitted.
- 1.3 The purpose of this report 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.

## 2. BACKGROUND

- 2.1 In accordance with the Planning & Compulsory Purchase Act 2004, the Council is in the process of putting in place an up to date Local Plan for the Bradford District in line with the Local Development Scheme adopted by the Council. The Local Plan will ultimately supersede the current Bradford District Replacement Unitary Development Plan (as saved by the Secretary of State Oct 08). Following the adoption of the Local Plan Core Strategy in July 2017, Council is committed to adopting the following suite of Development Plan Documents:
  - Allocations Development Plan Documents (DPD) (Currently in Production)
  - Bradford City Centre Area Action Plan DPD (AAP) (Post Examination Awaiting Adoption)
  - Shipley and Canal Road Corridor Area Action Plan DPD (AAP) (Post Examination Awaiting Adoption)
  - Waste Management Development Plan Documents (DPD) (Post Examination Awaiting Adoption)
- 2.2 The two AAPs set out the 15 year planning frameworks for delivering housing, economic developments and supporting infrastructure in alignment with

regeneration projects and programmes.

- 2.3 The Planning & Compulsory Purchase Act 2004 as amended by the Localism Act provides the Legal basis for the preparation of the statutory development plan. This is supplemented by detailed regulations in particular Town and Country Planning (Local Planning) (England) Regulations 2012. The Development plan process is made up of 5 main stages.

Stage 1 Initial Evidence gathering

Stage 2 Initial Consultation and continued work on evidence gathering (reg18)

Stage 3 Publication and Submission (Reg 17, 19 and 22)

Stage 4 Examination (reg 23-24)

Stage 5 Adoption (Reg 26)

- 2.4 The Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP have both reached stage 5. Work under stage 1, 2, 3 and 4 is briefly summarised below with reference to previous engagement and technical work.
- 2.5 Upon adoption, the AAPs will form the key statutory plan which sets out the planning policy framework for delivering homes and jobs in these two priority regeneration growth areas. It includes policies and allocations in line with the adopted Core Strategy and the National Planning Policy Framework (NPPF).
- 2.6 The Bradford City Centre AAP - Submission Draft and Shipley & Canal Road Corridor AAP – Submission Draft, have been based upon the National Planning Policy Framework (NPPF), practice guidance and informed by extensive community engagement and consultation, and technical evidence and research. Each of these elements is considered in turn below.

### **Consultation and Engagement**

- 2.7 As part of the Local Plan for Bradford District, the Council committed to producing the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP which will allocate sites for housing, economic development and infrastructure, such as highway improvements and greenspace. The AAPs also provides policies for their delivery and implementation in support of the approach set out in national as well as the Core Strategy.

- 2.8 The two AAPs have been subject to 5 stages of plan as outlined below:

### **Issues and Options**

Bradford City Centre AAP – Issues and Options 2007 / 2008  
Approved by Executive 16th January 2007

Bradford City Centre AAP – Further Issues and Options - Public Consultation March to May 2013

Shipley and Canal Road Corridor – Issues and Options - Public Consultation March to May 2013

Approved by Executive 15th January 2013.

### **Publication Draft**

Bradford City Centre AAP and Shipley and Canal Road Corridor AAP – Public Consultation December 2015 to February 2016

Approved by Executive 13th October 2015

Approved by Full Council 20th October 2015

### **Submission Draft**

Bradford City Centre AAP and Shipley and Canal Road Corridor AAP – Submission to Secretary of State 29th April 2016

### **Examination**

Bradford City Centre AAP and Shipley and Canal Road Corridor AAP – Hearings held October 2016 and March 2017. Public Consultation on Modifications 5th July to 16th August 2017.

### **Inspectors Report**

Bradford City Centre AAP and Shipley and Canal Road Corridor AAP – Inspectors Report received 2nd October 2017.

- 2.9 The Publication Draft, approved by Full Council on 20 October 2015, was the final stage prior to submission to Secretary of State for independent examination in public with the Planning Inspector. As such this is the stage when it became the plan that the Council wishes to see adopted. At the Publication Draft stage the Council had to ensure that it will pass the key tests at independent examination in public.
- 2.10 The Local Plan was examined by an independent Planning Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. To this end, the Council, as the local planning authority, submitted the Plans for examination which it considered to be “sound” – namely that they were:
1. Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  2. Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  3. Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  4. Consistent with national policy – the plan should enable the delivery of

sustainable development in accordance with the policies in the Plan.

- 2.11 Following publication of the two Plans for formal representations the Council submitted the two AAPs plus supporting documentation and representations to the Secretary of State on 29 April 2016, for examination in public by an independent Planning Inspector. The Secretary of State then appointed Louise Nurser (BA Hons, Dip UP, MRTPI) to undertake the examinations into the two AAPs.
- 2.12 As part of the examination process, the Inspector had issued a number of Matters, Issues and Questions (MIQs) relating to the legal compliance and soundness of various parts of the two AAPs. The Council had issued responses to all the MIQs raised by the Inspector, some of which have resulted in a number of main modifications being proposed. Alongside these modifications, the Inspector has also suggested a number of modifications to address any outstanding issues, which the Council have accepted and incorporated into the overall Schedule of Modifications.
- 2.13 Following a limited set of examination hearings held in October 2016 and March 2017, the Inspector recommended a number of main modifications to the Plan to make it sound and adoptable. As required under the Town and Country Planning Regulations 2012, the Council undertook a 6 week public consultation on the Schedule of Main Modifications. Approximately 2,500 people (including elected members, statutory consultees, people who have made previous represents etc) were notified as part of the public consultation.
- 2.14 Alongside the Schedule of Main Modifications, a Sustainability Appraisal Addendum was published, which detailed the potential impacts of the main modifications.
- 2.15 The Council received 24 representations on the Schedule of Modifications and the Sustainability Appraisal Addendum. All consultation documents and written representations are available to view on the Council website.
- 2.16 The Inspector subsequently considered all the representations made to the Main Modification and the resulting amendments made to the Schedule of Modifications, and has now issued her final report (Appendix 1, The Inspector has found the plans sound subject to the modifications (Appendix 2 and 3) and is capable of adoption by the Council.

### **Adoption Process**

- 2.17 Assuming the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP are adopted following resolution by Full Council, it will form a part of the statutory Local Plan for the District alongside the recently adopted Core Strategy. It will become a key document in the determination of planning applications. It will replace all of the existing saved policies of the RUDP as related to these two regeneration areas.
- 2.18 It is important to stress that the policies within the RUDP were prepared a considerable time ago and over time have become out of date and ever more vulnerable to challenge. This includes policies to protect key environmental assets, as well as those policies which relate to economic growth and development. The adoption of the Bradford City Centre AAP and the Shipley & Canal Road Corridor

AAP will provide policies and land allocations which have been prepared in the light of current government guidance and up to date evidence and which will therefore provide a more robust basis for the Council's decision making when considering planning applications. Should the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP be delayed or not adopted there is a much greater risk of successful challenges to the Council's decisions, increased numbers of planning appeals and associated increased costs and greater uncertainty for potential developers and investors in the District.

- 2.19 If the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP is adopted by Full Council in line with the Inspector's recommendations with all the proposed Main Modifications the Council will then publish the Adopted plan, and the Adoption Statement. There is a 6 week period allowed for any party to legally challenge the Council's decision to adopt.

### **3. OTHER CONSIDERATIONS**

- 3.1 The Council has a duty under the Planning and Compulsory Purchase Act 2004 to prepare the Local Plan for the District in line with the approved Local Development Scheme (LDS). The Council can determine the nature and make-up, of the Local Plan it wants to put in place in order to meet its statutory duty, as well as the timetable for its' preparation. The currently agreed Local Plan programme, as set out in the approved LDS, commits to 5 Development Plan Documents (see paragraph 2.1).
- 3.2 The process for the preparation of each DPD is prescribed by statute and regulation. In order to ensure a 'Sound' plan it is important that the Council ensures it follows the regulations, ensures effective and robust consultation, and ensures it is founded upon up to date and robust evidence. All DPDs are submitted to the Secretary of State for independent examination to test whether they are sound with reference to the tests set out in legislation and regulations. Failure to ensure a robust approach could result in a DPD being unsound and not capable of adoption. The Inspector has considered fully the legal compliance and soundness and concluded that the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP as proposed to be modified are sound and can be adopted by the Council. However, she has also confirmed that the original plans submitted to the Planning Inspectorate without the proposed Main Modifications would not be considered 'Sound'. The importance of accepting and incorporating, in full, the schedule of Main Modifications, contained in Appendix 2 and 3, to ensure that the plans can be adopted should therefore be emphasised.
- 3.3 Once the examination process is complete, adoption is the final stage of putting a Local Plan in place. This requires confirmation by a full meeting of the Local Planning Authority (Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000). On adopting a Local Plan, the Local Planning Authority has to make publicly available a copy of the Plan, an Adoption Statement and Sustainability Appraisal in line with regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.4 Government guidance states that while the Local Planning Authority is not legally

required to adopt its Local Plan following examination, it will have been through a significant process locally to engage communities and other interests in discussions about the future of the area, and it is to be expected that the authority will proceed quickly with adopting a plan that has been found sound.

- 3.5 National Planning Policy continues to emphasise the need for Local Planning Authorities to prepare an up to date development plan for their district and more recent government statements are seeking councils to progress as a matter of urgency.
- 3.6 The Housing and Planning Act 2016 re-emphasised the need for Local Planning Authorities to make progress to put in place up to date local plans and introduced new powers for the Secretary of State to intervene where sufficient progress was not being made. In a statement to Parliament (July 2015) the then Minister of State for Housing and Planning (Brandon Lewis) made clear the government's commitment to getting Local Plans in place. To this end, the government will publish league tables setting out local authorities' progress on their Local Plans. In cases where no Local Plan has been produced by early 2017 the government will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan under the new provisions in the Housing and Planning Act 2016. The adoption of the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP would be a major step forward in meeting this requirement and demonstrating to government the District's commitment to producing an up to date Local Plan for the delivery of housing, jobs and associated infrastructure in support of the adopted Core Strategy. It will therefore enable the Council in conjunction with local communities and stakeholders to maintain control over decisions on the future planning of the District.
- 3.7 It is also important to communities, business and investors that up-to-date plans are put in place in order to ensure certainty and confidence. It also will assist in supporting regeneration programmes for the City Centre and the Shipley and Canal Road Corridor and the attraction of much needed investment into infrastructure projects based on clearly articulated plans for delivering growth and supporting business case for supporting investment.

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

- 4.1 The preparation of the Local Plan is undertaken by the Planning and Transport Strategy Service, which is funded from within the Department's resources, supported by one off corporate growth payments to cover abnormal costs of consultation and engagement, technical studies and examination.

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

- 5.1 There are risks to the Council as a result of not having an up to date Local Plan. These include:
- uncertainty for decision making;
  - reduced prospects for securing funding for new infrastructure in support of

- economic growth;
- increase in the number of successful planning appeals with attendant increased costs;
- possible government intervention to externalise plan making; and
- failure to meet key needs for homes and jobs.

5.2 The receipt of the Inspector's Report and recommendations allowing adoption mean the Council is in a position to be able to put in place an up to date planning framework for delivering development in these two which will form part of the statutory Local Plan and provide a starting point for the consideration of planning applications. It will also provide confidence and clarity to the development sector as well as business and communities and allow infrastructure providers to be clear about the scale and distribution of development they need to support through their investment plans and decisions.

5.3 As noted above at 3.3, the decision whether to adopt the Bradford City Centre Area Action Plan and the Shipley & Canal Road Corridor Area Action Plan is for Full Council.

## **6. LEGAL APPRAISAL**

6.1 The Local Plan is prepared in line with the appropriate, legislation (UK and EU), regulations and guidance, in particular the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2012 and Planning and Housing Act 2016. The Submitted Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP were supported by a legal compliance check list and the Inspector concluded that the submitted plans were legally compliant.

## **7. OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

7.1.1 The consultation on the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP were undertaken in line with the Statement of Community Involvement, which sets out how the Council will seek to engage the community in the preparation of development plan documents. In order to achieve this it seeks to set a framework to ensure representative and inclusive involvement and engagement at all stages of document preparation. Particular consideration is given in the document to hard to reach groups. In addition the Bradford City Centre AAP and the Shipley & Canal Road Corridor has been subject to Equality Impact Assessment.

### **7.2 SUSTAINABILITY IMPLICATIONS**

7.2.1 All Local Plan Development Plan Documents are required to be subject to Sustainability Appraisal (SA) including Strategic Environmental Appraisal (SEA) at all key stages. The SA seeks to assess the likely impacts of the policies and proposals of the relevant plans. A full SA was undertaken by independent consultants Amec Foster Wheeler at key stages of the preparation of the two AAPs. In addition to this, a Habitats Regulations Assessment (HRA) Screening, also prepared by Amec Foster Wheeler, has been undertaken to assess the impact of



the policies and proposals set out in the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP on the environmental integrity of the South and North Pennine Moors Special Protection Areas (SPA's) and Special Areas of Conservation (SAC's).

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

7.3.1 The Local Plan is subject to Sustainability Appraisal throughout its development, which identifies the likely impacts of the Plans and where appropriate any mitigation to manage any negative impacts. Climate Change is identified within the adopted Core Strategy as a key issue and is covered in the spatial vision of the document and by several policies which seek to reduce greenhouse gas emissions and also manage the potential impacts of Climate Change. The AAPs have been produced in alignment with the spatial vision and policies within the adopted Core Strategy.

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

7.4.1 There are no direct community safety implications arising from Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP.

### **7.5 HUMAN RIGHTS ACT**

7.5.1 The adopted Statement of Community Involvement sets out how all individuals can have their say on the development plan documents. Anyone who was aggrieved by the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP as drafted had a right to be heard at an independent examination in public following submission to the Secretary of State.

### **7.6 TRADE UNION**

7.6.1 There are no Trade Union implications.

### **7.7 WARD IMPLICATIONS**

7.7.1 The Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP designates land for housing, economic development and supporting infrastructure (schools, greenspace, highway and public transport improvements). Bradford City Centre AAP is primarily contained within City Ward; there are potential social, economic and environmental implications on other adjoining wards when the Area Action Plan is adopted. The Shipley & Canal Road Corridor Area Action Plan boundary is primarily contained within Shipley Ward, Windhill & Wrose Ward, Bolton & Undercliffe Ward and City Ward. There are potential social, economic and environmental implications on other adjoining wards when the Area Action Plan is adopted.

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

8.1 None

## **9. OPTIONS**

The Executive have 2 options.

### Option 1

- 9.1 The first option is to approve the Bradford City Centre Area Action Plan and the Shipley and Canal Road Corridor Area Action Plan in line with the Inspector's Report and recommendations including the complete set of Main Modifications contained in the Appendix to the Inspector's Report. The document is considered 'Sound' and legally compliant by the Inspector and capable of adoption only with the proposed Main Modifications.

### Option 2

- 9.2 The second option is to not adopt the Plans and to review the documents. In effect this would amount to a withdrawal of the Plans in total as the Inspector has now concluded her examination. This would delay significantly the adoption of the Local Plan having particular implications for the management and implementation of development and regeneration projects within Bradford City Centre and the Shipley & Canal Road Corridor. As well as delay of up to 3-4 years to go back through the process there would also be significant additional costs to the Council. There would also be a risk of intervention by the government. In the meantime the District would not have an up to date planning strategy for delivering much needed homes and jobs within Bradford City Centre and Shipley & Canal Road Corridor (the two priority regeneration growth areas as identified by the Leeds City Region Strategic Economic Plan and the Core Strategy) and therefore lose control and influence over development proposals. During the course of the production of the Bradford City Centre AAP and the Shipley & Canal Road Corridor AAP, considerable sums have been invested in the preparation of these plans including the production and commissioning of masterplans, technical evidence and the holding of community consultation events and Planning Inspectorate fees and Programme Officer fees relating to the Examination. Failure to adopt the Bradford City Centre Area Action Plan and the Shipley & Canal Road Corridor Area Action Plans would lead to significant cost as much of the evidence associated with the document would have to be updated or prepared afresh, further consultation would have to be undertaken and a new Examination would need to be held and paid for.

- 9.3 The Executive are therefore recommended to follow Option 1 and recommend to Full Council that the Bradford City Centre Area Action Plan and the Shipley & Canal Road Corridor Area Action Plan as submitted be adopted with the Main Modifications proposed by the Inspector for the reasons set out in her report and also this report. The other option would have significant serious implications for the timetable for putting in place an up to date Local Plan and associated risks to both the Council and the District and its communities.

## **10. RECOMMENDATIONS**

- 10.1 The Executive is recommended to note the contents of this report and contents of the Inspector's Report (Appendix 1).

- 10.2 The Executive is recommend that Full Council formally adopt the Bradford City Centre Area Action Plan as approved by Full Council on 20<sup>th</sup> October 2015 and submitted to the government for examination with the Main Modifications contained in Appendix 2, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.
- 10.3 The Executive is recommend 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, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.
- 10.2 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 of both AAPs.

## **11. APPENDICES**

Appendix 1 - Report on the examination of the Local Plan for the Bradford City Centre Area Action Plan and Shipley & Canal Road Corridor Area Action Plan Development Plan Documents.

Appendix 2 - Schedule of Main Modifications to the Bradford City Centre Area Action Plan Development Plan Document.

Appendix 3 - Schedule of Main Modifications to the Shipley & Canal Road Corridor Area Action Plan Development Plan Document.

## **12. BACKGROUND DOCUMENTS**

- 12.1 Local Development Scheme (July 2014)
- 12.2 Submission Draft Bradford City Centre Area Action Plan DPD
- 12.3 Submission Draft Shipley & Canal Road Corridor Area Action Plan DPD
- 12.4 Sustainability Appraisals
- 12.5 National Planning Policy Framework
- 12.6 National Planning Policy Guidance

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# **Report to City of Bradford Metropolitan District Council**

**by Louise Nurser BA (Hons) Dip UP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 2 October 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Shipley and Canal Road Corridor and Bradford City Centre Area Action Plans**

The Plans were submitted for examination on 22 April 2016

The examination hearings were held between 18 and 20 October 2016 and on 1 March 2017

File Ref: PINS/R0335/429/9 & PINS/R0335/429/10

## Appendix 1

### Abbreviations used in this report

AA	Appropriate Assessment
BCCAAP	Bradford City Centre Area Action Plan
CBMDC	City of Bradford Metropolitan District Council
CIL	Community Infrastructure Levy
CS	Local Plan for the Bradford District Core Strategy Development Plan Document
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area for Conservation
SCI	Statement of Community Involvement
SCRCAAP	Shipley and Canal Road Corridor Area Action Plan
SPA	Special Protection Area
WHS	World Heritage Site
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Shipley and Canal Road Corridor and Bradford City Centre Area Action Plans provide an appropriate basis for the planning of the District, provided that a number of main modifications [MMs] are made to them. The City of Bradford MDC has specifically requested me to recommend any MMs necessary to enable the Plans to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six week period. In some cases I have amended their detailed wording where necessary. I have recommended their inclusion in the Plans after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- The deletion of policy references which could confer development plan status on supplementary planning documents and other documents which are not part of the plan and explanation of the role of the development plan.
- Clarification of the term Urban Eco Settlement.
- Clarification of what uses would be appropriate on which sites.
- Changes to individual site allocations, following receipt of up to date flood risk information, and the amendment of generic flood risk policies to be consistent with national policy.
- Amending the wording of retail policies to ensure that they are clear.
- The alteration of visions, policies and relevant site allocation statements which relate to heritage matters to ensure that a positive strategy is promoted consistent with national policy.
- The alteration of policies to ensure consistency with Community Infrastructure Levy regulations.
- Changes to transport policies and relevant site allocation statements to make clear what information is required in submitting an application, and the matters that are to be taken into consideration, including the need to consider impacts of development on the transport network outside of the plan area.
- Policy changes to ensure that the City Centre is highly accessible, and that the needs of pedestrians and cyclists are fully considered.
- Changes to the housing policy of the Bradford City Centre Area Action Plan to ensure housing requirements are to be treated as a minimum.
- Making appropriate reference to Policy 8 of the Core Strategy in relation to the protection of the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence.
- Reference to the protection of the routes of the Bradford Canal and Shipley Eastern Link Road as defined on the Policies Map within the respective policy.
- Clarifying how the plans are to be monitored.
- Providing appendices setting out the policies of the Replacement Unitary Development Plan that are to be replaced.

## Introduction

1. This report contains my assessment of the Shipley and Canal Road Corridor and Bradford City Centre Area Action Plans in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plans' preparation has complied with the duty to co-operate. It then considers whether the Plans are sound and whether they are compliant with the legal requirements. The National Planning Policy NPPF (paragraph 182) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted plans which it considers to be sound. The submitted Shipley and Canal Road Corridor Area Action Plan (SCRCAAP), and Bradford City Centre Area Action Plan (BCCAAP), are the basis for my examination. The SCRCAAP is the same document as was published for consultation in December 2015.
3. The BCCAAP is the same document as was published for consultation in all respects except, due to a printing error, the incorrect version of the Goitside Neighbourhood Vision had been included within the version of the plan which was consulted upon and sent to me. In addition, the policies map for the submission version of the BCCAAP was different to that which accompanied the Publication Draft. In order to rectify these matters, both were subject to a discrete six week period of formal consultation prior to the first hearing sessions. As such, no one was prejudiced. The composite submission version of the BCCAAP which I have examined includes the correct version of the Goitside Neighbourhood Vision and Policies Map.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plans unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The respective MMs are referenced in bold in the report in the form **MM001, MM002, MM003** etc, prefixed by the appropriate abbreviated plan name, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared schedules of proposed MMs. Both MM schedules and accompanying Sustainability Appraisal Addendums were subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken.



## **Policies Map**

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Policies Map within both Area Action Plans.
7. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plans' policies require further corresponding changes to be made to the Policies Maps.
8. These further changes to the Policies Maps were published for consultation alongside the MMs (BCCAAP Schedule of Policies Map Modifications and SCRCAAP Schedule of Policies Map Modifications).
9. When the Plans are adopted, in order to comply with the legislation and give effect to the Plans' policies, the Council will need to update the adopted Policies Maps to include all the changes proposed in the two Schedules of Policies Map Modifications.

## **Assessment of Duty to Co-operate**

10. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plans' preparation.
11. Bradford is part of the Leeds City Region. The Council has a long history of working with neighbouring authorities and the prescribed bodies on cross boundary issues and strategic matters. The two AAPs seek to implement the strategic objectives of the recently adopted Bradford District Core Strategy Development Plan Document (CS) which, in turn, has been prepared in accordance with the Duty to Co-operate. As such, strategic matters have already been appropriately considered within the CS. Nonetheless, the City of Bradford Metropolitan District Council has outlined its continuing collaborative approach to the Duty to Co-operate (DtC), within its Duty to Co-operate Statements and supporting documents. These show appropriate engagement with the necessary local planning authorities and the various prescribed bodies.
12. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plans and that the duty to co-operate has therefore been met.

## Assessment of Soundness

### Background

13. The BCCAAP and the SCRCAAP are fundamental to the implementation of the regeneration and growth objectives of the CS. The CS was adopted in July 2017

### Main Issues

#### Preamble

14. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified eleven main issues upon which the soundness of the Plans depend. Under these headings my report deals with the main matters of soundness and legal compliance rather than responding to every point raised by representors.

#### **Issue 1 –Whether the overall approach of the two AAPs, including their visions and objectives, is consistent with CS and national policy?**

15. Policy ID1 of the CS identifies the BCCAAP as being vital in realising the vision of the CS.
16. The BCCAAP is to provide a framework to facilitate regeneration and the SCRCAAP is to deliver the objectives of an urban eco settlement to the north of the city.
17. The concept of the Shipley and Canal Road Corridor forming an Urban Eco settlement is identified within Policy BD1 of the CS and reflected in Policies SC6 and H02 of the CS. It is also part of the Leeds City Region's response to the former Eco Town Programme. However, following the Written Ministerial Statement of 2015, in the absence of evidence based targets **SCRCAAP MM002** is required to ensure that the plan is effective by clearly setting out the principles of the Eco Settlement and how these remain relevant.
18. The vision of the CS confirms the significance of Bradford's rich historic identity in realising the CS's objectives. The World Heritage Site (WHS) of Saltaire is located to the north of the boundary of the SCRCAAP. However, the Saltaire WHS Buffer Zone falls within the plan area. The overarching vision for the SCRCAAP, as submitted, is consistent with the CS. However, the vision for the sub area of Shipley fails to mention the WHS. In order for the Shipley vision to be both internally consistent, and consistent with that of the CS, **SCRCAAP MM004** is required.
19. An attractive public realm, forming pedestrian links between the University quarter and the Central Business Leisure District, as well as to the other sub areas, is important in the realisation of the CS vision where the City Centre has become the rejuvenated heart of the City. Consequently, **BCCAAP MM002** is required to ensure that the vision for the Central Business and Leisure District clearly articulates the importance of the synergy between the University and the commercial sector as well as the need for improved public realm linkages throughout the City Centre.

20. Prior to the submission of the two AAPs the Council and its partners have been active in working towards realising the objectives of the CS. In so doing, a number of strategies and plans have been produced such as the City Centre Masterplan and the Shipley and Canal Road Corridor Strategic Development Framework. In order to ensure clarity, a modification is required to the supporting text of both AAPs making clear the relationship between other policy strategies and the development plan (**BCCAAP MM001** and **SCRCAAP MM001**).
21. Policy DS5 of the CS requires that development proposals and plans provide for safe and inclusive places which are designed to be accessible to all. The objectives, strategies and policies of both plans, including the individual site allocation statements are consistent with this.
22. I note that the CS indicates that sites for Travellers and Travelling Showpeople should be allocated within both the SCRCAAP and the emerging Site Allocations Development Plan Document. However, I am aware that in preparing the SCRCAAP no suitable sites within the plan area were identified and the Council is intending that all the needs are to be fully provided for within the Site Allocations Development Plan Document and is progressing this plan on this basis. As such, under the circumstances it is appropriate and justified.

#### *Effective*

23. As submitted there is a lack of clarity as to what elements of the plan are to be considered as policy text and what uses would be appropriate on each site. Therefore, modifications are required to make it explicit that sites have been allocated within the individual sub area and to set out, unambiguously, what uses would be appropriate, consistent with Paragraph 154 of the NPPF: **BCCAAP MM003; MM005; MM017; MM022; MM027; MM028** and **MM052. SCRCAAP MM005; MM006; MM007; MM008; MM009; MM010; MM011; MM012; MM015; MM017; MM018; MM021; MM022** and **MM041**.
24. Subject to the above modifications, the overall approach of the two AAPs, including their visions and objectives, is consistent with CS and national policy.

#### **Issue 2- Whether the policies of the two AAPs are effective and set out a positive strategy for the historic environment consistent with the CS and national policy?**

25. As set out above, I have concluded in relation to heritage matters, subject to **SCRCAAP MM004** that the vision of both AAPs is sound.

#### *World Heritage Site*

26. The Saltaire WHS lies outside of the boundary to the SCRCAAP. Paragraph 132 of the NPPF sets out the importance of a WHS and that it should be considered to be of the highest significance. The submission version of Strategic Objective 11 implies that less than substantial harm to the WHS would be acceptable. This is not consistent with the NPPF, therefore **SCRCAAP MM003** is required.

*Other heritage assets*

27. The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the statutory duties of decision makers in relation to both the direct and indirect impacts of developments on designated heritage assets. These statutory duties are far reaching. As worded Criterion F, of Policy BF1 of the BCCAAP, restricts the consideration of the impact of development proposals on heritage assets by exclusive reference to the Council's Conservation Area Appraisals and Listed Building Statements. This limits the ability for decision makers to take into account other heritage related matters.
28. Consequently, whilst the Council's Conservation Appraisals and Listed Building Statements are important sources of information and guidance, these should not be the only considerations and sources of information taken into account, when either formulating a proposal or determining applications that could have a direct impact on a designated heritage asset, or its setting. Therefore, to ensure that the policy is consistent with national policy, **BCCAAP MM047** is required to remove reference to both of these sources of information from criterion F of policy BF1 of the BCCAAP. However, they should be referred to within the supporting text. Consequently, **BCCAAP MM049** is necessary.
29. In order to aid clarity as to how the setting and key views of heritage assets are to be considered, and in particular in relation to the WHS, Policy NBE6 as submitted is required to be amended by **SCRCAAP MM037**.
30. Both plan areas of the BCCAAP and the SCRCAAP are rich in heritage assets. The overarching approach of how the Historic Environment is to be protected and enhanced is set out in Policy EN3 of the CS. Plan making requires Councils to provide a positive strategy for the conservation and enjoyment of the historic environment. In so doing, the opportunity for new development to enhance or better reveal the significance of heritage assets should be addressed. The site allocation statements of both plans should set out in a positive manner how the significance of the individual heritage assets are to be preserved or enhanced so as to aid the effectiveness of the policies and to be consistent with the CS and national policy.
31. However, a number of site allocation statements, as submitted, require amendments to provide additional site specific information to ensure that the historic environment is conserved and enhanced, including the setting of the WHS, and the need, in relevant instances, for archaeological recording as part of a positive strategy for the historic environment within both plan areas: **BCCAAP MM004; MM007; MM008; MM009; MM0010; MM0011; MM0012; MM0013; MM014; MM015; MM016; MM018; MM019; MM020; MM021; MM023; MM024; MM025; MM026 and SCRCAAP MM009; MM011; MM012.**
32. Specifically, the Bolton Woods Quarry site (BWQ1) is an important housing site within the SCRCAAP, which at the time of writing, is the subject of an outline planning application. However, the site allocation statement as submitted, does not sufficiently take into account the significance of, and contribution of the rural character of the open fields to the setting of the Grade 2\* listed Bolton Old Hall and Bolton Old Hall Cottage which are designated heritage assets of the highest significance. Nor does it provide clarity that the

development should enhance or better reveal the significance of the two listed buildings. Without modification **SCRCAAP MM021**, the site allocation would be unsound, as it would not set out the positive strategy required by national policy, nor would it be consistent with the approach that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

33. At my request, following the hearing, the Council and Historic England set out a Heritage Position Statement (PS\_B005) relating to the site. I am satisfied that **SCRCAAP MM021** is both robust enough to ensure that harm is avoided to the setting of the heritage assets, and sufficiently flexible to enable the successful delivery of the site for housing and ancillary development.
34. Subject to the modifications set out above in relation to heritage matters both plans would be effective and set out a positive strategy for the historic environment consistent with Policy EN3 of the CS and national policy.

**Issue 3- Are the policies of the two AAPs relating to flood risk matters, including the provision of green and blue infrastructure, effective, justified, positively prepared, and consistent with the CS and national policy?**

35. Both plan areas are subject to flood risk. The strategic policies of the CS are dependent on significant levels of development taking place in both AAPs. Consequently, it is vital that the individual site allocations and policies of both plans are consistent with both Policy EN7 of the CS and the NPPF and are evidence based.
36. Managing the tension between the specific issues peculiar to developing in areas of flood risk and realising regeneration objectives, is fundamental to encouraging and attracting investment within the urban areas. Development within the two AAPs, together with the creative use of green infrastructure, the re- introduction of the Bradford Canal, the re-naturalisation of the Bradford Beck and the identified site specific responses, provides a positive approach to this challenge, as exemplified by the BEGIN project.
37. The reintroduction of the Bradford Canal is one of the key tenets of the SCRCAAP. However, as submitted the plan is not effective, as whilst there is an aspiration to protect the route within Policy SCRC/ST8, it is not identified on the Policies Map. Therefore, for the Policy to be effective **SCRCAAP MM030** is required.
38. The provision and enhancement of multi-functional green infrastructure has a direct impact on the successful implementation of the Plans, including the protection of the South Pennine Moors Special Protection Area and the South Pennine Moors Special Area of Conservation and their zones of influence. Consequently, in order for the plan to be effective and consistent with the recommendations set out within the Habitats Regulation Assessment and the provisions of CS Policy 8, modifications **SCRCAAP MM033, MM036 and MM038** are required to Policies SCRC/NBE1, NBE4 and NBE9 respectively. These MMs ensure that there is a clear link to the strategic policy relating to the SAC or SPA, and that the need for the impact of development to be

adequately mitigated and the role of green infrastructure as a means of enabling the mitigation to take place, is made explicit.

39. The Environment Agency has worked closely with the Council in the development of the submission policies of both AAPs and the identification of sites and production of an evidence base consistent with national policy. However, the Boxing Day floods of 2015 required a reappraisal of the data which had informed the submission versions of both AAPs. Subsequent to this, modifications are required to the site allocation statement for sites DF4 and DF5 on Dockfield Road Shipley, to include a reduction in the estimate of dwellings from 90 to 50 (**SCRCAAP MM005; MM0013; MM041; MM043**) reflecting the flood risk constraints of the site. As site DF9 is within Flood Zone 2 a modification is required setting out the need for a site specific flood risk assessment **SCRCAAP MM015**.
40. Similarly, to ensure clarity and consistency with national policy, modifications are necessary to clarify that individual site specific flood risk assessments are required on other sites as follows: **BCCAAP MM015, BCCAAP MM016 and SCRCAAP MM011**.
41. The Council has not used the most recent climate change allowances. However, the EA has applied the temporary exception arrangements with the proviso that at planning application stage the most up to date allowances are to be utilised. As such modifications **SCRCAAP MM031; MM033 and BCCAAP MM030** are required to reflect this.
42. In addition, Policy CL2 of the BCCAAP and Policy CC1 of the BCCAAP, as submitted, do not make explicit the need for individual site specific flood risk assessments, for allocated and non- allocated sites, to demonstrate how proposals will pass Part B of the Exceptions Test. Modifications **BCCAAP MM031** and **SCRCAAP MM031** are required to ensure that the policies are consistent with national policy.
43. Subject to the above modifications, the policies relating to flood risk, and green and blue infrastructure are effective, justified, positively prepared, and consistent with both the CS and national policy.

**Issue 4- Whether the policies of the two AAPs, as far as they relate to transport matters, are consistent with the CS and national policy and provide an effective and justified basis for decision making?**

44. Significant growth is planned within both plan areas. To enable the growth to take place without resulting in levels of congestion which would have detrimental environmental, social and economic impacts, including on public health through air pollution, it is important that individual planning applications are accompanied by appropriate and proportionate levels of information. These should be consistent with Policy TR1 of the CS and set out the impact of development on the transport network; how the use of sustainable transport modes is to be encouraged and facilitated; and how any adverse impact is mitigated.
45. Specifically, within the SCRCAAP, the major residential sites of New Bolton's Wood (NBW1) and Bolton's Wood Quarry (BWQ1) are identified to deliver a

minimum of 2,100 dwellings which could have an impact on the wider highway network, including the Strategic Road Network, and in particular the M606. As submitted both site allocation statements are not effective, in that it is not sufficiently clear that the Transport Assessments and Travel Plans required as part of any planning application, would need to determine, and where necessary, address the potential impacts of the development on the wider network, including primary roads and the SRN outside of the Plan Area. Consequently, **SCRCAAP MM018** and **SCRCAAP MM019** are required to ensure that site allocation statements for sites NBW1 and BWQ1 are effective and consistent with the CS and national policy.

46. Similarly, the wording of the generic policies of both the SCRCAAP (SCRC/ST3) and the BCCAAP (Policy M4) as submitted is not clear and therefore, not effective. Definitive thresholds are required setting out when either a Transport Assessment and Travel Plan, or a Transport Assessment, will be required and that the impact on the SRN should be considered. In addition, in the case of Policy M4 of the BCCAAP, the policy, as worded, is not sufficiently explicit in setting out the requirement to improve pedestrian and cyclist movement consistent with Paragraph 35 of the NPPF. Therefore, modifications **SCRCAAP MM028** and **BCCAAP MM042** are required to ensure the soundness of both policies.
47. The Shipley Eastern Link Road is a key transport measure recognised within Policy BD1 of the CS. As submitted, its route is not identified on the policies map. In order to ensure that Policy SCRC/ST2 of the SCRCAAP is effective in protecting the alignment of the route of the link road modification **SCRCAAP MM027** is required. This sets out that the route of the road is identified on the Policies Map.
48. Subject to the above modifications the plans' policies, as far as they relate to transport matters, are consistent with the CS and national policy and provide an effective and justified basis for decision making.

#### **Issue 5- Whether the amount, delivery, distribution and type of housing is justified, effective and consistent with the CS and national policy?**

49. Policy BD1 of the CS requires, as part of the Council's regeneration and urban renewal priorities that, as a minimum, 3,500 new dwellings be created in Bradford City Centre and 3,100 dwellings within the Shipley and Canal Road Corridor.
50. The development of housing within both Area Action Areas is financially challenging given potential viability issues. Nonetheless, subject to any MMs which I have recommended elsewhere in my report, I am confident that the suitability of the identified housing sites for development has been justified and that they are appropriate, and capable of being delivered over the plan period. This is because of the positive approach which the policies of both plans reflect in terms of place making; the flexibility in policy requirements where they are shown to threaten viability; and the Council's initiatives to source funding streams; and to work in partnerships to increase the attractiveness of the AAPs for both those investing and living within the two AAPs. Examples of this approach are set out in *Accelerating Housing Delivery*

*in Bradford City Centre and Shipley Canal Road Corridor- Public Sector  
Intervention Strategy (PS- B004 (iv)) .*

51. As submitted the BCCAAP allocates 28 sites which could contribute around 4,400 dwellings over the plan period. This does not include any potential contribution from windfall sites. However, Policy CL1 of the BCCAAP, as submitted, does not make explicit the requirement to provide 3,500 dwellings as a minimum. Consequently, to ensure that the policy is both consistent with the CS and the NPPF, modification **BCCAAP MM029** is required. Policy SCRC/H1 of the SCRCAAP requires no modification as it already sets out a minimum housing target. However, the following modifications: **SCRCAAP MM013; MM014, MM016, MM019, MM041 and MM043** and **BCCAAP MM051** are required to reflect changes in the timing and estimated numbers of dwellings that are expected to come forward following the receipt of revised flood risk data, and the approval of planning permissions.
52. Both plans set out a policy basis to enable the provision of a range of types of housing to meet the differing needs of the community consistent with Policy H08 of the CS and paragraph 159 of the Framework. Policy CL1/A of the BCCAAP and SCRC/H2/E of the SCRCAAP provide the policy framework and the individual site allocation statements give greater detail.
53. All the sites within the AAPs are to be released straight away, in line with Policy H04 of the CS. However, due to the complex nature of the sites and long lead in times, only one site is expected to be delivered within the BCCAAP area within five years of 2016/2017. Over the same period, 11 sites, providing about 540 dwellings, are likely to come forward in the SCRCAAP area. This excludes the housing in Bolton Woods Quarry and New Bolton's Wood. Both of these major sites are expected to contribute to the housing supply throughout the plan period.
54. Consequently, the two AAPs are not expected, in the first five years, to deliver a 5 year supply of deliverable housing, nor provide a consistent supply throughout the plan period.
55. Nonetheless, from my detailed examination of the sites put forward for housing within both plans, and the evidence provided by the Council in support of the proposed allocations, I conclude that the two plans together, should contribute at least 6,600 dwellings as required by the CS, over the plan period, towards the residual requirement of at least 42,100 dwellings for the whole district.
56. I conclude, subject to the above modifications, that the amount, delivery, distribution, and type of housing is justified, effective and consistent with the CS and national policy.

**Issue 6- Whether the policies of the two AAPs, relating to retail and main town centre uses and sites, are consistent with the CS and national policy and provide an effective and justified basis for decision making?**

57. Following the submission of the BCCAAP the Broadway Shopping Centre has been built. Consequently, modification **BCCAAP MM033** is required to the



supporting text to make clear that the City Centre is no longer poorly served in relation to its retail offer.

58. The provision of appropriate levels of public parking, in the correct locations, is vital to the delivery of a successful town centre strategy. As submitted, the BCCAAP was not informed by a parking study. As such, there was no evidence to demonstrate that the policies of the BCCAAP which included the allocation of sites currently in use as short stay public parking for other uses would not be prejudicial to the future viability of the town centre. A modification is required to reflect that the 2016 Parking Study has been provided which justifies the allocations within the BCCAAP: **BCCAAP MM040**.
59. The boundaries of the Primary Shopping Areas of both plan areas are correctly drawn. Nonetheless, both Policy SL1 of the BCCAAP and Policy SE5 of the SCRCAAP as submitted, are not effective in articulating how planning applications for retail and other town centre developments are to be determined in a manner consistent with Policy EC5 of the CS and national policy. Consequently, **BCCAAP MM034** and **SCRCAAP MM0025** are required.
60. The existing Valley Road Retail Area complements the retail offer of the Primary Shopping Area of Bradford City Centre by providing for large format bulky goods retailing. However, as currently worded, Policy SCRC/SE3 of the SCRCAAP is ambiguous as to the future role of the shopping area. Consequently, to aid clarity and to ensure effectiveness, modification **SCRCAAP MM024** is required to make explicit its suitability for large scale bulky goods.
61. An important element of the Council's regeneration proposals for Bradford City Centre is Policy CL3. This requires new development, including residential and office developments, to provide active frontages at ground floor level. However, it is important that the scale and type of use at ground floor level outside of the Primary Shopping Area does not result in the fragmentation of a legible town centre offer. Consequently, **BCCAAP MM032** is required to ensure that there is no tension between the consolidation of retail development within the Primary Shopping Area and the wider regeneration objectives of the Council. Similarly, modifications **BCCAAP MM035** and **MM036** are required to ensure that the policies relating to how applications for different uses are to be determined within primary and secondary frontages are clear and consistent with the CS and national policy.
62. Development of the former Sorting Office site (CH/1.2) for leisure uses is significant to the regeneration of the wider City Centre given its size and central location. A master plan is required as part of the redevelopment of the site. However, to avoid piecemeal development taking place, which would undermine the potential of the site **BCCAAP M006** is required to the text of the site allocation statement.
63. Subject to the above modifications, the policies of the plans, in relation to retailing and town centre development are consistent with the CS and national policy and provide an effective and justified basis for decision making.

**Issue 7- Whether the policies of the two AAPs relating to employment are justified?**

64. As submitted, the town centre employment policy of the BCCAAP is not based on evidence setting out the quantum of floorspace required to deliver the 6000 jobs proposed within the City Centre. Following submission of the Plan, an Office Floorspace Methodology Paper 2016 has been provided which provides appropriate evidence. Consequently, in order for the plan to be justified, reference to the study is required under modification **BCCAAP MM037**.
65. Subject to the above modification the plans' policies relating to employment are justified.

**Issue 8 –Whether other generic polices are justified, effective and consistent with national policy?**

66. Individual policies within the BCCAAP and the SCRCAAP have inappropriately elevated specific studies to development plan status. Examples of these include the Ecological Assessment for Shipley- Canal Road Corridor and City Centre Area Action Plan (2014) and the Bradford City Centre Design Guide and Addendum. Consequently, for the plans to be sound modifications are required to remove them from the policy text, and where appropriate, make reference to the studies or guidance elsewhere within the supporting text: **BCCAAP MM041; MM043; MM044; MM045; MM046; and MM047**.
67. Similarly, where it is appropriate to refer to guidance or legislation which is likely to be updated, reference to the exact version should be avoided to ensure that it does not become out of date during the Plan period **BCCAAP MM048**.
68. As submitted, a number of policies require that contributions are made towards infrastructure on what appears to be a pooled basis. In order to ensure that the policies are consistent with the provisions of the CIL regulations and national policy the following modifications are required: **BCCAAP MM038; MM039; MM041; MM044; MM046 and SCRCAAP MM023; MM026; MM029; MM033; MM034; MM035; MM039; and MM040**.
69. Subject to the above modifications, the generic polices are justified, effective and consistent with national policy.

**Issue 9- Whether the policies of the two AAPs are consistent with the CS and national policy in relation to land instability matters?**

70. There is a history of mining within the area. Consequently, sites CH/1.5 and CH/1.6 within the BCCAAP and NBW7 within the SCRCAAP are potentially vulnerable to land instability. Modifications **BCCAAP MM009 and MM010 and SCRCAAP MM020** are required to ensure that the potential presence of unstable land is taken into account so that the policies are effective and consistent with the Policy CS EN8 and paragraph 121 of the NPPF.
71. Subject to the above modification the plans' policies relating to land instability are consistent with the CS and national policy.

**Issue 10- Whether the policies of the plans relating to open space for sport and recreation are consistent with the CS and national policy?**

72. The provision and improvement of green infrastructure, including areas for both formal and informal recreation, is vital to the realisation of the visions of both AAPs and is clearly articulated within the plans and based on an extensive evidence base. However, as currently worded, the site allocation statement for the New Bolton Woods Site is not consistent with national policy in relation to the provision and improvement of sports facilities. Modifications **SCRCAAP MM018** and **MM019** are necessary to make explicit the need to provide for sports facilities within the development of the site, and that any sports facilities that are to be replaced are to be improved.
73. Subject to the above modification the policies of the plans relating to open space for sport and recreation are consistent with the CS and national policy.

**Issue 11 –Do the two AAPs include provision for effective monitoring and review?**

74. As submitted both plans do not clearly articulate the requirement to monitor the delivery of the objectives of the policies and the delivery of the site allocations. In order to ensure that the plans are effective modifications **SCRCAAP MM042** and **BCCAAP MM050** are required to prompt a review of the respective Plan, where monitoring demonstrates that it is necessary.
75. Subject to the above modifications the AAPs include provision for effective monitoring and review.

**Assessment of Legal Compliance**

76. My examination of the compliance of the Plans with the legal requirements is summarised in the table below. As submitted, the Plans failed to comply with Article 8 (5) of the 2012 Regulations, in that they did not identify the adopted plan policies which their policies were intended to supersede. These deficiencies are rectified by modifications **BCCAAP MM053** and **SCRCAAP MM044**.
77. Subject to these modifications the Plans meet the relevant legal requirements.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Bradford City Centre and the Shipley and Canal Road Corridor Area Action Plans have been prepared in accordance with the Council's LDS July 2014.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in July 2008. Consultation on the Bradford City Centre and the Shipley and Canal Road Corridor Area Action Plans and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations Appropriate Assessment Screening Report for the Bradford City Centre Action Plan April 2016 sets out why AA is not necessary.

	The HRA AA Screening Report for Shipley and Canal Road Corridor Area Action Plan sets out that the plan may have some negative impact. Natural England support this conclusion. Modifications <b>SCRCAAP MM033; MM036</b> and <b>MM038</b> are required. Subject to these modifications NE support the Plan (see above paragraph 38).
National Policy	The Bradford City Centre and the Shipley and Canal Road Corridor Area Action Plans comply with national policy except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The submitted Bradford City Centre and the Shipley and Canal Road Corridor Area Action Plans comply with the Act and the Regulations with the exception of Regulation 8 (5) but that is a matter which can be remedied as set out above in paragraph 76. ( <b>BCCAAP MM053</b> and <b>SCRCAAP MM044</b> ).

## Overall Conclusion and Recommendation

78. The Plans have a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of them as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
79. The Council has requested that I recommend MMs to make the Plans sound, legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendices the Shipley and Canal Road Corridor and Bradford City Centre Area Action Plans satisfy the requirements of Section 20(5) of the 2004 Act and meet the criteria for soundness in the National Planning Policy Framework.

*Louise Nurser*

Inspector

This report is accompanied by two Appendices containing the Main Modifications.

## Appendix 2– Main Modifications Bradford City Centre Area Action Plan

The modifications below are expressed either in the conventional form of strikethrough for deletions and **underlining** for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Modification no.	Page no.	Policy/paragraph	Proposed Modification  New text: <u>underlined</u> Deleted text <del>strike through</del>
BCCAAP MM001	8	2.11	<b><u>There are a number of non-statutory regeneration plans and strategies which support the delivery and implementation of the Area Action Plan, however, it should be noted the AAP, together with the Council's other adopted development plans, form the statutory planning framework against which all planning applications within the area are to be assessed.</u></b>
BCCAAP MM002	20	Text to be inserted at the end of the Central Business and Leisure District Vision	<b><u>The University now has a presence in the heart of the city and the Learning Quarter is linked to the Central Business and Leisure District by a high quality public realm.</u></b>  <b><u>Traffic management and other improvements have created an attractive public realm making it easier for pedestrians to access the Central Business and Leisure District from surrounding Neighbourhoods</u></b>
BCCAAP MM003	21	Central Business and Leisure District Neighbourhood Spatial Framework	<b><u>Policy CBLD 1</u></b>  <b><u>The sites put forward within the Central Business and Leisure District Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b>  <b><u>B/1.1 Sharpe Street Car Park – Cultural and Leisure Uses;</u></b>  <b><u>B/1.2 No.1 City Park – Office with ancillary retail and leisure uses;</u></b>  <b><u>B/1.3 Jacobs Well Public Service Hub - Office with</u></b>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><b><u>ancillary retail and leisure uses;</u></b></p> <p><b><u>B/1.4 Exchange Court – Office and Residential Uses;</u></b></p> <p><b><u>B/1.5 Former Yorkshire Water Depot – Office and Residential with ancillary retail and leisure uses.</u></b></p> <p><b><u>B/1.6 Former Bradford Odeon – Leisure uses</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
BCCAAP MM004	24	Site B/1.2 No.1 City Park  &  CH/1.2 Area East of Valley Road	<p>New text to be added under the “Design” section of the proposal statement:</p> <p><b><u>Part of this site may contain pockets of important and significant archaeological remains from the post-medieval period to the 18th century, depending upon whether new build on a different footprint to the existing building is envisaged.</u></b></p>
BCCAAP MM005	30	Little Germany and Cathedral Quarter Neighbourhood Spatial Framework	<p><b><u>Policy LGCQ 1</u></b></p> <p><b><u>The sites put forward within the Little Germany and Cathedral Quarter Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b></p> <p><b><u>CH/1.1 Area west of Valley Road Phased - Residential ;</u></b></p> <p><b><u>CH/1.2 Former Royal Mail sorting office - Leisure Uses ;</u></b></p> <p><b><u>CH/1.3 Cathedral Quarter Phase I - Residential ;</u></b></p> <p><b><u>CH/1.4 Cathedral Quarter Phase 2 - Residential ;</u></b></p>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><b><u>CH/1.5 Burnett Street car park - Residential ;</u></b>  <b><u>CH/1.6 Olicana House, Chapel Street - Residential ;</u></b>  <b><u>CH/1.7 East Parade car park - Residential ;</u></b>  <b><u>CH/1.8 Land west of Wharf Street - Residential ;</u></b>  <b><u>CH/1.9 Vacant plot bounded by Church Bank, Vicar Lane and Currer Street – Residential;</u></b>  <b><u>CH/1.10 Vacant plot bounded by Church Bank, Peckover Street and Currer Street – Residential;</u></b>  <b><u>CH/1.11 Gate Haus 2 – Residential;</u></b>  <b><u>CH/1.12 Conditioning House – Residential.</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
BCCAAP MM006	34	CH/1.2 Area East of Valley Road	<p>Design</p> <ul style="list-style-type: none"> <li>• Development of the Sorting Office site should be considered in conjunction with the adjacent rail station car park and the Westfield site compound at Forster Court. <b><u>As the site is currently in more than one ownership, any individual applications for constituent parts of the site should demonstrate how they contribute to the wider strategic objectives of the site.</u></b></li> </ul>
BCCAAP MM007	36	CH/1.3 Cathedral Quarter Phase 1	<p>New text to be added under the “Design” section of the proposal statement:</p> <p><b><u>This site may contain pockets of important archaeological remains from the medieval period to the 18th century. The listed building will need archaeological recording in advance of further conversion.</u></b></p>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
BCCAAP MM008	37	CH/1.4 Cathedral Quarter Phase 2	The scale and design of new development should respond sensitively to the surrounding historic context, and safeguard the character and setting of the nearby listed buildings. <b><u>Any development should ensure that the tower of the former Bradford College Cathedral Building, to the east of this site, remains as a prominent local landmark</u></b>
BCCAAP MM009	38	CH/1.5 (Burnett Street Car Park)	New text to be added under the “Design” section of the proposal statement:  <b><u>The site is underlain by unrecorded probable shallow coal workings, which exist in thick coal outcrops. Policy EN8 of the Core Strategy sets out an overall framework for addressing land instability.</u></b>  <b><u>The scale and design of new development should respond sensitively to the surrounding historic context, and safeguard the character and setting of the nearby listed buildings</u></b>  <b><u>The layout and scale of the buildings should respond to the sloping nature of the site. It is likely that lower buildings will be most appropriate on the upper slopes</u></b>
BCCAAP MM010	39	CH/1.6 Olicana House, Chapel Street	New text to be added under the “Design” section of the proposal statement:  <b><u>The site is underlain by unrecorded probable shallow coal workings, which exist in thick coal outcrops. Policy EN8 of the Core Strategy sets out an overall framework for addressing land instability.</u></b>  <b><u>The scale and design of new development should respond sensitively to the surrounding historic context, and safeguard the character and setting of the nearby listed building.</u></b>



Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
BCCAAP MM011	40	CH/1.7 East Parade Car Park	New text to be added under the “Design” section of the proposal statement:  <b><u>The scale and design of new development should respond sensitively to the surrounding historic context, and safeguard the character and setting of the nearby listed buildings</u></b>
BCCAAP MM012	41	CH/1.8 Land West of Wharf Street	New text to be added under the “Design” section of the proposal statement:  <b><u>“The scale and design of new development should respond sensitively to the character of the adjacent Cathedral Precinct Conservation Area</u></b>
BCCAAP MM013	42	CH/1.9 Vacant Plot bounded by Church Bank, Vicar Lane and Currer Street	New text to be added under the “Design” section of the proposal statement:  <b><u>This site lies within the Little Germany Conservation Area and adjacent to the boundary of the Cathedral Quarter Conservation Area. It has Grade II listed buildings to its south-west and north-east and lies opposite the Grade I Listed Cathedral Church of St Peter. The scale and design of new development should respond sensitively to the surrounding historic context and safeguard the character and setting of the Conservation Areas of Little Germany and the Cathedral Quarter and of the surrounding listed buildings (including St Peter’s Cathedral).</u></b>  <b><u>The layout and scale of the buildings should respond to the sloping nature of the site. It is likely that lower buildings will be most appropriate on the upper slopes.</u></b>
BCCAAP MM014	43	CH/1.10 Vacant Plot bounded by Church Bank, Peckover Street and Currer Street	New text to be added under the “Design” section of the proposal statement:  <b><u>This site lies within the Little Germany Conservation Area and adjacent to the boundary of the Cathedral Quarter Conservation Area. It has Grade II listed buildings to its south-west and north-east and lies opposite the Grade I Listed Cathedral Church of St Peter. The scale and design</u></b>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><b><u>of new development should respond sensitively to the surrounding historic context, and safeguard the character and setting of the Conservation Areas at Little Germany and the Cathedral Quarter and of the surrounding listed buildings (including St Peter’s Cathedral)</u></b></p> <p><b><u>The layout and scale of the buildings should respond to the sloping nature of the site. It is likely that lower buildings will be most appropriate on the upper slopes.</u></b></p> <p><b><u>This site may contain pockets of important archaeological remains from the medieval period to the 18th century.</u></b></p>
BCCAAP MM015	45	CH/1.12 Conditioning House, Cape Street	<p>CH/1.12 Conditioning House, Cape Street</p> <p>New text to be added under the “Design” section of the proposal statement: <b><u>This listed building will require archaeological recording prior to further conversion.</u></b></p> <p><b><u>Flood Risk</u></b></p> <p><b><u>As 22% of the site is currently located in Flood Zone 3a(i), any planning application on this site must be supported by a site-specific Flood Risk Assessment.</u></b></p>
BCCAAP MM016	46	CH/1.13 Midland Mills, Valley Road	<p>New text to be added under the “Design” section of the proposal statement: <b><u>The Grade II listed mill will require archaeological recording before conversion.</u></b></p> <p><b><u>Flood Risk</u></b></p> <p><b><u>The site is currently located with Flood Zone 3a. Any planning application on this site must be supported by a site-specific Flood Risk Assessment.</u></b></p>
BCCAAP MM017	48	The Markets Neighbourhood Spatial Framework	<p><b><u>Policy MN 1</u></b></p> <p><b><u>The sites put forward within the Markets Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b></p>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><u>M/1.1 Car park, Simes Street Residential <del>led mixed use</del> with ancillary retail and leisure uses.</u></p> <p><u>M/1.2 Car park on site of former Carlton Grammar School Residential ;</u></p> <p><u>M/1.3 Stone Street car park Residential ;</u></p> <p><u>M/1.4 Former Yorkshire Building Society headquarters Residential <del>led with ancillary retail and leisure uses.</del></u></p> <p><u>M/1.5 Former Tetley Street shed Residential with ancillary retail and leisure uses.</u></p> <p><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></p>
BCCAAP MM018	51	M/1.1 Car Park, Simes Street	<p>New text to be added under the “Design” section of the proposal statement:</p> <p><u>The site adjoins the boundary of the City Centre Conservation Area. The site includes the remains of the Grade II Listed Simes Street Chapel (Fountains Hall). The United Reform Chapel, to the west of this site, is also listed.</u></p> <p><u>This site may contain pockets of important and significant archaeological remains from the medieval period to the 18th century. If directly affected by development, the listed chapel will require recording in advance of development.</u></p>
BCCAAP MM019	53	M/1.3 Stone Street Car Park	<p>New text to be added under the “Design” section of the proposal statement:</p> <p><u>The scale and design of new development should respond sensitively to the surrounding historic context and safeguard the character and setting of the adjacent listed building.</u></p>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
BCCAAP MM020	54	M/1.4 Former Yorkshire Building Society Head Quarters, High Point, New John Street	New text to be added under the “Design” section of the proposal statement:  <b><u>The areas of the site which are not covered by buildings may contain pockets of important archaeological remains dating from the medieval period to the 18th century.</u></b>
BCCAAP MM021	55	M/1.5 Former Tetley Street Shed, Tetley Street	New text to be added under the “Design” section of the proposal statement:  <b><u>This site may contain pockets of important and significant archaeological remains from the medieval period to the 18th century.</u></b>
BCCAAP MM022	57	The Goitside Neighbourhood Spatial Framework	<b><u>Policy GN 1</u></b>  <b><u>The sites put forward within the Goitside Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b>  <b><u>V/1.1 - Former Provident Financial headquarters - Residential ;</u></b> <b><u>V/1.2 - Former Gas Works – Residential with ancillary retail and leisure ;</u></b> <b><u>V/1.3 - Globus Textiles – Residential with ancillary retail and leisure;</u></b> <b><u>V/1.4 - Wigan Street Car Park – Residential;</u></b> <b><u>V/1.5 - Yorkshire Stone yard - Residential ;</u></b> <b><u>V/1.6 - Former Bee Hive Mills - Residential;</u></b> <b><u>V/1.7 - Vacant site – Residential;</u></b> <b><u>V/1.8 Car sales / filling station Residential with ancillary retail and leisure</u></b> <b><u>V/1.9 Sunwin House Residential / Retail / Office / Leisure</u></b> <b><u>V/1.10 Thornton Road / Water Lane Residential with ancillary retail and leisure</u></b>  <b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying</u></b>

Modification no.	Page no.	Policy/paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<b><u>development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b>
BCCAAP MM023	66	V/1.7 Vacant Site South of Sunbridge Road, bounded by Tetley Street and Fulton Street	New text to be added under the “Design” section of the proposal statement:  <b><u>The site lies within the Goitside Conservation Area and there is a Grade II listed building adjacent to its north-eastern corner. The scale and design of new development should respond sensitively to the surrounding historic context and safeguard the character and setting of the adjacent listed building.</u></b>
BCCAAP MM024	67	V/1.8 Car Sales / Filling Station Site, Thornton Road	New text to be added under the “Design” section of the proposal statement:  <b><u>“There is a group of listed buildings along the site’s eastern boundary which abuts the Goitside and City Centre Conservation Areas. The scale and design of new development should respond sensitively to the surrounding historic context and safeguard the character and setting of the adjacent listed buildings</u></b>
BCCAAP MM025	68	V/1.9 Sunwin House, Godwin Street / Sunbridge Road	New text to be added under the “Design” section of the proposal statement:  <b><u>The areas of the site which are not covered by buildings may contain pockets of important archaeological remains dating from the medieval period to the 18th century. The listed building may require archaeological recording prior to further conversion.</u></b>
BCCAAP MM026	69	V/1.10 Thornton Road / Water Lane	New text to be added under the “Design” section of the proposal statement:  <b><u>The site adjoins the boundary of the Goitside Conservation Area. Any redevelopment of this area should respond sensitively to the surrounding historic context.</u></b>

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BCCAAP MM027	71	Learning Quarter Neighbourhood Spatial Framework	<p><b><u>Policy LQN 1</u></b></p> <p><b><u>The sites put forward within the Learning Quarter Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b></p> <p><b><u>LQ/1.1 - University of Bradford Car Park - Education</u></b>  <b><u>LQ/1.2 - University of Bradford Car Park - Residential</u></b>  <b><u>LQ/1.3 - University of Bradford Car Park - Residential</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
BCCAAP MM028	76	Southern Gateway Neighbourhood Spatial Framework	<p><b><u>Policy SGN 1</u></b></p> <p><b><u>The sites put forward within the Southern Gateway Neighbourhood of the Area Action Plan are allocated for the following land uses:</u></b></p> <p><b><u>SG/1.1 - Clifford Street Car Park - Residential</u></b>  <b><u>SG/1.2 - Britannia Mills and Car - Park Leisure</u></b>  <b><u>SG/1.3 - Stations Improvement Site - Transport / Station Improvements</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
BCCAAP MM029	88	Policy CL1	<p>Policy CL1 - Housing</p> <p><b><u>A. Within the City Centre a minimum net delivery of 3,500 residential units will be delivered;</u></b></p> <p><del>A. B. Throughout the city centre</del> The development of new homes will be expected to contain a proportion of family sized homes, consisting of houses or apartments with two</p>

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			<p>or more bedrooms and an element of usable outdoor amenity space. In defining the proportion of family sized homes that will be sought, regard will be had to the existing housing profile of the area, including identified local housing requirements and the characteristics of the site, including its suitability for different housing types. The number of family sized homes will also be proportionate to the scale of development.</p> <p><del>B.</del> <b>C.</b> Where the upper floors of commercial premises are vacant or underused, the use of those floors for new homes will be encouraged, provided that appropriate independent access is available to the proposed homes and provided that the viability of the ground floor premises would not be threatened, for instance through the loss of important ancillary storage space.</p> <p><del>C.</del> <b>D.</b> Development which would create or contribute to a detrimental concentration within any given area of studios, bedsits, specialist student housing, houses in multiple occupation or hostel accommodation will not be permitted.</p> <p><del>D.</del> <b>E.</b> The Council shall expect residential amenity / open space to be incorporated into the all new major residential developments within Bradford City Centre. This may take the form of terraces, rooftop gardens, balconies, courtyards etc.</p> <p><del>E.</del> <b>F.</b> The Council shall expect residential development within the City Centre to achieve a minimum density of 250 dwellings per hectare, but will accept lower density if local circumstances demand this.</p>
BCCAAP MM030	89	Policy CL2: Flood Risk	<p>Policy CL2: Flood Risk</p> <p>Within the city centre, proposals for housing and other vulnerable uses on sites that are at risk of flooding and are not already allocated for those uses by this plan should be supported by a flood risk sequential test undertaken within the confines of the city centre, taking account of all reasonably available sites in the area that are either allocated for development or otherwise vacant or underused. The search area for the sequential test will be the city centre boundary unless material considerations</p>

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			<p>indicate otherwise.</p> <p>Those proposals which pass the sequential test <b><u>(and if necessary the Exception Test)</u></b> will still be required to submit a site specific flood risk assessment. Proposals must demonstrate the development scheme will not have increase flooding within the city centre <b><u>increase flood risk elsewhere.</u></b></p> <p>A. Applicants will also need to demonstrate how the proposal will:</p> <ol style="list-style-type: none"> <li>1. Provide a safe access and egress route away from the flood risk (i.e. to flood zone 1) during a design flood event; and</li> <li>2. Locate more vulnerable uses in the area of the proposal least at risk;</li> <li>3. Or provide a clear justification as to why these requirements are not practical, viable or appropriate in planning and design terms.</li> </ol> <p>B. Applicant will also need to demonstrate <del>of</del> the proposal will achieve an appropriate degree of safety over the lifetime of the development <b><u>taking into account the site specific recommendations in the SFRA Level 2 and the latest climate change allowances.</u></b> The minimum safety standards are as follows:</p> <ol style="list-style-type: none"> <li>1. For more vulnerable uses, the floor levels of habitable rooms will be above the design flood level.</li> <li>2. For all uses the development will: <ol style="list-style-type: none"> <li>i. Remain structurally sound in an extreme flood event;</li> <li>ii. Provide appropriate flood resistance / resilience measures to the extreme flood level;</li> <li>iii. Not generate an increase in flood risk elsewhere;</li> <li>iv. Provide a flood plan, which covers methods of warning and evacuation;</li> <li>v. Provide an appropriate safe refuge above the extreme flood level <del>if criterion 4a is not met.</del></li> </ol> </li> </ol>
BCCAAP MM031	89	Policy CL2	4.30 Site allocations for new homes in these areas are included to ensure that regeneration is able to continue in areas that might otherwise experience planning blight.



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			<p>Within these areas, in accordance with the sequential approach, the sites where the depth and severity of flooding are at their lowest will be selected first.</p> <p>Reflecting the Exception Test, sites in these areas will not be granted planning permission for new homes if they cannot be made safe from the effects of flooding, including the provision of safe access and escape. <b><u>As part of any site specific Flood Risk Assessment for allocated and unallocated sites, the developer will be expected to demonstrate how any proposal will pass PART B of the Exceptions Test.</u></b></p>
BCCAAP MM032	90	Policy CL3	<p>Policy CL3 - Active Frontages and Community Provision</p> <p>The Council will actively seek the provision of active frontages at the ground floor levels of any proposed new build developments or conversion of buildings within the City Centre.</p> <p>Active frontages may include (but not solely) <del>retail, leisure, healthcare, café, restaurant, financial services etc.</del> <b><u>small scale retail, other main town centre uses and community provision.</u></b></p> <p>Where an active ground floor use is not able to be achieved through incorporating the above uses, the Council will expect the design to reflect an active usage by the articulation of facades in a way which includes:</p> <p>A. Frequent doors and windows with few blank walls;  B. Articulation of facades with projections such as bays and porches;  C. Internal uses visible from the street, particularly on non- residential uses.</p> <p><b><u>The scale and type of ground floor use must also be consistent with Policies SL1 and SL2 of the AAP.</u></b></p>
BCCAAP MM033	92	Paragraph 4.37	<p><del>4.37 Taking account of the size of the City of Bradford, it is considered to be underserved in regards to its city centre retail offer. It also lacks a cohesive retail core with the shopping area spread out between Broadway, the Kirkgate Centre and the Forster Square Retail Park. Recent improvements have been made to the shopping offer with</del></p>

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			<p><del>the completion of the Rawson Quarter development in 2005, and the development of Primark as the anchor store in the Kirkgate Centre. More change is set to come with the Broadway Shopping Centre development, which will significantly improve the shopping facilities in the city.</del></p> <p><b><u>4.37 The delivery of the Broadway Shopping Centre has resulted in the City of Bradford being well served in terms of a modern retail offer, and provides the city centre a cohesive retail shopping area by linking the Kirkgate Centre and Forster Square Retail Park.</u></b></p>
BCCAAP MM034	92	Policy SL1	<p><del>New retail development (use class A1) within Bradford City Centre will be primarily directed towards the identified Primary Shopping Area or to sites which adjoin that. Elsewhere in the city centre retail and other main town centre uses may be acceptable where they would not be harmful to the vitality, viability and retail function of the identified shopping area. Development proposals providing greater than 1,500 sq.m gross floorspace for main town centre uses in an edge or out-of-centre location will be the subject of an impact assessment. New or extended market provision will be supported in Bradford City Centre where it would support the vitality, viability and diversity of the city centre.</del></p> <p><b><u>The Bradford City Centre Boundary and Primary Shopping Area are identified on the Policies Map.</u></b></p> <p><b><u>The role of Bradford City Centre as a focus for accommodating main town centre uses and the function of the Primary shopping Area as the focus of retail activity will be maintained and enhanced.</u></b></p> <p><b><u>Retail development will be directed towards the identified Primary Shopping Area. Outside of the Primary Shopping Area retail development will only be permitted in accordance with the sequential test set out in Core Strategy Policy EC5.</u></b></p> <p><b><u>Retail development proposals on the edge of the Primary Shopping Area, or outside of the Primary Shopping Area</u></b></p>

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			<p><u>,whose gross floor space is greater than 1500 square metres will be subject to an impact assessment.</u></p> <p><u>Within Bradford City Centre the development of other non- retail main town centre uses of an appropriate scale and function will be supported.</u></p> <p><u>The re-use of upper floors of premises within the City Centre, for residential, office or appropriate commercial or community uses, which maintain or enhance the character and vitality of the City Centre and broaden the range of services will be supported.</u></p>
BCCAAP MM035	93	Paragraph 4.43	<p><u>Primary frontages will include a high proportion of retail uses which may include for example, the sale of food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.</u></p>
BCCAAP MM036	94	Policy SL2	<p>Policy SL2: Primary and Secondary Frontages</p> <p><del>A. Within the Primary Shopping Frontage in Bradford City Centre change of use of retail premises (use class A1) will be permitted provided that:</del></p> <ol style="list-style-type: none"> <li><del>1. The proposed use would make a positive contribution to the vitality and viability of the Primary Shopping Frontage and the city centre as a whole; and</del></li> <li><del>2. The proposed use would not result in a concentration of non-retail uses, which would be detrimental to the vitality of the shopping street; and</del></li> <li><del>3. The proposed use would not dominate or fragment the shopping frontage as a result of its scale, by creating a significant break in the retail frontage or by resulting in a harmful loss of retail floorspace; and</del></li> <li><del>4. The proposed use would be compatible with a retail area in that it includes a shop front with a display function and would be immediately accessible to the public from the street.</del></li> </ol> <p><del>B. A. Within the defined Primary Shopping Frontage change of use to cafés, restaurants, pubs or bars (Use Classes A3 and A4 <u>as defined in the Town and Country Planning (Use Classes) Order 1987, as amended</u>) or other appropriate leisure uses will be acceptable provided that the dominant shopping character is maintained <u>and the following criteria are met:</u></del></p> <ol style="list-style-type: none"> <li>1. The proposed use would make a positive contribution</li> </ol>

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			<p>to the vitality and viability of the Primary Shopping Frontage and the city centre as a whole; and</p> <p>2. The proposed use would not result in a concentration of non-retail uses, which would be detrimental to the vitality of the shopping street; and</p> <p>3. The proposed use would not dominate or fragment the shopping frontage as a result of its scale, by creating a significant break in the retail frontage or by resulting in a harmful loss of retail floorspace; and</p> <p>4. The proposed use would be compatible with a retail area in that it includes a shop front with a display function and would be immediately accessible to the public from the street.</p> <p><del>C. B.</del> In all cases proposals which would result in the loss of retail floor space , will be expected to demonstrate that they will not be detrimental to the continued viability and vitality of the shopping street.</p> <p><del>D. C.</del> Within Secondary Shopping Frontages in Bradford City Centre the development of retail or other related <u>leisure</u> uses (use classes A2-A5, <del>or other similar uses such as gyms, arts and cultural premises and community facilities</del> <b>D1 and D2 as as defined in the Town and Country Planning (Use Classes) Order 1987, as amended</b>) will be acceptable where they would help to maintain or enhance the function of the shopping area..</p> <p><del>E. D.</del> In all cases, proposals which would result in the loss of retail floorspace, including storage or servicing space, will be expected to demonstrate that they will not be detrimental to the continued viability of the retail unit.</p>
BCCAAP MM037	98	Paragraph 4.56	<p>4.56 Bradford City Centre has seen extensive office development in recent years facilitating growth and employment in key sectors such as financial and business services industries. This has included both speculative schemes and pre-let, custom designed premises. Although the recent recession affected the number of office schemes commencing construction, further demand for Grade A office floorspace is anticipated within the plan period. Policy EC2 of the Core Strategy proposed that a further 135ha of developable employment land would be sought within the District within the plan period. With the</p>

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			aim of Bradford City Centre becoming the economic driver and the focus for Grade A office space within the District. <del>a proposed target of 6,000 jobs through the delivery of office floorspace over the plan period,</del> <b><u>6,000 jobs will be delivered over the plan period through the provision of levels of office floor space consistent with the findings of the Office Floor Space Methodology Paper 2016.</u></b>
BCCAAP MM038	103	Policy M1	Where viable <del>and</del> , feasible, <b><u>and directly related to the development, and consistent with the provisions of the CIL regulations,</u></b> <del>all</del> development proposals within the city centre will be expected to contribute to and aid <del>in</del> the delivery of these transport improvements.
BCCAAP MM039	105	Policy M2	Where viable <del>and</del> , feasible, <b><u>and directly related to the development, and consistent with the provisions of the CIL regulations,</u></b> <del>all</del> development proposals within the city centre will be expected to contribute to and aid <del>in</del> the delivery of these transport improvements.
BCCAAP MM040	105	Paragraph 4.93	4.93 The existing car parks are spread throughout the centre in a random manner and there is currently no overall strategy for parking in the city centre. In addition many of the surface car parks are likely to be subject to development interest. <del>A parking study is being undertaken which will inform a future parking strategy for the City Centre.</del> <b><u>The 2016 City Centre Parking Study has informed the identification of suitable sites for development including those currently in use as surface car parks, and provides a number of recommendations for a City Centre Parking Strategy.</u></b>
BCCAAP MM041	106	Policy M3	TRAFFIC AND HIGHWAYS The following specific transport improvement schemes will be supported: A. Westgate – Thornton Road Link B. Croft Street / Britannia Street Signal Improvements C. Reintroduction of traffic restrictions between Church Bank and New Cheapside D. City Centre Car Parks Variable Message Signing E. A city centre 20mph zone F. Hall Ings Improvements  In addition to the above further enhancements will be made to the Urban Traffic Control system in the City Centre as opportunities arise through new technology. See Figure 19 in <del>Appendix E for a map detailing the transport improvement schemes.</del>

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			<p>The highway asset within the City Centre will be maintained and improved. <del>in accordance with the West Yorkshire Highways Asset Management Plan.</del> Where viable <del>and</del>, feasible, <b><u>and directly related to the development, and consistent with the provisions of the CIL regulations,</u></b> all development proposals within the city centre will be expected to contribute to and aid <del>in</del> the delivery of these transport improvements.</p> <p><b>PARKING STANDARDS</b> The Parking Standards Schedule in Appendix 4 of the Core Strategy set out car parking standards and minimum cycle parking and disabled car parking standards for new development in Bradford. Specific highways guidance for proposed site allocations can be found within the supporting allocation statements. <del>and will be informed by the Transport Study.</del></p> <p><b>RESIDENTIAL CAR PARKING</b> An appropriate level of new residential car parking, which may include on-street parking solutions, will be acceptable in the city centre where it is properly integrated into the broader design of the development or the existing street scene. Developments of new homes that provide fewer car parking spaces than the standard and car-free residential developments will be acceptable where they are consistent with the Core Strategy. <del>and Car Parking Strategy. Specific guidance on car parking provision within Allocated Sites is supplied within the allocation statements.</del></p>
BCCAAP MM042	107	Policy M4	<p>Policy M4 - Impact of new development upon the transport network</p> <p>Proposals and developments introduced by other parts of this plan such as City Living, Office and Employment or Shopping and Leisure should include proposals for improving pedestrian and vehicular movement as <b><u>where</u></b> appropriate. All proposals should avoid the creation of barriers to pedestrians and cyclists and <del>or</del> changes <b><u>to existing routes that result in increased travel distances for pedestrians, cyclists and vehicles</u></b> <del>the diversion or increased distances to existing routes.</del> All developments <del>could/</del>should aim to improve rather than hinder <b><u>pedestrian and cyclist</u></b> movements around the City.</p>

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			<p>All <u>major</u> development proposals in the city centre <u>including</u>:</p> <ul style="list-style-type: none"> <li>• <u>Provision of 10 or more residential units</u></li> <li>• <u>Any development of 1000 sq metres of floorspace and over</u></li> <li>• <u>Development involving a site of 0.5ha and over</u></li> </ul> <p>will have a mandatory requirement <u>be required</u> to submit a transport assessment with the planning application and will be assessed against policy TR1 of the Core Strategy and the <u>provisions of the NPPF. Any transport assessment must consider any potential impacts of the scheme upon the Strategic Road Network including planned capacity enhancements.</u></p> <p><u>Developments of a smaller scale, which fall below the above thresholds, will be required to submit a transport statement with the planning application. This will be assessed against policy TR1 of the Core Strategy and the NPPF.</u></p>
BCCAAP MM043	108	Paragraph 4.101	<p><u>In 2014 Bradford Council commissioned West Yorkshire Ecology to undertake an ecological study of the City Centre and Shipley and Canal Road Corridor in support of the Area Action Plans. Ecological Assessment for the Shipley and Canal Road Corridor &amp; Bradford City Centre AAPs (2014) puts forward a number of Key Biodiversity Interventions for the AAP's to take forward to improve the ecology of these key regeneration areas.</u></p>
BCCAAP MM044	108	Policy M5	<p>The Council will support the delivery of the Key <u>Biodiversity</u> Interventions. <del>put forward in the Ecological Assessment for Shipley — Canal Road Corridor and City Centre Area Actions Plans (2014).</del> These key interventions will be the priority ecology projects for delivery over the course of the plan period:</p> <p>A. The Butterfly Express  B. The Nectar Highway  F. <b>C.</b> The Canal Road Greenway  H.<b>D.</b> Urban Oasis</p> <p>Where viable <del>and</del>, feasible, <u>and directly related to the development, and consistent with the provisions of the</u></p>

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			<del>CIL regulations,</del> all development proposals within the city centre will be expected to contribute to and aid in the delivery of these <b><u>Key Biodiversity Interventions.</u></b> <del>improvements above.</del>
BCCAAP MM045	108	Paragraph 4.102	In 2014, consultants Gillespies were commissioned by the Council to undertake a Green Infrastructure (GI) Study to assess the existing and future potential of green infrastructure within the City Centre. <b><u>The GI Study (2014) puts forward a number of Key Green Infrastructure Interventions for the AAP's to take forward to improve the ecology of these key regeneration areas.</u></b>
BCCAAP MM046	108	Policy M6	The Council will support the delivery of the Key <b><u>Green Infrastructure Interventions</u></b> put forward in the City Centre <del>Green Infrastructure Study (2014)</del> . These Key Interventions will be the priority green infrastructures projects for delivery <b><u>over</u></b> the course of the plan period.  Where viable and, feasible, <b><u>and directly related to the development, and consistent with the provisions of the CIL regulations,</u></b> all development proposals within the city centre will be expected to contribute to and aid in the delivery of these <b><u>Key Green Infrastructure Interventions.</u></b>
BCCAAP MM047	111	Policy BF1	Development proposals should be of high quality design, respect the site and its setting, and enhance the character and local distinctiveness of the City Centre. <del>Proposals will be expected to accord with the Bradford City Centre Design Guide and Addendum, the Neighbourhood Spatial Frameworks and the Proposal Allocation Statements, and any relevant Local Plan policy or guidance.</del>  F. Preserve and enhance the character, appearance and setting of the City Centre's heritage assets <del>by having suitable regard to the adopted Conservation Area Appraisals and Listed Building Statements.</del>
BCCAAP MM048	113	Policy BF3	New development must be designed to minimise environmental impact within the city centre and ensure that any impacts of pollution are appropriately considered and mitigated. In doing so new development schemes (including conversions and changes of use where appropriate) must ensure that: A. all construction and demolition schemes adhere to a construction environmental management plan which must be submitted to and approved by the council before works commence. The CEMP must specify how the developer



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			<p>will mitigate noise and dust emissions from the works</p> <p>B. all opportunities to connect to implement renewable energy generation have been explored and included as part of new development unless shown to be unviable or inappropriate</p> <p>C. ground contamination needs have been assessed and remediated using the <b>latest</b> Environment Agency <b>guidance Model Procedures for the Management of Land Contamination (CLR11)</b></p> <p>D. proposals for site investigation and remediation schemes (where appropriate) utilise appropriate risk assessment and are approved by the Council in advance of development. Such measures should ensure that sites are 'fit for purpose'</p> <p>E. new residential and commercial development schemes and the introduction of fixed plant machinery have been designed to meet internal and external noise levels <b>stipulated within the most up to date Building Regulations.</b> <del>specified in BS4142 and BS 8223, or subsequent replacement standards</del></p>
BCCAAP MM049	114	4.126	<p>4.126 As there are nationally designated and local heritage assets across the entire District, including the Town Centre, their protection and conservation is covered by Policies EN3, EN4, DS3, SC1, BD1, BD2, and TR4 of the Bradford Local Plan: Core Strategy . The Bradford Local Plan: Core Strategy also sets out a proactive strategy for the conservation and enhancement of the historic environment, to which the AAP will contribute. The Council <del>is</del> has also <del>producing</del> produced a series of Conservation Area Appraisals which <del>will</del> provide further information and advice about the special interest of each Conservation Area and their management. <b><u>Applications for development proposals within Conservation Areas should have special regard to the information contained within these Appraisals to ensure there are no significant detrimental impacts upon heritage assets or the historic fabric of the area. It should also be noted these documents should not be the sole source of information in any heritage impact assessment, and the applicant is advised to use other sources of evidence such as the Heritage Environment Record (HER), archive records and any other information they consider appropriate.</u></b></p>
BCCAAP MM050	120	New Paragraph - 4.147	<p><b><u>Annual Monitoring Report</u></b></p> <p><b><u>The Monitoring framework (Tables 2 - 5) of the AAP will</u></b></p>

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			<p><b><u>be the primary mechanism for monitoring the effectiveness of the policies contained within this AAP and will form part of the Annual Monitoring Report (AMR). The AMR will monitor the targets set out within the monitoring framework to ensure the plan is being delivered effectively.</u></b></p> <p><b><u>Should the targets of the monitoring framework not be met, this will prompt a review of the AAP where necessary.</u></b></p> <p><b><u>The AMR shall also monitor the delivery of the allocated sites as set out in the Table 1. Should the targets of table 1 not be met, this will prompt a review of the AAP where necessary.</u></b></p>														
BCCAAP MM051	121	Table 1: Proposed Allocations Planning and Delivery	<p>V/1.8: Car Sales / Filling Station Site, Thornton Road</p> <p>Residential led mixed use</p> <p>230 residential units</p> <p><del>2020 – 2025</del> <b><u>2025 – 2030.</u></b></p>														
BCCAAP MM052	23 88 90 103 105	B/1.1 Policy CL1 Policy CL3 Policy M1 Policy M2	etc														
BCCAAP MM053	149	New Appendices	<table border="1"> <thead> <tr> <th><b><u>Superseded / Deleted RUDP Policies and Allocations</u></b></th> <th><b><u>Bradford City Centre AAP (BCCAAP)</u></b></th> </tr> </thead> <tbody> <tr> <td><b><u>Policy UR7 – Mixed Use Area</u></b></td> <td><b><u>No corresponding policy / Policies Map designation</u></b></td> </tr> <tr> <td><b><u>Policy CL1 – City, Town and District Centre Boundary</u></b></td> <td><b><u>City Centre Boundary as depicted on Policies Map</u></b></td> </tr> <tr> <td><b><u>Policy CT5 – Primary Shopping Area</u></b></td> <td><b><u>Primary Shopping Area as depicted on Policies Map</u></b></td> </tr> <tr> <td><b><u>Policy CR1A – Central Shopping Area in City and Town Centres</u></b></td> <td><b><u>No corresponding policy / Policies Map designation</u></b></td> </tr> <tr> <td><b><u>CT1 – City Centre Defined Expansion Areas</u></b></td> <td><b><u>No corresponding policy / Policies Map designation</u></b></td> </tr> <tr> <td><b><u>CT1 – City Centre</u></b></td> <td><b><u>No corresponding policy /</u></b></td> </tr> </tbody> </table>	<b><u>Superseded / Deleted RUDP Policies and Allocations</u></b>	<b><u>Bradford City Centre AAP (BCCAAP)</u></b>	<b><u>Policy UR7 – Mixed Use Area</u></b>	<b><u>No corresponding policy / Policies Map designation</u></b>	<b><u>Policy CL1 – City, Town and District Centre Boundary</u></b>	<b><u>City Centre Boundary as depicted on Policies Map</u></b>	<b><u>Policy CT5 – Primary Shopping Area</u></b>	<b><u>Primary Shopping Area as depicted on Policies Map</u></b>	<b><u>Policy CR1A – Central Shopping Area in City and Town Centres</u></b>	<b><u>No corresponding policy / Policies Map designation</u></b>	<b><u>CT1 – City Centre Defined Expansion Areas</u></b>	<b><u>No corresponding policy / Policies Map designation</u></b>	<b><u>CT1 – City Centre</u></b>	<b><u>No corresponding policy /</u></b>
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<b><u>CT1 – City Centre</u></b>	<b><u>No corresponding policy /</u></b>																

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			<table border="1"> <tr> <td data-bbox="691 376 1066 421"><b><u>Redevelopment Sites</u></b></td> <td data-bbox="1066 376 1423 421"><b><u>Policies Map designation</u></b></td> </tr> <tr> <td data-bbox="691 421 1066 524"><b><u>Policy TM10 – The National and Local Cycle Network</u></b></td> <td data-bbox="1066 421 1423 524"><b><u>Superseded by Policy TR3 of the Core Strategy and Policy M1 of the BCCAAP.</u></b></td> </tr> <tr> <td data-bbox="691 524 1066 600"><b><u>Policy TM14 – Public Car Parks</u></b></td> <td data-bbox="1066 524 1423 600"><b><u>Superseded by Policy M3 of the BCCAAP.</u></b></td> </tr> <tr> <td data-bbox="691 600 1066 703"><b><u>Policy TM20 – Cycleway Improvements</u></b></td> <td data-bbox="1066 600 1423 703"><b><u>Superseded Policy M1 of the BCCAAP and Policy TR7 of the Core Strategy.</u></b></td> </tr> <tr> <td data-bbox="691 703 1066 806"><b><u>Policy D11 – Gateway Roads</u></b></td> <td data-bbox="1066 703 1423 806"><b><u>Superseded by Core Strategy Core Policy SC9 and Thematic Policy DS3.</u></b></td> </tr> <tr> <td data-bbox="691 806 1066 882"><b><u>Policy CF6 – Community Priority Areas</u></b></td> <td data-bbox="1066 806 1423 882"><b><u>Superseded by Core Strategy</u></b></td> </tr> <tr> <td data-bbox="691 882 1066 958"><b><u>Policy CF8 – Higher Education Campus</u></b></td> <td data-bbox="1066 882 1423 958"><b><u>Superseded by Policy ED1 of the BCCAAP.</u></b></td> </tr> <tr> <td data-bbox="691 958 1066 1106"><b><u>Policy BH7 – Conservation Areas</u></b></td> <td data-bbox="1066 958 1423 1106"><b><u>Superseded by Policy EN3 of the Core Strategy and Policy BF1 and BF2 of the BCCAAP</u></b></td> </tr> </table>	<b><u>Redevelopment Sites</u></b>	<b><u>Policies Map designation</u></b>	<b><u>Policy TM10 – The National and Local Cycle Network</u></b>	<b><u>Superseded by Policy TR3 of the Core Strategy and Policy M1 of the BCCAAP.</u></b>	<b><u>Policy TM14 – Public Car Parks</u></b>	<b><u>Superseded by Policy M3 of the BCCAAP.</u></b>	<b><u>Policy TM20 – Cycleway Improvements</u></b>	<b><u>Superseded Policy M1 of the BCCAAP and Policy TR7 of the Core Strategy.</u></b>	<b><u>Policy D11 – Gateway Roads</u></b>	<b><u>Superseded by Core Strategy Core Policy SC9 and Thematic Policy DS3.</u></b>	<b><u>Policy CF6 – Community Priority Areas</u></b>	<b><u>Superseded by Core Strategy</u></b>	<b><u>Policy CF8 – Higher Education Campus</u></b>	<b><u>Superseded by Policy ED1 of the BCCAAP.</u></b>	<b><u>Policy BH7 – Conservation Areas</u></b>	<b><u>Superseded by Policy EN3 of the Core Strategy and Policy BF1 and BF2 of the BCCAAP</u></b>	
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			<p data-bbox="691 1106 1423 1142"><b><u>Appendix F – Superseded Policies</u></b></p> <p data-bbox="691 1187 1423 1299"><b><u>Superseded Replacement Unitary Development Plan (RUDP) Policies and Allocations upon adoption of the Bradford City Centre Area Action Plan</u></b></p>																	

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## Appendix 3 – Main Modifications to Shipley and Canal Road Corridor Action Plan

The modifications below are expressed either in the conventional form of ~~strike through~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
MM001	11	2.11	<p><i>Insert new paragraph as follows:</i></p> <p>The development potential, which comes from the Corridor’s strategic location and the extensive areas of unused and underused land, are its defining qualities. As shown in Figure 3 the Corridor links to each of the Council’s priority urban regeneration areas, and as such has the potential to make a significant contribution to the regeneration of the District.</p> <p><b><u>There are a number of non-statutory regeneration plans and strategies which support the delivery and implementation of the Area Action Plan. However, it should be noted that the AAP, together with the Council’s other adopted development plans, form the statutory planning framework against which all planning applications within the area are to be assessed.</u></b></p>
MM002	12	2.15	<p><i>Insert new paragraph and delete text as follows:</i></p> <p><b><u>The Council has identified the SCRC as an Urban Eco Settlement. The area provides the opportunity to deliver significant housing and economic growth supported by environmental and sustainable transport improvements and to secure direct investment and funding to support the delivery of innovative and sustainable development, climate change mitigation and green infrastructure enhancements.</u></b></p> <p><b><u>The SCRC has the potential to deliver new large scale sustainable neighbourhoods within the heart of one</u></b></p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><b><u>the Leeds City Region’s major urban areas and to become a popular place to live and work that is well connected and accessible to jobs, within a green and attractive setting. This ambition underpins the identification of the area as an ‘Urban Eco Settlement’ and a Leeds City Region Strategic Housing Growth Area.</u></b></p> <p><b><u>The Urban Eco Settlement will apply across the whole AAP area. The Council will seek to work with partners, landowners, developers and local communities to identify opportunities and additional funding to support the delivery of high quality and innovative development, enhanced green spaces and environmental improvements.</u></b></p> <p><del>The Shipley and Canal Road Corridor has the potential to provide significant numbers of new homes and jobs, within the City of Bradford. This area is therefore being promoted by the Council and its partners as an Urban Eco Settlement. The AAP will aim take forward the principles of the Urban Eco Settlement programme and deliver a new sustainable settlement in Bradford of homes built to high environmental standards, in a green and attractive setting, which is well located close to jobs and facilities and will act as an exemplar development.</del> The Council has considered how Eco Settlement principles have been applied in the AAP, taking into account the unique nature of the area, current national planning policy and viability issues. <b><u>The Council will seek to work with partners, utilise funding sources and its own assets including land to support the delivery of high quality, innovative and sustainable development in the SCRC. The Council will support and encourage development to achieve high standards of sustainable design and construction.</u></b></p> <p><b><u>Nonetheless, the AAP does not set any local sustainable building standard requirement above national sustainability standards.</u></b> Appendix E sets out how these UES principles have been taken forward in the AAP.</p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
MM003	19	3.4 Strategic Objective- 11	<i>Amendment to Objective 11 as follows:</i>  Protect and enhance the historic environment and setting of the Saltaire World Heritage Site by ensuring that development proposals avoid <del>substantial</del> harm and take account of the potential impact upon the character and setting of key heritage assets in the area, and where possible enhance the elements which contribute to their significance.
MM004	22	Shipleigh Vision	<i>Amendment to first paragraph of the Shipleigh Vision, as follows:</i>  Shipleigh will have strengthened its role as an attractive place to live, work and visit with a vibrant town centre, new high quality mixed use developments and excellent public transport links, <b><u>and will provide an attractive gateway to Airedale and the World Heritage Site of Saltaire.</u></b>
MM005	25	Shipleigh site Allocations	<i>Insert the following new sub area policy and amend site allocations as follows:</i>  <b><u>Policy SCRC/SH1</u></b>  <b><u>The sites put forward within the Shipleigh sub area of the Area Action Plan are allocated for the following land uses:</u></b>  Shipleigh <del>Proposed</del> Site Allocations  STC1 Shipleigh Indoor Market Hall Mixed use re-development  STC2 Market square Town centre redevelopment /public realm enhancement  STC3 Station Road Residential  STC4 Shipleigh Gateway Site Mixed use re-development

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><del>STC5 Atkinson Street Residential</del></p> <p><del>STC6 Buildings along Briggate Mixed use</del></p> <p><del>SE1 Shipley East Residential led mixed use</del></p> <p><del>SE2 Land around Crag Road Flats Residential infilling</del></p> <p><del>DF1 Dock Lane, Canalside Residential led mixed use</del></p> <p><del>DF2 Junction Bridge, Briggate Business/mixed use</del></p> <p><del>DF3 Land between Leeds Road and Dock Lane Residential/mixed use</del></p> <p><del>DF4/DF5 Dockfield Road North/ Dockfield Road South Residential mixed Use</del></p> <p><del>DF6 Regent House Residential redevelopment</del></p> <p><del>DF7 Junction of Dock Lane and Dockfield Road Residential re-development</del></p> <p><del>DF8 Dock Lane Residential</del></p> <p><del>DF9 Dockfield Road Residential redevelopment</del></p> <p><b><u>STC1. Shipley Indoor Market Hall- Retail with supporting main town centre and residential uses</u></b></p> <p><b><u>STC2. Market Square- Retail with supporting main town centre and residential uses/public realm enhancement</u></b></p> <p><b><u>STC3. Station Road- Residential</u></b></p>



Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><b><u>STC4. Shipley Gateway Site- Mixed use retail and leisure with residential uses</u></b></p> <p><b><u>STC5 Atkinson Street- Residential</u></b></p> <p><b><u>STC6. Buildings along Briggate- Residential with supporting main town centre uses</u></b></p> <p><b><u>SE1. Shipley East- Residential led mixed use with supporting retail and business uses</u></b></p> <p><b><u>SE2. Land around Crag Road Flats- Residential</u></b></p> <p><b><u>DF1. Dock Lane Canalside- Mixed use of residential and business (B1).</u></b></p> <p><b><u>DF2. Junction Bridge, Briggate- Business/Mixed use of employment uses with supporting main town centre and residential uses</u></b></p> <p><b><u>DF3. Land between Leeds Road and Dock Lane- Residential/mixed use of residential and employment and commercial uses</u></b></p> <p><b><u>DF4. Dockfield Road North/ Dockfield Road South-Mixed use development of residential and employment uses (B1) with open space and water compatible uses</u></b></p> <p><b><u>DF5. Regent House- Residential</u></b></p> <p><b><u>DF6. Junction of Dock Lane and Dockfield Road- Residential</u></b></p> <p><b><u>DF7. Dock Lane- Residential</u></b></p> <p><b><u>DF8. Dockfield Place- Residential</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
MM006	26	STC1: Shipley Indoor Market Hall	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed Use  <del>Town centre mixed use re-development opportunity,</del> <b><u>Retail with supporting main town centre and residential uses</u></b></p> <p>Site proposals  The redevelopment/refurbishment of the Indoor Market Hall for retail-led mixed use development, <b><u>including main town centre and residential uses</u></b>, will be supported.</p> <p>Expected Development:  20 residential units/<del>office/business commercial</del> uses on upper floors with retail <del>commercial</del> <b><u>and supporting</u></b> leisure uses (<del>A1A2</del>-A4) on the ground/<b><u>lower</u></b> floors.</p>
MM007	27	STC2: Market Square	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed Use: <del>Town centre redevelopment opportunity,</del> <b><u>Retail with supporting main town centre and residential uses</u></b>/<del>public realm enhancement</del></p> <p>Site proposals  The redevelopment/refurbishment of buildings around market square for retail and new retail-led mixed use development, <b><u>including main town centre and residential uses</u></b>, will be supported. Development proposals should:</p> <p>Expected Development:  25 residential units, <del>office and commercial</del> <b><u>business-uses on upper floors</u></b>, with retail <b><u>and supporting main town centre uses</u></b> and leisure uses (<del>A1A2</del>-A4) on the ground/<b><u>lower</u></b> floors</p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
MM008	29	STC4: Shipley Gateway Site	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed Use: <del>Town centre mixed use redevelopment opportunity</del> Mixed use <b><u>retail and leisure with residential uses</u></b></p> <p>Site Proposals The comprehensive redevelopment of land or buildings for retail <del>and</del> /leisure/<b><u>residential</u></b> led mixed use development, <b><u>including main town centre uses</u></b>, to create an enhanced gateway to the town centre will be supported. Hotel <b><u>and</u></b> business <del>and residential</del> uses will also be encouraged as part of the mix.</p> <p>Expected Development: 50 residential units, <b><u>retail</u></b>/business/hotel <del>and commercial</del> /<b><u>leisure</u></b> uses, with <b><u>supporting</u></b> retail and leisure uses (A1-A5) on the ground floor</p>
MM009	31	STC6: Buildings along Briggate	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed Use: <b><u>Residential with supporting main town centre uses</u></b> <del>Mixed use</del></p> <p>Site Proposal</p> <p>The redevelopment of the site for <b><u>residential led</u></b> mixed use development will be supported.</p> <p>Development should:</p> <ul style="list-style-type: none"> <li>take opportunities to provide an improved gateway to Shipley and Saltaire and enhance the setting of the Leeds and Liverpool Canal Conservation Area. <b><u>Development will be expected to provide high quality architectural design to safeguard and enhance the setting of the World Heritage Site.</u></b></li> </ul> <p>Expected Development:</p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			20 residential units, with <b>supporting</b> ancillary retail and leisure uses (A1-A5) on ground/ <b>lower</b> /floors
MM010	32	DF1 Dock Lane, Canalside	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed Use: Residential <del>led mixed use</del> <b>Mixed use of residential and business (B1).</b></p>
MM011	33	DF2, Junction Bridge Briggate	<p><i>Site allocation text to be amended as follows:</i></p> <p>Proposed use: <b>Business/ mixed use <u>employment uses with supporting main town centre and residential uses.</u></b></p> <p>Site Proposal The site has the potential for redevelopment as part of the regeneration of the Dockfield Road area. The site is suitable for <b>employment led mixed use development including</b> business, and <b>ancillary main town centre commercial</b> and residential uses. Redevelopment of the site will be expected to:</p> <ul style="list-style-type: none"> <li>• enhance green infrastructure and ecological assets along the Bradford Beck and Leeds and Liverpool Canal</li> <li>• safeguard and enhance the setting of Leeds and Liverpool Canal conservation area and key heritage assets including, grade 2 listed Junction Bridge and key unlisted building Junction House</li> <li>• create positive frontages to the canal including the canal basin area and consider the elevation to the railway, which passes by at an elevated level.</li> </ul> <p><b><u>Site Constraints</u></b></p> <p><b><u>The site will need evaluation with regard to the potential presence of archaeological features associated</u></b></p>

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			<p><b><u>with the Bradford Canal which operated between the 18<sup>th</sup> and early 20<sup>th</sup> centuries.</u></b></p> <p><b><u>Flood Risk</u></b></p> <p><b><u>Parts of the site are located within flood zone 2 and 3a. As part of any redevelopment of this site, no built development should take place in those parts of the site which fall within flood zone 3a. Development will be expected to be supported by a site specific flood risk assessment. A site specific FRA will need to demonstrate any proposed development will be safe for its lifetime</u></b></p> <p>Expected Development Business/<del>commercial mixed-use</del> <b><u>employment</u></b> uses with <b><u>residential and ancillary small scale retail/leisure uses.</u></b></p>
MM012	34	DF3 Land between Leeds Road and Dock Lane	<p><i>Amend site proposal statement as follows:</i></p> <p>Proposed use: Residential/mixed use <b><u>of residential and employment and commercial uses</u></b></p> <p><b><u>Site Constraints</u></b></p> <p><b><u>The site will need evaluation with regard to the potential presence of archaeological features associated with the Bradford Canal which operated between the 18<sup>th</sup> and early 20<sup>th</sup> centuries.</u></b></p> <p>Expected Development 60 residential units, business, commercial uses</p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
MM013	35	DF4/DF5	<p><i>Amend site proposal statement as follows:</i></p> <p>DF4: Dockfield Road North / <del>DF5: Dockfield Road South</del></p> <p>Address: Land to north and south of Dockfield Road</p> <p>Existing Use: Vacant</p> <p>Proposed Use: <del>Residential</del> mixed use <b><u>development of residential and employment uses (B1) with open space and water compatible uses</u></b></p> <p>Site size: 1.26ha</p> <p>Flood Zone: <del>DF4</del> <b><u>North of Dockfield Road</u></b> zone 3a and functional floodplain along River Aire (majority). <b><u>South of Dockfield Road</u></b> <del>DF5</del> zone 2 (parts) and zone 3 (limited) to west of site along Bradford Beck</p> <p>Site Proposal</p> <p>The comprehensive redevelopment of <del>land north and south of Dockfield Road</del> <b><u>the site</u></b> will be supported. The <del>Dockfield Road South site (DF5)</del> <b><u>land to the south of Dockfield Road</u></b> is suitable for residential led <b><u>mixed use</u></b> development. <b><u>The land to the north should be considered for water compatible uses including green infrastructure, open space and flood risk management as part of any comprehensive redevelopment of the site.</u></b></p> <p>Flood Risk</p> <p>Dockfield Road North (<del>DF4</del>) is identified as being at significant risk from the River Aire with the majority of the site located in the functional flood plain (flood zone 3b). <b><u>Development will not be considered appropriate in zone 3b (with the exception of essential infrastructure (subject to passing the Exception</u></b></p>

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			<p><b><u>Test) and water compatible uses</u></b>). As part of any comprehensive redevelopment of these sites, <b><u>development proposals will be expected consider flood risk mitigation or resilience measures, which could include a further assessment of the Dockfield Road North for open space/flood control infrastructure</u></b>. More vulnerable uses including residential <b><u>uses</u></b> should be directed to Dockfield Road South (<del>DF5</del>) and areas of lower flood risk. <del>Any business or other less vulnerable uses should be located on the Dockfield Road North, safeguard the functional floodplain.</del></p> <p>Development will be expected to:</p> <ul style="list-style-type: none"> <li>• be supported by a site specific flood risk assessment.</li> <li>• result in no net loss of the functional floodplain (zone 3b) and not increase flood risk elsewhere</li> <li>• safeguard land in the functional floodplain for green infrastructure, <b><u>open space</u></b> and flood risk management.</li> </ul> <p><b><u>Any detailed site specific flood risk assessment, should consider a review and update of the 2005 Upper Aire model, to assess the outputs and risks to the site based on more up to-date hydrological conditions and model components, in line with the recommendations of the SFRA Level 2.</u></b></p> <p><b><u>A site specific FRA will need to demonstrate any proposed development will be safe for its lifetime and consider mitigation or resilience measures which could include further assessment of DF4 for open space/ flood control infrastructure, including details of type of development, design, layout depth of flooding and velocities (including the new climate change allowances). Depending on the type of development and risk of flooding, a flood warning and evacuation plan may also be required.</u></b></p> <p>Expected Development <del>90</del> <b><u>50</u></b> residential units/ <b><u>with</u></b> supporting business uses.</p>

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MM0014	38	DF7	<p><i>Amend site proposal statement as follows:</i></p> <p>Expected Development <u>4</u> <del>6</del> residential units</p>
MM015	39	DF9	<p><i>Amend site proposal statement as follows:</i></p> <p><del>DF98: Dockfield Road</del> <b><u>Place</u></b></p> <p>Site Address: Land between Dockfield Place and Dockfield Road, Shipley Existing use: Vacant industrial</p> <p>Proposed Use: Residential <del>redevelopment</del></p> <p>Site size: 0.13ha Flood zone: Zone 2 (north part of the site)</p> <p>Site Proposal The site is suitable residential redevelopment. Development should provide medium/high density townhouse or terrace type housing, reflecting surrounding housing types.</p> <p><b><u>Flood Risk</u></b> <b><u>Part of the site falls in flood zone 2. Development will be expected to be supported by a site specific flood risk assessment.</u></b></p>



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MM016	41	SE1	<p><i>Amend site proposal statement as follows:</i></p> <p>Site Constraints</p> <ul style="list-style-type: none"> <li>• Intersects the Northern Gas Networks High Pressure Pipeline (Policy SCRC/HSC1)</li> <li>• Intersects the National Grid Electricity Transmission</li> <li>• <b><u>Development proposals will need to consider the potential presence of unstable land and any planning applications are expected to be accompanied by a Mining Risk Assessment as required under Core Strategy Policy EN8</u></b></li> </ul> <p>Expected Development</p> <p><del>100-150</del> <b><u>151</u></b> residential units, supporting retail and business uses</p>

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MM017	45	Centre Section Proposed Site Allocations	<p><i>Insert the following new sub area policy and amend proposed site allocations as follows:</i></p> <p><b><u>Policy SCRC/CS1</u></b></p> <p><b><u>The sites put forward within the Centre Section sub area of the Area Action Plan are allocated for the following land uses</u></b></p> <p>Centre Section-<del>Proposed</del>-Site Allocations</p> <p>NBW1. New Bolton Woods- Residential led mixed use redevelopment <b><u>to include ancillary retail, employment uses (B1), education provision, sports facilities, and open space</u></b></p> <p>NBW2. Frizinghall Road- Residential</p> <p>NBW3. Thornhill Avenue- Residential</p> <p>NBW4. North Bolton Hall Road- Residential</p> <p>NBW5. Flats East Valley Road- Residential <del>redevelopment</del></p> <p>NBW6. North Queens Road- Residential</p> <p>NBW7. New Bolton Woods Flats- Residential</p> <p>BWQ1. Bolton Woods Quarry Residential <del>redevelopment</del> <b><u>with small scale retail and community uses.</u></b></p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
MM018	46	NBW1	<p><i>Amend site allocation statement as follows:</i></p> <p>Proposed Use: Comprehensive residential led mixed use redevelopment, including ancillary retail, education, employment, <b><u>sports facilities</u></b> and open space</p>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p>Transport and Movement</p> <ul style="list-style-type: none"> <li>• Development will be required to minimise traffic generation and incorporate a travel plan taking into account the adjacent core public transport, cycling and walking networks.</li> <li>• Any development proposals should be accompanied by a Transport Assessment detailing access and service arrangements and connectivity to the wider highway network <b><u>including local primary roads and the strategic road network. A Travel Plan will also be required to ensure the site is sustainable and to minimise traffic impacts within and beyond the Plan area.</u></b></li> </ul> <p>The development will be expected to:</p> <ul style="list-style-type: none"> <li>• minimise traffic impacts on existing communities and provide mitigation measures, where required</li> <li>• provide safe and satisfactory access from Stanley Road</li> <li>• protect the function of Canal Road as a key strategic route in the District and support and contribute to appropriate highway improvements through the site</li> <li>• protect an alignment for the proposed Bradford Canal to accommodate future aspirations to reinstate the Canal, in accordance with Policy SCRC/ST8 I</li> <li>• incorporate and facilitate high quality cycle links through the site and ensure that future development will link to and enhance the quality of the Canal Road Greenway route and retain its attractiveness in terms of gradient and directness</li> <li>• Minimise traffic impacts on existing communities and provide mitigation measures <b><u>within and beyond the Plan boundary,</u></b> where required.</li> </ul> <p>The site contains a variety of existing open spaces and playing fields. Development will be expected to:</p> <ul style="list-style-type: none"> <li>• provide new and improved on-site open space and play areas to mitigate the loss of existing areas of open space</li> </ul>

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			<ul style="list-style-type: none"> <li>• contribute to an appropriate off site provision for playing fields in a suitable location</li> <li>• provide new and improved sports facilities within the site, including a new sport provision on land north of Gaisby Lane</li> <li>• provide new changing facilities and cricket pavilion for any remaining playing pitch provision at King George V playing fields, to compensate for any loss of existing facilities.</li> <li>• ensure new <b>and improved</b> sports facilities include adequate provision for long term management and maintenance and appropriate access for community use</li> </ul>
MM019	52	NBW5	<p>Proposed Use: Residential <del>redevelopment</del></p> <p>Expected Development <del>50</del><u>30</u> residential units</p>
MM020	54	NBW7	<p><i>Amend site allocation statement as follows:</i></p> <p><b><u>Development Constraints</u></b>  <b><u>Development proposals will need to consider the potential presence of unstable land and any planning applications are expected to be accompanied by a Mining Risk Assessment as required under Core Strategy Policy EN8.</u></b></p>
MM021	55	BWQ1: Bolton Woods Quarry	<p><i>Site allocation statement to be amended as follows:</i></p> <p>Proposed Use: Residential <del>redevelopment</del> with small scale retail and community uses</p> <p>Heritage and Design Considerations</p> <p>Development should ensure elements which contribute to the character or setting of Grade II* Listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. <b><u>Any new development should seek to avoid harm to the significance of these heritage assets and take opportunities within their setting to enhance or better reveal their significance. Any scheme will be expected to include a well-designed and managed open landscaped setting that positively responds to the listed buildings, and provides effective separation between any new</u></b></p>

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			<p><b><u>development and these heritage assets.</u></b></p> <p><b><u>In order to safeguard the setting of the Grade II* listed buildings Bolton Old Hall and Bolton Old Hall Cottage, an area of land to the immediate south-west of these buildings and northwest between Cheltenham Road and Brookwater Drive, should be kept free from any from any new residential development, roads or other buildings. The extent of these areas shall be determined by a detailed and comprehensive analysis in the form of a Heritage Impact Assessment, to be submitted in support of any planning application for development of the site. The Heritage Impact Assessment shall evaluate the contribution made by the setting of the identified heritage assets, including important views and other attributes that are important to the significance of the properties and their protection, and provide an open and landscaped setting that is required to sustain and enhance the significance of these assets.</u></b></p> <p>Transport and Movement</p> <ul style="list-style-type: none"> <li>Any development proposals should be accompanied by a Transport Assessment detailing access and service arrangements and connectivity to the wider highway network <b><u>including local primary roads and the strategic road network.</u></b></li> <li>A number of access points may be required to minimise impact on the strategic highway corridor along Canal Road. Appropriate access would be considered from Bolton Hall Road and Livingstone Road to the north and through the adjacent New Bolton Woods site to the south.</li> <li>The development should take account of the adjacent New Bolton Woods Masterplan proposals.</li> <li>A Travel Plan would also be required to ensure the site is sustainable and to minimise traffic impacts <b><u>within and beyond the Plan area.</u></b></li> </ul> <p>The development will be expected to:</p> <ul style="list-style-type: none"> <li>Provide new/alternative sustainable transport solutions, to ensure the site is sustainable and to</li> </ul>

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			minimise traffic impacts <b><u>within and beyond the Plan area boundary.</u></b>
MM022	60	City centre fringe proposed site allocations	<p><i>Insert the following new sub area policy and amend site allocations as follows:</i></p> <p><b><u>Policy SCRC/CCF1</u></b></p> <p><b><u>The sites put forward within the City Centre Fringe sub area of the Area Action Plan are allocated for the following land uses:</u></b></p> <p>City Centre Fringe <del>Proposed</del> Site Allocations  CCF1*. Bolton Road Wapping- Residential  CCF2. Bolton Road- Residential  CCF3. Wapping Road, Bolton Road- Residential  CCF4*. Singleton Street - Residential <del>redevelopment</del>  *Sites <del>under construction</del> <b><u>completed</u></b> (post April 2013)</p> <p><b><u>The sites listed above and shown on the Policies Map will be developed in accordance with the accompanying development considerations set out in the applicable allocation statements, the Area Action Plan policies, and other relevant policies of the Local Plan.</u></b></p>
MM023	71	Policy SCRC/H2 Delivering New Homes and Sustainable Neighbourhoods	<p><i>Amend policy H2 as follows:</i></p> <p>E. Larger scale housing sites should provide specialist housing products, including housing for older people, accessible homes and custom build/self build plots and the <del>required</del> <b><u>identified site specific</u></b> supporting infrastructure necessary to meet local needs and create sustainable neighbourhoods.</p>

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MM024	77	Policy SCRC/SE3: Valley Road Retail Area	<p>Amend policy SE3 as follows:</p> <p>The Valley Road Retail Area is identified on the Policies Map <b><u>as an edge of centre expansion area for large scale bulky goods retail warehousing.</u></b></p> <p>Within the Valley Road Retail Area proposals <del>for main town centre uses</del> will be assessed in accordance with Core Strategy Policy EC5.</p>
MM025	79	Policy SCRC/SE5: Shipley Town Centre and Primary Shopping Area	<p><i>Amend policy SE5 as follows:</i></p> <p>The role of Shipley Town Centre as the focus for accommodating main town centre uses and the function of the Primary Shopping Area as the focus of retail activity will be maintained and enhanced</p> <p>The Shipley Town Centre Boundary and Primary Shopping Area are identified on the Policies Map.</p> <p>A. <b><u>Retail development located</u></b> within the <b><u>Primary Shopping Area</u></b> <del>Shipley town centre, main town centre uses of an appropriate scale and function</del> will be supported. <b><u>All other retail development proposed within the Shipley Town Centre boundary but outside the Primary Shopping Area will be assessed against Core Strategy Policy EC5.</u></b> The development of retail or other related uses will be acceptable where they would add to the vitality of the town centre, <del>in accordance with Core Strategy Policy EC5.</del> <b><u>The Council will support all other main town centre uses proposed within the Shipley Town Centre boundary in accordance with Core Strategy Policy EC5.</u></b></p>

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MM026	88	Policy SCRC/ST1: Transport Improvements	<p><i>Amend policy ST1 as follows:</i></p> <p><del>New development will be required to support the implementation of these measures and local transport improvements</del> <b><u>Development proposals within the Shipley and Canal Road Corridor will be expected to contribute to, and aid in the delivery of identified site specific transport improvement measures</u></b> through design and access considerations and/or developer contributions, where appropriate.</p>
MM027	89	Policy SCRC/ST2:	<p><i>Amend policy ST2 as follows:</i></p> <p>Safeguarded Transport Links Development proposals which impact the route of the Shipley Eastern Relief Road will be expected to protect an alignment, which enables the future implementation of the scheme.</p> <p><b><u>A. The route of the Shipley Eastern Relief Road is identified on the Policies Map.</u></b></p>
MM028	90	Policy SCRC/ST3: Maximising Sustainable Transport Options	<p><i>Amend policy as follows:</i></p> <p>A. Development will be required to make best use of the existing public transport links in the Corridor and contribute to and maximise the delivery of <b><u>site specific</u></b> public transport improvements where necessary.</p> <p>1. The Crossley Evans Site is identified as a freight accessible site on the policies map in accordance with Core Strategy TR6.</p> <p>B. All <b><u>major</u></b> developments <b><u>proposals</u></b> that generate significant amounts of movement <b><u>including:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>provision of 10 or more residential units ;or</u></b></li> <li>• <b><u>any development of 1000 sq metres and over; or</u></b></li> <li>• <b><u>development involving a site of 0.5ha and over</u></b></li> </ul>



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			<p>should be supported by a Transport Assessment and provide a Travel Plan, <del>in line with Core Strategy Policy TR1</del> <b><u>and will be assessed against policy TR1 of the Core Strategy and the provisions of the NPPF. Any transport assessment must consider any potential impacts of the scheme upon the Strategic Road Network including planned capacity enhancements.</u></b></p> <p><b><u>Developments of a smaller scale, which fall below the above thresholds, will be required to submit a transport statement with the planning application. This will be assessed against policy TR1 of the Core Strategy and the NPPF.</u></b></p>
MM029	93	Policy SCRC/ST5: Pedestrian and Cycle Movements	<p><i>Amend policy ST5 as follows:</i></p> <p>A. The Council will actively promote new and enhanced pedestrian and cycle routes within the Corridor. Key strategic pedestrian and cycle routes are:</p> <ol style="list-style-type: none"> <li>1. Canal Road Greenway</li> <li>2. Airedale Greenway</li> <li>3. Dales Way Link</li> </ol> <p>The Canal Road Greenway and Airedale Greenway are identified as strategic cycle and walking routes on the Policies Map.</p> <p><del>All development proposals adjacent to, or impacting on, key strategic routes will be expected to aid in the delivery of and contribute to an appropriate and proportionate level of public realm improvements to these routes.</del></p> <p><b><u>Where directly related to the development , and consistent with the provisions of the CIL Regulations,</u></b></p>

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			<b><u>development proposals adjacent to, or impacting on, key strategic routes will be expected to aid in the delivery of improvements to these routes.</u></b>
MM30	95	Policy SCRC/ST8:	<p>Amend policy ST8 as follows</p> <p><b>A.</b> Bradford Canal: An alignment for proposed re-introduction of the Bradford Canal will be protected to enable its future provision.</p> <p><b>1.</b> Development proposals impacting the proposed route will be expected to accommodate future ambitions to reinstate the Bradford Canal.</p> <p><b>2.</b> Proposals should seek to integrate the route as a key part of the site's design.</p> <p><b>B. The route of the proposed Bradford Canal is shown on the Policies Map.</b></p>

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MM031	99	Policy SCRC/CC1 – Flood Risk and Water Management	<p><i>Amend policy CC1 as follows:</i></p> <p>Policy SCRC/CC1: Flood Risk and Water Management</p> <p>A. Within the AAP area proposals for housing and other vulnerable uses on sites that are at risk of flooding and are not already allocated for those uses should be supported by a flood risk sequential test undertaken within the relevant AAP sub area.</p> <p>B. Development will not be permitted in areas identified as functional floodplain in the SFRA Level 2, with the exception of water compatible uses and essential infrastructure. In other areas at risk of flooding or for sites of 1 hectare or more, a site-specific flood risk assessment must be undertaken <b><u>and if necessary the Exception Test.</u></b> Proposals must demonstrate the development scheme will not increase flood risk elsewhere. Sites located in areas at risk of flooding will be expected to include flood risk mitigation measures to ensure that the development is made safe for its lifetime, <b><u>taking into account the site specific recommendations in the SFRA Level 2 and the latest climate change allowances.</u></b></p>
MM032	99	4.6.12	<p><i>Amend supporting text as follows:</i></p> <p>The Site Allocations in the Sub Area Development Frameworks identify the relevant level of flood risk. On sites within higher risk flood zones (flood zones 2 and 3) or on sites of 1 hectare or more developers will be expected to undertake a site specific flood risk assessment. Flood risk assessments should be proportionate to the risk and appropriate to the scale, nature and locations of the development taking into account flooding from all sources identified in the SFRA Level 2. <b><u>As part of any site specific FRA for allocated and unallocated sites, the developer will be expected to demonstrate how any proposal will pass PART B of the Exceptions Test. The latest climate change allowances are set out in the government’s guidance on flood risk assessments and climate change allowances.</u></b></p>

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MM033	103	Policy SCRC/NBE1: Green Infrastructure	<p><i>Amend policy NBE1 as follows:</i></p> <p>Within the Shipley and Canal Road Corridor all development <b>proposals</b> will be expected to protect and enhance key green infrastructure and ecological networks <b><u>directly related to the site.</u></b></p> <p>A. Major developments will be expected to demonstrate that they will positively contribute to enhancing <b><u>identified site specific</u></b> green infrastructure and ecological networks, and include green infrastructure as an integral part of the design.</p> <p>Policy Links</p> <p>Strategic Core Policy 6 (SC6): Green Infrastructure</p> <p>Sub Area Policy BD1: The Regional City of Bradford including Shipley and Lower Baildon</p> <p><b><u>Strategic Core Policy 8 (SC8) Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence.</u></b></p>

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MM034	106	Policy NBE2: Waterway Environments	<p><i>Amend policy NBE2 as follows:</i></p> <p>B. Where appropriate and feasible, development proposals that impact on waterways will be expected to:</p> <ol style="list-style-type: none"> <li>1. Protect and improve the water quality, drainage and flood resilience capacity of the waterway</li> <li>2. Take <b>identified site specific</b> opportunities to create environmental and ecological enhancements along waterways and adjoining green spaces;</li> <li>3. Create <b>identified site specific</b> opportunities for recreation and maintain and improve access to, and along, the waterways</li> <li>4. Conserve and enhance the character and setting of the waterway, achieve high standards of design and sensitively integrate any important water side features</li> </ol>
MM035	107	Policy NBE3: The Bradford Beck	<p><i>Amend policy NBE3 as follows:</i></p> <p>B. Development of sites <b>directly</b> adjacent to the Bradford Beck will be expected to support its enhancement as an accessible, clean and visible waterway and habitat highway. This will include maintaining and providing <b>site specific</b> pedestrian and cycle links to and alongside the Beck.</p>

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MM036	108	Policy SCRC/NBE4: Biodiversity and Ecology	<p><i>Amend policy NBE4 as follows:</i></p> <p>Development will be expected to minimise adverse impacts on biodiversity and wildlife and provide for an improvement in local biodiversity where possible, through the protection and enhancement of important habitats, the creation of new habitats and strengthening of key ecological corridors.</p> <p>A. Development proposals likely to have an adverse effect on biodiversity, important habitats and areas designated as a Local Wildlife Site, Site of Ecological/Geological Importance (SEGI) or Bradford Wildlife Area (BWA) will be assessed in accordance with Core Strategy Policy EN2. The following locally designated wildlife sites are identified in the Corridor: 1. Boars Well Urban Wildlife Reserve 2. Poplars Farm Bradford Wildlife Area 3. Shipley Station Butterfly Garden - Local Wildlife Site 4. Leeds and Liverpool Canal - Site of Ecological and Geological Importance (SEGI)</p> <p>B. To secure a net gain in biodiversity through the AAP, the council will support the delivery of ecological enhancement projects, in line with the Ecological Assessment.</p> <p><b><u>C. For any residential developments within the South Pennine Moors zone of influence zone C that result in a net increase of 1 or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated in accordance with Core Strategy Policy SC8.</u></b></p>
MM037	113	NBE6	<p><i>Amend Policy NBE7 as follows:</i></p> <p>4. Deliver high quality public realm which prioritises the needs of pedestrians and cyclists, enhances the quality of the built <b>and natural</b> environment and is resilient to climate change</p> <p>7. Preserve and enhance the setting and key views of important heritage assets, <del>in particular the</del> <b><u>especially those elements which contribute to the</u></b> Outstanding Universal Value of Saltaire.</p>

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MM038	118	Policy SCRC/HSC2 Open Space, Sport and Recreation	<p><i>Insert additional policy link under HSC2 as follows:</i></p> <p>Policy Links</p> <p>Core Strategy Policy EN1: Protection and improvements in provision of Open Space and Recreation Facilities</p> <p>Policy SCRC/NBE1: Green Infrastructure</p> <p><b><u>Strategic Core Policy 8 (SC8) Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence.</u></b></p>										
MM039	118	Policy HSC2 Open Space, Sport and Recreation	<p><i>Amend Policy text as follows:</i></p> <p>C. Major residential developments will be required to provide for new or improved open space and recreation facilities, in accordance with Core Strategy Policy EN1 <b><u>where directly linked to the development and consistent with the provisions of the CIL regulations.</u></b> Larger scale housing sites will be expected to provide new and enhanced areas of on-site open space, including recreation facilities and natural green space.</p>										
MM040	120	Policy SCRC/HSC3 Community Infrastructure	<p><i>Amend Policy text as follows:</i></p> <p>A. The Council will require the provision of new community infrastructure as part of new large scale residential development in the Corridor in accordance with Core Strategy Policy ID3, <b><u>where directly linked to the development and consistent with the provisions of the CIL regulations.</u></b></p>										
MM041	125	Table 4: AAP Sites Delivery	<table border="1"> <thead> <tr> <th>Site allocation</th> <th>Proposal</th> <th>Expected development</th> <th>Estimate delivery timescale</th> <th>Delivery</th> </tr> </thead> <tbody> <tr> <td>Shipley</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Site allocation	Proposal	Expected development	Estimate delivery timescale	Delivery	Shipley				
			Site allocation	Proposal	Expected development	Estimate delivery timescale	Delivery						
Shipley													

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			STC1: Shipley Indoor Market Hall	<u>Retail with supporting main town centre and residential uses</u> <del>mixed use redevelopment</del>	A1 - A4 uses with office and <del>commercial</del> <u>main town centre</u> uses, 20 residential units	<del>2020 – 2025</del> <u>2021-2025</u>	CBMDC/ Private Sector
			STC2: Market square	<u>Retail with supporting main town centre and residential uses/public realm enhancement</u> <del>Town centre redevelopment opportunity</del>	A1 - A4 uses <u>with main town centre uses</u> and 25 residential units <del>office and commercial uses</del>	<del>2020 – 2025</del> <u>2021-2025</u>	CBMDC/ Private Sector
			STC3: Station Road	Residential	50 residential units	<del>2015 – 2020</del> <u>2021-2025</u>	Private Sector
			SCT4: Shipley Gateway Site	<u>Mixed use retail and leisure with residential uses</u> <del>Town centre redevelopment opportunity</del>	A1 - A4 uses with <del>main</del> <u>town centre uses</u> business and commercial uses 50 residential units	<del>2020 – 2025</del> <u>2026-2030</u>	CBMDC/ Private Sector
			SCT5: Atkinson Street	Residential	8 residential units	<del>2015 – 2020</del> <u>2016-2020</u>	Private Sector
			STC6: Buildings along Briggate	<u>Residential with supporting main town centre uses</u> <del>Mixed use</del>	A1 - A5 uses, business, 20 residential units	<del>2020 – 2025</del> <u>2021-2025</u>	Private Sector
			SE1: Shipley East	Residential led mixed use <u>with supporting retail and business uses</u>	<del>100 – 150</del> <u>151</u> residential units, supporting retail and	<del>2015 – 2025</del> <u>2016-2025</u>	Private Sector/ CBMDC



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					business uses		
			SE2: Land around Crag Road Flats	Residential <del>infilling</del>	30 residential units	<del>2020—2025</del> <u>2021-2025</u>	Incommunities
			DF1: Dock Lane, Canalside	<del>Residential-led mixed use of</del> <u>residential and business uses (B1).</u>	114 residential units with supporting business uses	<del>2015—2025</del> <u>2016-2025</u>	Private Sector
			DF2: Junction Bridge, Briggate	<u>Business/ mixed use of employment uses with supporting main town centre and residential uses</u>	<u>Employment uses</u> <del>Business, commercial and</del> <u>with supporting retail, leisure and residential uses</u>	<del>2020—2025</del> <u>2021-2025</u>	Private Sector
			DF3: Land between Leeds Road and Dock Lane	Residential <del>/</del> <u>mixed use of residential and employment and commercial uses</u>	60 residential units, supporting business uses	<del>2020—2025</del> <u>2021-2025</u>	Private Sector/ CBMDC
			DF4: Dockfield Road North/ <del>DF5</del> Dockfield Road South	<u>Mixed use-development of residential and employment uses (B1) with open space and water compatible uses</u> <del>Residential mixed Use</del>	<del>90</del> <u>50</u> residential units, supporting business uses	<del>2020—2025</del> <u>2021-2025</u>	Private Sector
			DF <del>5</del> <u>6</u> : Regent House	Residential <del>redevelopment</del>	93 residential units	<del>2020—2025</del> <u>2021-2025</u>	Private Sector
			DF <del>6</del> <u>7</u> : Junction of Dock Lane	Residential <del>redevelopment</del>	<del>6</del> <u>4</u> residential units	<del>2020—2025</del> <u>2016-2020</u>	Private Sector

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			and Dockfield Road				
			DF <del>78</del> : Dock Lane	Residential	15 residential units	<del>2020-2025</del> <u>2021-2025</u>	Private Sector
			DF <del>89</del> : Dockfield Road- <u>Place</u>	Residential <del>redevelopment</del>	10 residential units	<del>2015-2020</del> <u>2016-2020</u>	Private Sector
			Centre Section				
			NBW1: New Bolton Woods	Residential led mixed use redevelopment <u>to include ancillary retail, employment uses (B1), education provision, sports facilities, and open space</u>	1100 new residential units, supporting retail/leisure uses, new primary school, community facilities and employment uses	<del>2015-2030</del> <u>2016-2030</u>	JVCO/ CBMDC/Private Sector
			<u>New Bolton Woods (phase1)*</u>	<u>Residential</u>	<u>50 residential units</u>	<u>Completed post 2013</u>	<u>JVCO/CBMDC</u>
			NBW2: Frizinghall Road	Residential	42 residential units	<del>2015-2020</del> <u>2021-2025</u>	Private Sector
			NBW3: Thornhill Avenue	Residential	21 residential units	<del>2015-2020</del> <u>2016-2020</u>	Private Sector
			NBW4: North Bolton Hall Road	Residential	35 residential units	<del>2020-2025</del> <u>2021-2025</u>	Private Sector
			NBW5: Flats East Valley Road	Residential <del>redevelopment</del>	<del>50</del> <u>30</u> -residential units	<del>2020-2025</del> <u>2021-2025</u>	Incommunities
			NBW6: North	Residential	30 residential units	<del>2020-2025</del>	Private Sector

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			Queens Road			<del>2021-2025</del>	
			NBW7: Bolton Woods Flats	Residential	70 residential units	<del>2015-2020</del> <b><u>2016-2020</u></b>	Incommunities/ Private Sector
			BWQ1: Bolton Woods Quarry	Residential <del>redevelopment</del> <b><u>with small scale retail and community uses</u></b>	1000 residential units, local retail and community uses to meet day to day needs	<del>2015-2030</del> <b><u>2016-2030</u></b>	Private Sector/ CBMDC
			City Centre Fringe				
			CCF1: Bolton Road Wapping	Residential	46 residential units	<del>2015-2020</del> <b><u>Completed post 2013</u></b>	Private Sector
			CCF2: Bolton Road	Residential	16 residential units	<del>2020-2025</del> <b><u>2021-2025</u></b>	Private Sector
			CCF3: Wapping Road, Bolton Road	Residential	23 residential units	<del>2015-2020</del> <b><u>2016-2020</u></b>	Private Sector/ CBMDC
			CCF4: Singleton Street	Residential <del>redevelopment</del>	60 residential units	<del>2015-2020</del> <b><u>Completed post 2013</u></b>	Private Sector

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MM042	127	5.27	<p data-bbox="741 333 1137 363"><i>Insert new paragraph as follows:</i></p> <p data-bbox="741 403 1070 434"><b><u>Annual Monitoring Report</u></b></p> <p data-bbox="741 485 2040 639"><b><u>5.28 The Monitoring framework (Table 5) of the AAP will be the primary mechanism for monitoring the effectiveness of the policies contained within this AAP and will form part of the Annual Monitoring Report (AMR). The AMR will monitor the targets set out within the monitoring framework to ensure the plan is being delivered effectively.</u></b></p> <p data-bbox="741 691 2011 762"><b><u>Should the targets of the monitoring framework not be met, this will prompt a review of the AAP where necessary.</u></b></p> <p data-bbox="741 813 2029 885"><b><u>The AMR shall also monitor the delivery of the allocated sites as set out in the Table 4. Should the targets of table 1 not be met, this will prompt a review of the AAP where necessary.</u></b></p>							
MM043	145	Table 6: Shipley and Canal Road Corridor AAP: Residential Sites	<u>Sub</u> Area	Site	Ref	Area (ha)	<u>Units</u>	Site type	<u>Completed Post 2013</u>	Estimated delivery

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>									
											<del>2015-2021</del> <u>2016-2020</u>	<del>2020-2025</del> <u>2021-2025</u>
			Shipley	Canalside Dock Lane	DF1	2.01	114**	PDL		x	x	
				Land between Leeds Road and Dock Lane	DF3	0.6	60	<u>PDL</u>			x	
				Dockfield Road North/South	<del>DF4</del> <u>DF5</u>	<del>0.54</del> <del>0.7</del> <u>1.24</u>	90 <u>50</u>	PDL			x	
				Regent House	<del>DF6</del> <u>DF5</u>	0.69	93**	PDL	*	<u>x</u>		
				Junction of Dock Lane and Dockfield Road	<del>DF7</del> <u>DF6</u>	0.05	<del>6</del> <u>4</u> **	PDL	x			
				Dock Lane	<del>DF8</del> <u>DF7</u>	0.15	15	PDL			x	
				Dockfield Place Road	<del>DF9</del> <u>DF8</u>	0.13	10	PDL	*	<u>x</u>		
				Shipley East	SE1	8.9	<del>101</del> <u>151</u>	Mix	x	x		
				Land around Crag Road Flats	SE2	0.29	30	GF			x	
				Shipley Indoor Market Hall	STC1	0.25	20	PDL			x	

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>												
				Land and buildings around Market Sq	STC2	1.1	25	PDL			x				
				Station Road	STC3	0.4	50	PDL		*	<u>x</u>				
				ShipleY Gateway Site	STC4	0.8	50	PDL			*	<u>x</u>			
				Atkinson Street	STC5	00.2	8**	PDL		x					
				Buildings along Briggate	STC6	0.21	20	PDL				x			
			ShipleY total							<del>692</del> <u>700</u>					
			Centre Section	New Bolton Woods	NBW 1	50	1100**	Mix		x	x	x			
				New Bolton Woods (phase1)*	NBW 1	2.22	50**	GF	<u>x</u>	*					
				Frizinghall Road	NBW 2	0.8	42	PDL		*	<u>x</u>				
				Thornhill Avenue	NBW 3	0.71	21**	GF		x					
				North Bolton HallRoad	NBW 4	0.83	35	PDL				x			
				Valley Road Flats	NBW 5	<del>1.29</del> <u>0.76</u>	50 <u>30</u>	PDL				x			
				North Queens Road	NBW 6	0.8	30	PDL				x			

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>														
				Bolton Woods Flats	NBW 7	1.4	70	PDL		x							
				Bolton Woods Quarry	BWQ	28.7	1000	<del>PDL</del> <b>Mix</b>		x	x	x					
			Centre Section Total						<del>2398</del> <b>2378</b>								
			City Centre Fringe	Bolton Road Wapping*	CCF1	2.11	46**	GF	<del>x</del>	*							
				Bolton Road	CCF2	0.31	16	GF			x						
				Wapping Road, Bolton Road	CCF3	0.46	23	mix		x							
				Singleton Street*	CCF4	0.39	60**	PDL	<del>x</del>	*							
			City Centre Fringe total						145								
			AAP Totals				<del>3235</del> <b>3223</b>										
			* Sites <del>under construction</del> <b>completed</b> (post April 2013)														
			MM044	160	Appendix	<p><b><u>Appendix F: List of Policies to superseded by the SCRC AAP</u></b></p> <p><b><u>Superseded Replacement Unitary Development Plan (RUDP) 2005 Policies and Allocations upon adoption of the Shipley and Canal Road Centre Area Action Plan</u></b></p> <p><b><u>Note-this list only applies to the policy designations and sites within the boundary of the SCRC AAP</u></b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b><u>Superseded / Deleted</u></b></td> <td style="width: 50%;"><b><u>Shipley and Canal Road Corridor Area Action Plan (SCRC AAP)</u></b></td> </tr> <tr> <td><b><u>RUDP 2005 Policies and Allocations</u></b></td> <td></td> </tr> <tr> <td><b><u>Policy E1 Employment Sites</u></b></td> <td><b><u>Deleted and superseded by Site Allocation DF1</u></b></td> </tr> </table>									<b><u>Superseded / Deleted</u></b>	<b><u>Shipley and Canal Road Corridor Area Action Plan (SCRC AAP)</u></b>	<b><u>RUDP 2005 Policies and Allocations</u></b>
<b><u>Superseded / Deleted</u></b>	<b><u>Shipley and Canal Road Corridor Area Action Plan (SCRC AAP)</u></b>																
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Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>	
			<b><u>Policy E6 Employment Zones</u></b>	<b><u>Superseded by Core Strategy Policy EC4 and SCRC AAP Policy SE2: Canal Road Employment Zone as depicted on SCRC AAP Policies Map</u></b>
			<b><u>Policy H1 Housing Sites</u></b>	<b><u>Deleted and superseded by site allocations NBW1 and CCF1</u></b>
			<b><u>Policy H2 Housing Sites</u></b>	<b><u>Superseded by site allocation NBW3</u></b>
			<b><u>Policy TM4 Rail Stations</u></b>	<b><u>Superseded by Core Strategy Policy TR3 and SCRC AAP Policy ST4: Station Improvements as depicted on SCRCP AAP Policies Map</u></b>
			<b><u>Policy TM5 Railway Lines and Former Railway Network</u></b>	<b><u>Deleted. No corresponding policy / Policies Map designation</u></b>
			<b><u>Policy TM7 Park and Ride Sites</u></b>	<b><u>Superseded by Core Strategy Policy TR3 and SCRC AAP Policy ST4: Station Improvements as depicted on SCRCP AAP Policies Map</u></b>
			<b><u>Policy TM10 the national and local cycle network</u></b>	<b><u>Superseded by Core Strategy Policy TR3 and SCRC AAP Policies ST5: Pedestrian and Cycle Movements and ST6: Canal Road Greenway as depicted on SCRCP AAP</u></b>



Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>	
				<u>Policies Map</u>
			<u>Policy TM14 Public Car Parks</u>	<u>Superseded by Core Strategy Policy TR2 and SCRC AAP Policy ST7: Parking . No corresponding Policies Map designation</u>
			<u>Policy TM6 Bus Priority Network</u>	<u>Superseded by Core Strategy Policy TR1 and TR3 and SCRC AAP Policies ST1: Transport Improvements and ST3: Maximising Sustainable Transport Options. No corresponding Policies Map designation</u>
			<u>Policy TM20 Cycle way improvements</u>	<u>Superseded by Core Strategy Policy TR3 and SCRC AAP Policies Pedestrian and Cycle Movements and ST6: Canal Road Greenway as depicted on SCRCP AAP Policies Map</u>
			<u>Policy TM20 Highway improvements</u>	<u>Superseded by Core Strategy Policy TR1 and TR7 and SCRC AAP Policy ST1: Transport Improvements as depicted on SCRCP AAP Policies Map</u>
			<u>Policy TM21 Freight Accessible sites</u>	<u>Superseded by Core Strategy Policy TR6 and SCRC AAP Policy ST3: Maximising Sustainable Transport Options as depicted on SCRC AAP Policies Map</u>
			<u>Policy CR1A Central Shopping Area in City and Town Centres</u>	<u>Deleted. No corresponding policy / Policies Map designation</u>
			<u>Policy CL1 City Town and District Centre</u>	<u>Superseded by Core Strategy Policy EC5 and SCRC AAP Policy SE5: Shipley Town Centre and Primary Shopping</u>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>	
			<u>Boundaries</u>	Area as depicted on SCRC AAP Policies Map
			<u>Policy CT5 Primary Shopping Areas</u>	Superseded by Core Strategy Policy EC5 and SCRC AAP Policy SE5: Shipley Town Centre and Primary Shopping Area as depicted on SCRC AAP Policies Map
			<u>Policy BH7 Conservation Areas</u>	Superseded by Core Strategy Policy EN3 and SCRC AAP Policy NBE5: Heritage and Conservation as depicted on SCRC AAP Policies Map
			<u>Policy BH14 Heritage Site Buffer zone</u>	Superseded by Core Strategy Policy EN3 and SCRC AAP Policy NBE5: Heritage and Conservation as depicted on SCRC AAP Policies Map
			<u>NE9 Sites of Other Sites of Landscape or wildlife Interest</u>	Superseded by Core Strategy Policy EN2 and SCRC AAP Policy NBE4: Biodiversity and Ecology as depicted on SCRC AAP Policies Map
			<u>Policy NR1 Mineral Extraction</u>	Deleted and superseded by Core Strategy Policy EN12 and by site allocation NBW1 as depicted on SCRC AAP Policies Map
			<u>Policy NR3 Mineral Extraction</u>	Deleted and superseded by Core Strategy Policy EN12 and by site allocation NBW1 as depicted on SCRC AAP Policies Map
			<u>Policy NR4 Operational Criteria for Mineral Working</u>	Deleted and superseded by Core Strategy Policy EN12 and by site allocation NBW1 as depicted on SCRC AAP

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>
			<p><u>Policies Map</u></p>
		<u>Policy OS1 Urban Greenspace</u>	<u>Superseded by Core Strategy Policy EN1 and by SCRC AAP Policy NBE1 Green Infrastructure and site allocations NBW1 and BWQ1 as depicted on SCRC AAP Policies Map</u>
		<u>OS2 Protection of Recreation Open Space</u>	<u>Superseded by Core Strategy Policy EN1 and by SCRC AAP Policy HSC2: Open Space, Sport and Recreation as depicted on SCRC AAP Policies Map</u>
		<u>Policy OS3 Protection of Playing Fields</u>	<u>Superseded by Core Strategy Policy EN1 and by SCRC AAP Policy HSC2: Open Space, Sport and Recreation as depicted on SCRC AAP Policies Map</u>
		<u>Policy OS4 New Open Space Provision</u>	<u>Superseded by Core Strategy Policy EN1 and SCRC AAP Policies HSC2: Open Space, Sport and Recreation and NBE1: Green Infrastructure and as depicted on SCRC AAP Policies Map</u>
		<u>Policy OS6 Allotments</u>	<u>Superseded by Core Strategy Policy EN1 SCRC AAP Policy HSC2: Open Space, Sport and Recreation as depicted on SCRC AAP Policies Map</u>
		<u>Policy UR7 Mixed Use areas</u>	<u>Deleted. No corresponding policy / Policies Map designation</u>

Modification no.	Page no.	Policy/ paragraph	Proposed Modification New text: <u>underlined</u> Deleted text <del>strike through</del>	
			<b><u>Policy D10 Environmental Improvement of Transport Corridors</u></b>	<b><u>Superseded by Core Strategy Policy TR1 and SCRC AAP Policy ST1: transport Improvements as depicted on SCRC AAP Policies Map</u></b>
			<b><u>Policy P3 Hazardous Installations</u></b>	<b><u>Superseded by Core Strategy Policy EN8 and SCRC AAP Policy HSC1: Hazardous Installations as depicted on SCRC AAP Policies Map</u></b>



## Report of the Strategic Director of Place to the meeting of Executive to be held on 7 November 2017

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**Subject:**

**AG**

Delegation Scheme for Transportation and Highways Decisions

**Summary Statement:**

This report seeks 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.

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

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Steve Hartley  
Strategic Director, Place

Report Contact: Richard Gelder  
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Phone (01274) 437603  
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**Portfolio:**  
Regeneration, Planning & Transport

**Overview & Scrutiny Area:**  
Environment & Waste

## 1. SUMMARY

- 1.1 This report seeks Executive's approval to replacing the Council's current Scheme of Delegation ("the Scheme") for regulating the decision-making processes on Transportation and Highways matters which was approved on 21 December 2015.
- 1.2 This report contains a proposed replacement Scheme for consideration and approval by Executive which addresses recent officer structure changes and the introduction of new legislation since the previous revision was adopted

## 2. BACKGROUND

- 2.1 Since its creation on 1 April 1974 the Council has adopted a general scheme of delegation to cover the responsibilities of Committees, Sub-Committees and Officers. With regard to the powers given to Officers, the general delegations have given flexibility enabling decisions to be made as efficiently and speedily as possible. Recent trends have shown that the Courts and Ombudsman are requiring greater reassurance that decisions taken within the organisation, particularly decisions by Officers have a specific and clear underpinning by stated terms of reference.
- 2.2 The current Scheme for Highways and Transportation matters as enclosed in Appendix A was approved on 21 December 2015 following a detailed review of the previous 2004 scheme. As reported to this committee the necessity to undertake regular periodic reviews of the scheme is essential in light of both changes to legislation affecting highways and transportation matters but also to ensure that the scheme reflects the posts which exist within the officer structures of the Planning, Transportation & Highways service.
- 2.3 To enable the Scheme to be updated for minor alterations of officer structures in response to the budget setting process Executive resolved to delegate approval of officer title designations (subject to the level of responsibility being equivalent) to the Strategic Director of Regeneration thereby obviating the need to refer this matter for consideration.
- 2.4 However, the review undertaken this year has identified a number of alterations which are beyond the scope of the previous resolution, namely:
  - a) Officer and departmental structures and responsibilities have been amended as a result of the Council's budget setting process meaning that posts specifically referred to in the current Scheme (see Appendix A) and departments no longer exist within current council structures.
  - b) As a result of these changes officer responsibilities have changed significantly consequently specific powers and responsibilities are no longer aligned with operational arrangements within the Planning, Transportation & Highways Service.

- c) Amendments to the Highways Act 1980 and the introduction of new legislation associated with Highways and Transportation matters have not been incorporated into the Scheme.
- 2.5 In the light of the above factors a revised Scheme has been developed and is included in Appendix B of this report. The key changes between the proposed version and the 2015 edition are:
- a) Redrafting the Scheme of Delegation to correctly refer to current Officer posts within the Planning, Transportation & Highways Service removing specific reference to posts which no longer exist and assigning the delegation to the appropriate equivalent officer within the current Officer structure.
  - b) Introducing delegation of authorised officer status under the Clean Neighbourhoods and Environment Act 2005 to officers within the Planning, Transportation & Highways Service to enable enforcement of contraventions through the issue of fixed penalty notices including removal of vehicles being offered for sale or repaired on the highway and removal of graffiti/fly posting.
  - c) Incorporation of reference to new legislation where such legislation supersedes existing Highways Act 1980 provisions (e.g. Anti-Social Behaviour Crime and Policing Act 2014) and revoking of repealed powers where appropriate.

These key changes are highlighted on the revised Scheme in Appendix B by shading.

### **3. OTHER CONSIDERATIONS**

- 3.1 The existence of a specific Scheme of Delegation for Highways & Transportation means that Officer Decisions taken in respect of highways matters should be taken by reference to the Scheme alone. Reliance should not generally be made on paragraph 14 Part 2 Articles of the Constitution if the Scheme specifically covers a matter.
- 3.2 The opportunity should also be taken to specify clearly what legal powers are being used. However, it was stressed in the report establishing a Scheme of Delegation in November 1998 that vigilance must be maintained on the part of the Council to identify any additional powers given to the local highway authority by new legislation. This is in order to ensure that any adopted Scheme is regularly updated to take account of new legislation.
- 3.3 It is considered appropriate that in certain instances, prior notification is also sought from Ward Members as indicated by an asterix (\*) against the specific provision. In the event of objections to any decision making process, the matter will be referred to the relevant Committee for consideration.
- 3.4 The amendments to the 1998 Scheme, approved in 2004, began the process of delegation of highway powers to Officers below Senior Engineer status to

improve the efficiency of staff resources on minor issues. This approach has been continued in the current iteration of the Scheme with specific delegations under Parts C & D recommending delegation of minor highway offences to Officers below Senior Engineer level thereby ensuring that these issues are dealt with by the most appropriate officer.

- 3.5 In accordance with Council policy those decisions suffixed by (ED) are Executive decisions and therefore a formal written record of the decision taken by officers and the information provided to enable such a decision to be taken must be retained.

#### **4. FINANCE & RESOURCE APPRAISAL**

- 4.1 An effective and up to date Scheme of Delegation will assist the Council in achieving effective and efficient decision making in relation to responding to service requests for highways and transportation matters.

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

- 5.1 A fully detailed and up-to-date Scheme of Delegation will help establish the transparency of decision making.

#### **6. LEGAL APPRAISAL**

- 6.1 The Local Government Act 1972 sets out tiered levels of decision-making in local government. The Local Government Act 2000 give various models that potentially depart from the traditional system, but essentially one requirement of transparency as to where and how decisions are taken is given even more emphasis. Decisions can be made with respect to a local authority by:-

- a) The Council Meeting of all its Members
- b) A Committee established by Council
- c) A sub-committee
- d) An Officer

Officers can be empowered to make decisions by:-

- a) The Council itself
- b) The Committee, or
- c) The Sub-Committee

- 6.2 The Council's Constitution contains a general delegation of powers to certain specified officers. This is set out at paragraph 14 Part 2 Articles of the Constitution.

#### **7. OTHER IMPLICATIONS**

##### **7.1 Equality & Diversity**



There are no equality and diversity implications arising from this report.

## 7.2 **Sustainability Implications**

There are no sustainability implications arising from this report.

## 7.3 **Greenhouse Gas Emissions Impacts**

There are no greenhouse gas emissions impacts arising from this report.

## 7.4 **Community Safety Implications**

Effective and timely decisions in relation to highway enforcement matters can have a positive impact on the safety of the highway network for all users. The proposals contained within this report provide an efficient and effective structure within which timely decisions can be made.

## 7.5 **Human Rights Act**

The proposed Scheme specifically requires Officers to take account of Human Rights issues when making decisions.

## 7.6 **Trade Union**

There are no trade union implications associated with this report.

## 7.7 **Ward Implications**

There are no ward implications arising from this report.

## 7. **NOT FOR PUBLICATION DOCUMENTS**

7.1 None

## 8. **OPTIONS**

8.1 Executive may decide to adopt the proposed Scheme of Delegation as outlined in this report; or

8.2 Alternatively, Executive may decide not to approve the adoption of replacement Scheme as outlined in this report in favour of an alternative proposal.

## 9. **RECOMMENDATIONS**

9.1 That Executive approves the adoption of the Replacement Scheme of Delegation as set out in Appendix B to Document "AG" in substitution for the current Scheme of Delegation for Highways and Transportation Matters

9.2 That the provisions of the previous scheme of delegation dated 21<sup>st</sup> December 2015 be revoked.

9.3 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.

- 9.4 That Executive delegate to the Strategic Director – Place (or such other officer with equivalent duties for the time being) the authority to make amendments to the Scheme to reflect future changes in job titles, providing the level of responsibility remains the same.

## **10. APPENDICES**

- 10.1 Appendix A –Scheme of Delegation for Highways and Transportation Matters operational from 1 January 2016.
- 10.2 Appendix B – Proposed Replacement Scheme of Delegation 2017.

## **11. BACKGROUND DOCUMENTS**

- 11.1 Local Government Act 1972
- 11.2 Local Government Act 2000
- 11.3 The Council's Constitution

This Scheme of Delegation (“the Scheme”) is made under the powers contained in Section 101 of the Local Government Act 1972, Town Police Clauses Act 1847, the Highways Act 1980, the Road Traffic Act 1984, the Town and Country Planning Act 1990, Local Government Miscellaneous Provisions Act 1976, the Anti-Social Behaviour Crime and Policing Act 2014, the New Roads and Street Works Act 1991 and Traffic Management Act 2004, the Council’s Constitution and all other enabling powers. It was approved by the Executive Committee of the Council on 21 December 2015 and took effect on 1 January 2016.

## **CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL**

### **DEPARTMENT OF REGENERATION**

#### **Scheme of Delegation of Highway Decisions January 2016**

#### **General Matters and Definitions**

- 1) When making decisions in the exercise of the following delegated powers the relevant officers shall act in their own name.
- 2) Any decision taken in pursuance of this scheme must comply with:-
  - a) Any statutory requirements with regard to the matters to be taken into considerations in making the decision;
  - b) The Council’s Constitution;
  - c) The general principles of the Human Rights Act 1998;
  - d) Any other relevant protocols adopted by the Council from time to time.
- 3) Where reference is made in this scheme to a statute or statutory instrument that reference shall include any statute or statutory instrument revoking and re-enacting the original statute or statutory instrument with or without modification.

#### **Referral of matters to the Authority or Relevant Committee**

- 4) In exercising these powers, officers shall have regard to any relevant policies or plans adopted by the Council, and shall have general regard to the desirability of referring any matter to the Area Committee or the Executive for decision. Officers shall at all times be entitled to decline to exercise any of the powers delegated by this scheme and to refer the matter to a higher level of decision making or alternatively to the appropriate Member body where they consider it expedient to do

so. In deciding whether a matter should be referred to Committee or the Executive for decision, Officers shall have regard to the impact, sensitivity and possible controversial nature of the matter.

- 5) Officers shall accede to any request in writing or by electronic format made by a member of Council, or pursuant to a resolution of the Executive or of a committee or sub-committee thereof, that an item be referred to the next level of decision making as set out in this Scheme of Delegation or to the appropriate Area Committee or the Executive.
- 6) This scheme is additional to and without prejudice to the powers of the Strategic Director: Regeneration or other relevant officers to make decisions under the general powers delegated to officers in the Council's Constitution.

### **Sub Delegations**

- 1) Officers named in the scheme may authorise officers under their management to exercise powers on their behalf. Any decisions take under this authority shall remain the responsibility of the Officer who the power has been specifically delegated to and shall be taken in the name of that Officer.
- 2) Where an Officer specifically referred to in this Scheme is absent for any period, he/she may nominate in writing another Officer to act in that capacity during the appropriate period of absence.

***The following powers to act on behalf of the Council as local highway authority are delegated.***

**PART A****Delegation of Powers to All Highways Officers**

The following powers to take action in relation to highway matters shall be exercised under this part by all staff.

**A1 Removal of Unauthorised Signs and Markings**

The power to remove unauthorised marks, pictures, signs etc. upon the surface of a highway, any tree, structure, item of street furniture or works on a Highway under Section 132 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART B****Delegation to Senior Engineer**

The following powers to take action in relation to highway matters shall be exercised under this part provided that no written representations, including any petition, objecting to the proposal have been received:

**B1 Highway Safety**

Power to authorise the erection of barriers in any street for the purpose of securing public safety, public order or preventing congestion of traffic in the cases of emergency under Section 287 of the Highways Act 1980.

Power to authorise service of a notice relating to dangerous land adjoining a street under Section 165 of the Highways Act 1980.

Power to authorise service of a notice relating to prevention of soil etc. being washed onto the street under Section 151 of the Highways Act 1980.

Power to authorise service of a notice for prevention of water falling on or flowing onto a Highway under Section 163 of the Highways Act 1980.

**B2 Retaining Walls**

Power to authorise the service of a notice requiring the execution of works to obviate the danger caused to people using a street by a retaining wall under Section 167 of the Highways Act 1980.

**B3 Alterations to Adjoining Structures and Land**

Power to authorise the service of notices requiring removal or widening of gates across the highway under Section 145 of the Highways Act 1980.

Power to authorise service of a notice requiring alterations of a door etc. which opens onto a Highway under Section 153 of the Highways Act 1980.

Power to authorise service of a notice requiring removal of barbed wire on land adjoining a Highway under Section 164 of the Highways Act 1980.

**B4 Temporary Prohibition or Restriction on Roads**

Power to authorise the making of orders for the temporary restriction or prohibition of the use of a road by vehicles or classes of vehicles or pedestrians under Section 14 of the Road Traffic Regulation Act 1984.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART C****Delegation to Highway Enforcement Officer and Traffic Officer**

All powers conferred under delegation B1 above together with the following:

**C1 Treatment of Vegetation**

Power to authorise the issue of a notice requiring the cutting or removal of a hedge, tree or shrub overhanging the highway under Section 154 of the Highways Act 1980.

Power to serve notice requiring the removal of any tree or shrub planted within 15 feet from the centre of a made-up carriageway within 21 days of the notice under Section 141 of the Highways Act 1980.

Power to authorise the granting of a license permitting the owner or occupier of premises adjoining the Highway to plant and maintain trees, shrubs, plants or grass in such part of the Highway as is specified under Section 142 of the Highways Act 1980.

**C2 Removal of Nuisance Obstructions**

Power to authorise the removal of a continuing obstruction and recover costs in so doing from the offender under Section 137 of the Highways Act 1980.

Power to authorise the removal or repositioning of builder's skips deposited on the highway and recover the costs in so doing under Section 140 of the Highways Act 1980.

**C3 Vehicle Crossings over Footways and Verges**

Power to authorise the service of notices relating to vehicular crossings over footways and verges under Section 184 of the Highways Act 1980.

**C4 Enforcement**

Power to determine that no further action be taken in a complaint about a matter which could have been subject to enforcement action where :-

- (a) It is considered that the matter complained of has not occurred; or

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

- (b) That the matter complained of is not a breach of highways legislation, or does not otherwise fall within the statutory powers relating to enforcement action.

Power to instruct the City Solicitor to commence legal proceedings against a party or parties contravening highway legislation under Section 135 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee



**PART D****Delegation to Senior NRSWA Co-ordinator, NRSWA Co-ordinator and Network Resilience Support Officer**

All powers conferred under delegation C2 and C3 above together with the following:

## D1 Skips and Scaffolding

[REDACTED]

[REDACTED]

Power to require removal of a builders' skip under Section 140 of the Highways Act 1980.

[REDACTED]

## D2 Events on the Highway

Power to authorise the City Solicitor to make an order for the temporary prohibition or restriction of the Highway by vehicles of any class or pedestrians under Section 16 of the Road Traffic Regulation Act 1984.

## D3 Qualification of street works Operatives

Power to require all street works operatives and supervisors to demonstrate appropriate qualification to undertake works on the Highway under Section 68 of the New Roads and Street Works Act 1991.

## D4 Statutory Undertakers' Reinstatements

Power to serve notice requiring remedial works to an undertakers' reinstatement to address failures under Section 72 of the New Roads and Street Works Act 1991.

## D5 Fixed Penalty Noticing

Power to authorise the issue of Fixed Penalty Notices to undertakers serving notices and working on or within the highway for failure to comply with the requirements of the Traffic Management Permit Scheme (England) Regulations 2007. Part 5 (Sanctions) and/or the City of Bradford Metropolitan District Council Permit Scheme 2015 (Yorkshire Common Permit Scheme) Statutory Instrument.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART E****Delegation to Principal Engineer**

All powers conferred in Parts A and B above together with the following additional powers which shall be exercised under this part provided that no written representations including any petition objecting to the proposal have been received:

**E1 Highways Safety**

Power to authorise service of a notice requiring removal of projections from buildings under Section 152 of the Highways Act 1980.

Power to serve a notice requiring the prevention of danger, obstruction or inconvenience emanating from a forecourt abutting a street under Section 166 of the Highways Act 1980.

**E2 Traffic Calming and Road Humps**

Power to construct Road Humps in a Highway under Section 90A of the Highways Act 1980. †

Power to construct Traffic Calming works in a Highway under Section 90G of the Highways Act 1980. †

**E3 Traffic Regulation Orders**

Power to authorise the making of orders providing inter alia for the routing of traffic through specified streets, closing of adjoining streets and removal of obstructions under Section 21 of the Town Police Clauses Act 1847.

Power to authorise the City Solicitor to make experimental orders under Section 9 of the Road Traffic Regulation Act 1984. \*\* †

After receiving general authorisation from the appropriate Area Committee or Planning Panel, the Regulatory and Appeals Committee, Executive or Council the power to authorise the City Solicitor to make appropriate traffic regulation orders under Section 1 of the Road Traffic Regulation Act 1984.

**E4 Pedestrian Crossings**

Power to authorise the establishment, alteration or removal of crossings for pedestrians under Section 23 of the Road Traffic Regulation Act 1984. \* †

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

## E5 Traffic Signs

Power to cause or permit the placing of traffic signs on or near a road (including signs conveying information of a temporary nature) under Section 65 of the Road Traffic Regulations Act 1984.

## E6 Highway Structures and Works

Power to authorise the issue of a notice requiring a person having control or possession of an unauthorised structure erected or set up on a highway to remove it under Section 143 of the Highways Act 1980.

Power to authorise in writing a person to enter land for the purpose of maintaining, altering or removing a structure or works on land under Section 291 of the Highways Act 1980.

Power to authorise the service of a notice requiring the execution of works to obviate the danger caused to people using a street by a retaining wall under Section 167 of the Highways Act 1980.

## E7 Private Streets

Power to adopt a private street under Section 228 of the Highways Act 1980.

## E8 Damage to the Highway

Power to authorise the making of a complaint to Magistrates Court with respect to damage of a Highway consequent on exclusion of sun and wind under Section 136 of the Highways Act 1980.

## E9 Granting of License and Consents

Power to authorise the granting of licenses to construct a bridge over the Highway under Section 176 of the Highways Act 1980.

Power to give consent to the making of openings into cellars etc. under streets or the provision of pavement lights and ventilators under Section 186 of the Highways Act 1980.



\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART F****Delegation to Principal Engineer (Highway Development Control)**

All powers conferred by Part E above together with the following powers:

**F1 Alteration of Highway Status**

Power to make an application to the Secretary of State for an order extinguishing the right to use vehicles on Highways under Section 249 of the Town and Country Planning Act 1990 where the Council has adopted a proposal for improving the amenity of the area under Section 249 of the Act 1990.

Power to make an application to the Secretary of State for an order stopping up or diversion of any highway under Section 247 of the Town and Country Planning Act 1990.

Power to authorise the making of an application on behalf of the Council for the stopping up or diversion of a Highway under Section 116 of the Highways Act 1980.

Power to sign certificates approving works carried out by agreement under Section 38 of the Highways Act 1980.

**F2 Power to prepare Legal Agreements**

Power to authorise the making or alteration of an agreement relating to the contribution to the cost of works on the Highway under Section 278 of the Highways Act 1980

Power to authorise the making of an agreement whereby a new street becomes a Highway maintainable at public expense under Section 38 of the Highways Act 1980.

Power to authorise the making of an order under Section 124 of the Highways Act 1980 to stop up the private means of access to a publicly maintained highway. \*\* †

**F3 Sight Lines**

Power to serve notice requiring removal of obstructions from sight lines under Section 79 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART G**

**Delegation to Principal Engineer (Network Resilience & Management)**

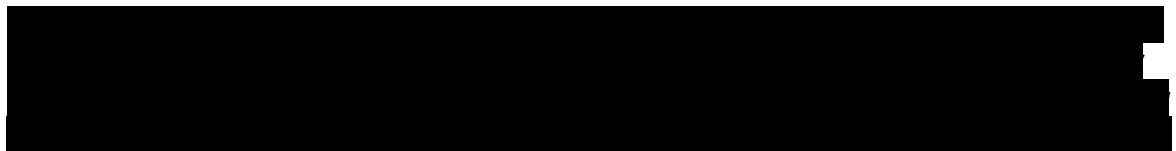
All powers conferred in Part D and E and in delegation F3 plus the following powers:

G1 Skips and Scaffolding

Power to authorise the disposal of a builders skip under Section 140 of the Highways Act 1980.

G2 Illegal Apparatus

Power to serve notice requiring removal of unauthorised apparatus in a street and taking of measures to reinstate the street under Section 51 of the New Roads and Street Works Act 1991.



G4 Traffic Manager

Power to act in the role of Traffic Manager for the Authority as specified in the Network Management Duty of the Traffic Management Act 2004 under Section 17(2).

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART H**

**Delegation to Principal Engineer (Street Lighting)**

All powers conferred in Part E plus the following powers:

- H1 Power to erect flagpole etc. on Highways under Section 144 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART J**

**Delegation to Countryside & Rights of Way Service Manager**

J1 Public Footpaths and Bridleways



Power to authorise the making of an order for the temporary disturbance of the surface of a footpath or bridleway under Section 135 of the Highways Act 1980.

Power to authorise the City Solicitor to make an order for the stopping up or diversion of a public footpath or bridleway under Section 257 of the Town and Country Planning Act 1990. \* †

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART K****Delegation to Transportation Development Manager  
and Highway Asset Manager**

All powers under Parts A, B, C, D, E, F and G above but without the restrictions imposed to those parts, together with the following powers:

**K1 Alterations to Adjoining Structures and Land**

Power to grant a license in respect of construction or alteration of a building over any part of the Highway maintainable at public expense under Section 177 of the Highways Act 1980.

**K2 Land Matters**

Power to enter land for the purpose of surveying under Section 289 of the Highways Act 1980.

Power to require information as the ownership of land under Section 297 of the Highways Act 1980. \*\*

Power to authorise in writing a person to enter land for the purpose of maintaining, altering or removing a structure on land under Section 298 of the Highways Act 1980.

Power to authorise in writing a person to enter land for the purposes of maintaining, altering, replacing or removing traffic signs under Section 71 of the Road Traffic Regulation Act 1984.

**K3 Highway Structures and Works**

Power to authorise the service of a notice requiring the execution of works to obviate the danger caused to people using a street by a retaining wall under Section 167 of the Highways Act 1980.

**K4 Legal Agreements**

Power to sign certificates for works to be carried out and carried out by agreement under Section 278 of the Highways Act 1980.

Power to vary the levels of commuted sums payable in connection with works under Section 278 (3) of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee



K5 Playgrounds on Roads

Power to authorise the City Solicitor to make an order to prohibit or restrict the use of the Highway by vehicles or vehicles of any specified class during specified periods for the purpose of creating a playground for children under Section 29 of the Road Traffic Act 1984. \*\* †

K6 Public Space Protection Orders

Power to authorise the City Solicitor to make a public space protection order for any relevant highway for the purpose of reducing anti-social behaviour under Section 59 of Anti-Social Behaviour Crime and Policing Act 2014. \*\* †

Power to authorise the City Solicitor to vary or discharge a public space protection order for any relevant highway for the purpose of reducing crime or anti-social behaviour under Section 59 of Anti-Social Behaviour Crime and Policing Act 2014. \*\* †

K7 Shared Use Footways

Power to authorise the City Solicitor to make an order for the conversion of footways to shared use under Section 66(4) and 65(1) of the Highways Act 1980.. \*\* †

K8 Agreements with Neighbouring Authorities

Power to authorise the City Solicitor to prepare an agreement or agreements with a neighbouring authority for authority in relation to construction, reconstruction, alteration, improvement or maintenance of a highway for which any party to the agreement are the Highway Authority under Section 8 of the Highways Act 1980.

Power to authorise the City Solicitor to prepare an agreement or agreements with a neighbouring authority for the authority to take responsibility for the adjoining authority's road under Section 85 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART L****Delegation to Assistant Director: Planning, Transportation & Highways**

All powers under Part J above but without the restrictions imposed to those parts, together with the following powers:

## L1 Property Blight

Power to authorise the Director of Corporate Services to purchase properties subject to valid blight notice under suitable terms and conditions under Section 149 and Schedule 13 of the Town and Country Planning Act 1990. \* †

## L2 Agreements with the Secretary of State

Power to enter into an agreement under Section 4 of the Highways Act 1980 with the Secretary of State for Transport in relation to works to the trunk road network carried out as a result of works on the local authority roads.

Power to enter into an agreement under Section 6 of the Highways Act 1980 with the Department for Transport in relation to works carried out to local authority roads as a result of works carried out on the trunk road network.

## L3 New Roads and Street Works Act

Authority to exercise all powers and duties of the Council conferred under Part 3 of the New Roads and Street Works Act 1991 (as amended)

Power to authorise Officers of the Council's Department of Regeneration & Culture to issue Fixed Penalty Notices for offences committed under Section 95A and Schedules 4A and 4B of the New Roads and Street Works Act 1991 (as amended by Section 41 and Schedules 2 and 3 of the Traffic Management Act 2004).

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

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This Scheme of Delegation (“the Scheme”) is made under the powers contained in Section 101 of the Local Government Act 1972, Town Police Clauses Act 1847, the Highways Act 1980, the Road Traffic Act 1984, the Town and Country Planning Act 1990, Local Government Miscellaneous Provisions Act 1976, the Anti-Social Behaviour Crime and Policing Act 2014, the New Roads and Street Works Act 1991, the Wildlife and Countryside Act 1981, the Clean Neighbourhoods and Environment Act 2005, the Anti-social Behaviour Act 2003, Traffic Management Act 2004, Article 14.20 of the Council’s Constitution and all other enabling powers. It was approved by the Executive Committee of the Council on [ ] and took effect on [ ].

## CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

### DEPARTMENT OF PLACE

#### Scheme of Delegation of Highway Decisions December 2017

#### General Matters and Definitions

- 1) When making decisions in the exercise of the following delegated powers the relevant officers shall act in their own name.
- 2) Any decision taken in pursuance of this scheme must comply with:-
  - a) Any statutory requirements with regard to the matters to be taken into considerations in making the decision;
  - b) The Council’s Constitution;
  - c) The general principles of the Human Rights Act 1998;
  - d) Any other relevant protocols adopted by the Council from time to time.
- 3) Where reference is made in this scheme to a statute or statutory instrument that reference shall include any statute or statutory instrument revoking and re-enacting the original statute or statutory instrument with or without modification.

#### Referral of matters to the Authority or Relevant Committee

- 4) In exercising these powers, officers shall have regard to any relevant policies or plans adopted by the Council, and shall have general regard to the desirability of

referring any matter to the Area Committee or the Executive for decision. Officers shall at all times be entitled to decline to exercise any of the powers delegated by this scheme and to refer the matter to a higher level of decision making or alternatively to the appropriate Member body where they consider it expedient to do so. In deciding whether a matter should be referred to Committee or the Executive for decision, Officers shall have regard to the impact, sensitivity and possible controversial nature of the matter.

- 5) Officers shall accede to any request in writing or by electronic format made by a member of Council, or pursuant to a resolution of the Executive or of a committee or sub-committee thereof, that an item be referred to the next level of decision making as set out in this Scheme of Delegation or to the appropriate Area Committee or the Executive.
- 6) This scheme is additional to and without prejudice to the powers of the Strategic Director: Place or other relevant officers to make decisions under the general powers delegated to officers in the Council's Constitution.
- 7) Delegations marked (ED) are Executive Decisions, all other delegations are non-Executive. Records of officer decisions using these delegations should be recorded on the appropriate record of officer decisions forms.

### Sub Delegations

- 1) Officers named in the scheme may authorise officers under their management to exercise powers on their behalf. Any decisions taken under this authority shall remain the responsibility of the Officer to whom the power has been specifically delegated and shall be taken in the name of that Officer.
- 2) Where an Officer specifically referred to in this Scheme is absent for any period, he/she may nominate in writing another Officer to act in that capacity during the appropriate period of absence.

The following powers to act on behalf of the Council as local highway authority are delegated.

**PART A**

**Delegation of Powers to All Highways Officers  
(incl. Countryside and Rights of Way Officers)**

The following powers to take action in relation to highway matters shall be exercised under this part by all staff.

A1 Removal of Unauthorised Signs and Markings

The power to remove unauthorised marks, pictures, signs etc. upon the surface of a highway, any tree, structure, item of street furniture or works on a Highway under Section 132 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART B****Delegation to Senior Engineer**

The following powers to take action in relation to highway matters shall be exercised under this part provided that no written representations, including any petition, objecting to the proposal have been received:

**B1 Highway Safety**

Power to authorise the erection of barriers in any street for the purpose of securing public safety, public order or preventing congestion of traffic in the cases of emergency under Section 287 of the Highways Act 1980.(ED)

Power to authorise the service of a notice relating to dangerous land adjoining a street under Section 165 of the Highways Act 1980.(ED)

Power to authorise the service of a notice relating to prevention of soil etc. being washed onto the street under Section 151 of the Highways Act 1980.(ED)

Power to authorise the service of a notice for prevention of water falling on or flowing onto a Highway under Section 163 of the Highways Act 1980.(ED)

**B2 Retaining Walls**

Power to authorise the service of a notice requiring the execution of works to obviate the danger caused to people using a street by a retaining wall under Section 167 of the Highways Act 1980.(ED)

**B3 Alterations to Adjoining Structures and Land**

Power to authorise the service of notices requiring removal or widening of gates across the highway under Section 145 of the Highways Act 1980.(ED)

Power to authorise the service of a notice requiring alterations of a door etc. which opens onto a Highway under Section 153 of the Highways Act 1980.(ED)

Power to authorise the service of a notice requiring removal of barbed wire on land adjoining a Highway under Section 164 of the Highways Act 1980.(ED)

**B4 Temporary Prohibition or Restriction on Roads**

Power to authorise the making of orders for the temporary restriction or prohibition of the use of a road by vehicles or classes of vehicles or pedestrians under Section 14 of the Road Traffic Regulation Act 1984.(ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee



**PART C****Delegation to Highway Enforcement Officer and Traffic Officer**

All powers conferred under delegation B1 above together with the following:

**C1 Treatment of Vegetation**

Power to authorise the issue of a notice requiring the cutting or removal of a hedge, tree or shrub overhanging the highway under Section 154 of the Highways Act 1980. (ED)

Power to serve notice requiring the removal of any tree or shrub planted within 15 feet from the centre of a made-up carriageway within 21 days of the notice under Section 141 of the Highways Act 1980. (ED)

Power to authorise the granting of a license permitting the owner or occupier of premises adjoining the Highway to plant and maintain trees, shrubs, plants or grass in such part of the Highway as is specified under Section 142 of the Highways Act 1980. (ED)

**C2 Removal of Nuisance Obstructions**

Power to authorise removal of things so deposited on a Highway as to cause a nuisance under Section 149 of the Highways Act 1980.

Power to authorise the removal of a continuing obstruction and recover costs in so doing from the offender under Section 137 of the Highways Act 1980. (ED)

Power to authorise the removal or repositioning of builder's skips deposited on the highway and recover the costs in so doing under Section 140 of the Highways Act 1980. (ED)

Power to authorise the issue of Fixed Penalty Notices to person or persons guilty of committing an offence under Part 2, Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005.

**C3 Vehicle Crossings over Footways and Verges**

Power to authorise the service of notices relating to vehicular crossings over footways and verges under Section 184 of the Highways Act 1980. (ED)

**C4 Enforcement**

Power to determine that no further action be taken in a complaint about a matter which could have been subject to enforcement action where (ED):-

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

- (a) It is considered that the matter complained of has not occurred; or
- (b) That the matter complained of is not a breach of highways legislation, or does not otherwise fall within the statutory powers relating to enforcement action.

Power to instruct the City Solicitor to commence legal proceedings against a party or parties contravening highway legislation under Section 135 of the Highways Act 1980.(ED)

#### C5 Fixed Penalty Notices

Power to serve a notice under Section 6 of the Clean Neighbourhoods and Environment Act 2005.

Power to require name and address details of a person or persons under Section 43B of the Anti-Social Behaviour Act 2003 for the purpose of serving a Fixed Penalty Notice.

#### C6 Graffiti

Power to act as authorised officer of the Council as defined under Part 43(1) of the Anti-social Behaviour Act 2003.

#### C7 Skips and Scaffolding

Power to require removal of a builders' skip under Section 140 of the Highways Act 1980.(ED)

Power to issue a license authorising the erection of scaffolding or any other structure which obstructs the highway over the highway under Section 169 of the Highways Act 1980

Power to issue a license authorising the placement of a builders' skip on the Highway under Section 139 of the Highways Act 1980.

Power to permit the temporary deposit of building materials, rubbish or other things in a Highway or the making of a temporary excavation on it under Section 171 of the Highways Act 1980.

#### C8 Events on the Highway

Power to authorise the City Solicitor to make an order for the temporary prohibition or restriction of the Highway by vehicles of any class or pedestrians under Section 16A of the Road Traffic Regulation Act 1984.(ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART D****Delegation to Senior NRSWA Co-ordinator, NRSWA Co-ordinator and Network Resilience Support Officer**

All powers conferred under delegation C2, C5, C5, C6, C7 and C8 above together with the following:

D1 Qualification of street works Operatives

Power to require all street works operatives and supervisors to demonstrate appropriate qualification to undertake works on the Highway under Section 68 of the New Roads and Street Works Act 1991. (ED)

D2 Statutory Undertakers' Reinstatements

Power to serve notice requiring remedial works to an undertakers' reinstatement to address failures under Section 72 of the New Roads and Street Works Act 1991. (ED)

D3 Fixed Penalty Noticing

Power to authorise the issue of Fixed Penalty Notices to undertakers serving notices and working on or within the highway for failure to comply with the requirements of the Traffic Management Permit Scheme (England) Regulations 2007. Part 5 (Sanctions) and/or the City of Bradford Metropolitan District Council Permit Scheme 2015 (Yorkshire Common Permit Scheme) Statutory Instrument. (ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART E****Delegation to Principal Engineer**

All powers conferred in Parts A and B above together with the following additional powers which shall be exercised under this part provided that no written representations including any petition objecting to the proposal have been received:

**E1 Highways Safety**

Power to authorise the service of a notice requiring removal of projections from buildings under Section 152 of the Highways Act 1980. (ED)

Power to serve a notice requiring the prevention of danger, obstruction or inconvenience emanating from a forecourt abutting a street under Section 166 of the Highways Act 1980. (ED)

**E2 Traffic Calming and Road Humps**

Power to construct Road Humps in a Highway under Section 90A of the Highways Act 1980. †(ED)

Power to construct Traffic Calming works in a Highway under Section 90G of the Highways Act 1980. †(ED)

**E3 Traffic Regulation Orders**

Power to authorise the making of orders providing inter alia for the routing of traffic through specified streets, closing of adjoining streets and removal of obstructions under Section 21 of the Town Police Clauses Act 1847. (ED)

Power to authorise the City Solicitor to make experimental orders under Section 9 of the Road Traffic Regulation Act 1984. \*\* †(ED)

After receiving general authorisation from the appropriate Area Committee or Planning Panel, the Regulatory and Appeals Committee, Executive or Council the power to authorise the City Solicitor to make appropriate traffic regulation orders under Section 1 of the Road Traffic Regulation Act 1984. (ED)

**E4 Pedestrian Crossings**

Power to authorise the establishment, alteration or removal of crossings for pedestrians under Section 23 of the Road Traffic Regulation Act 1984. \* †(ED)

**E5 Traffic Signs**

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

Power to cause or permit the placing of traffic signs on or near a road (including signs conveying information of a temporary nature) under Section 65 of the Road Traffic Regulations Act 1984. (ED)

E6 Removal of Unauthorised Structures

Power to authorise the issue of a notice requiring a person having control or possession of an unauthorised structure erected or set up on a highway to remove it under Section 143 of the Highways Act 1980. (ED)

E7 Powers of Entry

Power to authorise in writing a person to enter land for the purpose of maintaining, altering or removing a structure or works on land under Section 291 of the Highways Act 1980. (ED)

E8 Private Streets

Power to adopt a private street under Section 228 of the Highways Act 1980. (ED)

E9 Damage to the Highway

Power to authorise the making of a complaint to Magistrates Court with respect to damage of a Highway consequent on exclusion of sun and wind under Section 136 of the Highways Act 1980. (ED)

E10 Granting of License and Consents

Power to authorise the granting of licenses to construct a bridge over the Highway under Section 176 of the Highways Act 1980. (ED)

Power to give consent to the making of openings into cellars etc. under streets or the provision of pavement lights and ventilators under Section 186 of the Highways Act 1980. (ED)

Power to authorise the issue of a notice requiring a person who has constructed a cellar under the Highway without proper authorisation to remove, alter or deal with them in such a manner as specified under Section 179 of the Highways Act 1980.

E11 Alterations to Adjoining Structures and Land

Power to authorise erection, and service of notices requiring repair and maintenance of stiles, gates etc. on footpaths or bridleways under Section 146 and 147ZA of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART F****Delegation to Principal Engineer (Highway Development Control)**

All powers conferred by Part E above together with the following powers:

**F1 Alteration of Highway Status**

Power to make an application to the Secretary of State for an order extinguishing the right to use vehicles on Highways under Section 249 of the Town and Country Planning Act 1990 where the Council has adopted a proposal for improving the amenity of the area under Section 249 of the Act 1990. (ED)

Power to make an application to the Secretary of State for an order stopping up or diversion of any highway under Section 247 of the Town and Country Planning Act 1990.(ED)

Power to authorise the making of an application on behalf of the Council for the stopping up or diversion of a Highway under Section 116 of the Highways Act 1980.(ED)

Power to sign certificates approving works carried out by agreement under Section 38 of the Highways Act 1980.(ED)

**F2 Power to prepare Legal Agreements**

Power to authorise the making or alteration of an agreement relating to the contribution to the cost of works on the Highway under Section 278 of the Highways Act 1980(ED)

Power to authorise the making of an agreement whereby a new street becomes a Highway maintainable at public expense under Section 38 of the Highways Act 1980.(ED)

Power to authorise the making of an order under Section 124 of the Highways Act 1980 to stop up the private means of access to a publicly maintained highway. \*\* †(ED)

**F3 Sight Lines**

Power to serve notice requiring removal of obstructions from sight lines under Section 79 of the Highways Act 1980.(ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART G****Delegation to Principal Engineer (Network Resilience & Management)**

All powers conferred in **Parts C, D and E** and in delegation F3 plus the following powers:

**G1 Skips and Scaffolding**

Power to authorise the disposal of a builders skip under Section 140 of the Highways Act 1980. **(ED)**

**G2 Illegal Apparatus**

Power to serve notice requiring removal of unauthorised apparatus in a street and taking of measures to reinstate the street under Section 51 of the New Roads and Street Works Act 1991. **(ED)**

**G3 Traffic Manager**

Power to act in the role of Traffic Manager for the Authority as specified in the Network Management Duty of the Traffic Management Act 2004 under Section 17(2). **(ED)**

**G4 Openings into Cellars**

In consultation with the Principal Engineer Highway Structures the power to authorise the making of an opening of a street as an entrance to a cellar or vault thereunder giving direction as the construction of the door or covering to such opening to be provided under Section 180 of the Highways Act 1980.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART H**

**Delegation to Principal Engineer (Street Lighting)**

All powers conferred in Part E plus the following powers:

- H1 Power to erect flagpoles etc. on Highways under Section 144 of the Highways Act 1980. (ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee



**PART J****Delegation to Countryside & Rights of Way Service Manager**

All powers conferred in delegation B3, C2 (solely in relation to provisions relating to Section 149 of the Highways Act 1980), E6 and E11 plus the following powers:

**J1 Creation of Public Footpaths and Bridleways**

Power to authorise the City Solicitor to make a Creation Agreement for a footpath under Section 25 of the Highways Act 1980.

Power to authorise the City Solicitor to exercise powers of compulsory creation of a footpath under Section 26 of the Highways Act 1980.†.

**J2 Stopping Up or Diversion**

Power to authorise the City Solicitor to make an order for the stopping up or diversion of a public footpath or bridleway under Section 257 of the Town and Country Planning Act 1990. \* †(ED)

Power to authorise the services of stopping up and diversion orders for public paths under Section 257 of the Town and Country Planning Act 1990.

Power to authorise the stopping up or temporary diversion of a public footpath or bridleway to enable minerals to be works together with the restoration of the footpath line under Section 261 of the Town and Country Planning Act 1990.

Power to authorise the City Solicitor to make a Combined Order under Section 53(a) of the Countryside and Wildlife Act 1981 for the extinguishment or diversion of a public footpath or bridleway or restricted byway under Section 118 and 119 of the Highways Act 1980 and Section 257 of the Town and Country Planning Act 1990.

**J3 Maintenance of Footpaths and Bridleways**

Power to authorise the making of an order for the temporary disturbance of the surface of a footpath or bridleway under Section 135 of the Highways Act 1980. (ED)

**J4 Extinguishment of Footpaths and Bridleways**

Power to authorise the City Solicitor to make an order for the extinguishment or diversion of a public footpath or bridleway under Sections 118, 118(a), 118(b) , 119, 119(a) and 119(b) of the Highways Act 1980.

**J5 Duty to Maintain**

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

Power to authorise the service of a notice to require repair of stile, gate etc. under Section 146 of the Highways Act 1980.

Power to authorise the City Solicitor to enter into an agreement to provide routes by permission of the landowner under Section 39(1) of the Wildlife and Countryside Act 1981.

**J6 Definitive Map**

Power to make a Modification Order based on a confirmed and operative legal event under Section 53(3)(a) of the Wildlife and Countryside Act 1981.

Power to make a Modification Order based on evidence discovered by the Authority under Section 53(3)(a), 53(3)(b) and 53(3)(c) of the Wildlife and Countryside Act 1981.

Power to make determination of applications to modify the Definitive Map under Section 53(5) of the Wildlife and Countryside Act 1981.

**J7 Management Agreements**

Power to instruct the City Solicitor to prepare and enter into a Management Agreement for land for the purposes of conserving or enhancing the natural beauty or amenity under Section 39(1) of the Wildlife and Countryside Act 1981.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART K****Delegation to the Highways Services Manager**

All powers under Parts A, B, C, D, E, F, G, H and K above but without the restrictions imposed to those parts, together with the following powers:

**K1 Alterations to Adjoining Structures and Land**

Power to grant a license in respect of construction or alteration of a building over any part of the Highway maintainable at public expense under Section 177 of the Highways Act 1980. (ED)

**K2 Land Matters**

Power to enter land for the purpose of surveying under Section 289 of the Highways Act 1980. (ED)

Power to require information as the ownership of land under Section 297 of the Highways Act 1980. \*\* (ED)

Power to authorise in writing a person to enter land for the purposes of maintaining, altering, replacing or removing traffic signs under Section 71 of the Road Traffic Regulation Act 1984. (ED)

**K3 Legal Agreements**

Power to sign certificates for works to be carried out and carried out by agreement under Section 278 of the Highways Act 1980. (ED)

Power to vary the levels of commuted sums payable in connection with works under Section 278 (3) of the Highways Act 1980. (ED)

**K4 Playgrounds on Roads**

Power to authorise the City Solicitor to make an order to prohibit or restrict the use of the Highway by vehicles or vehicles of any specified class during specified periods for the purpose of creating a playground for children under Section 29 of the Road Traffic Act 1984. \*\* † (ED)

**K5 Public Space Protection Orders**

Power to authorise the City Solicitor to make a public space protection order for any relevant highway for the purpose of reducing anti-social behaviour under Section 59 of Anti-Social Behaviour Crime and Policing Act 2014. \*\* † (ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

Power to authorise the City Solicitor to vary or discharge a public space protection order for any relevant highway for the purpose of reducing crime or anti-social behaviour under Section 59 of Anti-Social Behaviour Crime and Policing Act 2014. (ED)\*\* †

K6 Shared Use Footways

Power to authorise the City Solicitor to make an order for the conversion of footways to shared use under Section 66(4) and 65(1) of the Highways Act 1980.. \*\* †(ED)

K7 Agreements with Neighbouring Authorities

Power to authorise the City Solicitor to prepare an agreement or agreements with a neighbouring authority for authority in relation to construction, reconstruction, alteration, improvement or maintenance of a highway for which any party to the agreement are the Highway Authority under Section 8 of the Highways Act 1980.(ED)

Power to authorise the City Solicitor to prepare an agreement or agreements with a neighbouring authority for the authority to take responsibility for the adjoining authority's road under Section 85 of the Highways Act 1980. (ED)

Power to authorise the City Solicitor to prepare an agreement or agreements with the West Yorkshire Combined Authority in relation to the funding of capital construction projects associated with the West Yorkshire+ Transport Fund.

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

**PART L****Delegation to Assistant Director: Planning, Transportation & Highways**

All powers under Part K above but without the restrictions imposed to those parts, together with the following powers:

## L1 Property Blight

Power to authorise the Director of Corporate Services to purchase properties subject to valid blight notice under suitable terms and conditions under Section 149 and Schedule 13 of the Town and Country Planning Act 1990. \* †(ED)

## L2 Agreements with the Secretary of State

Power to enter into an agreement under Section 4 of the Highways Act 1980 with the Secretary of State for Transport in relation to works to the trunk road network carried out as a result of works on the local authority roads. (ED)

Power to enter into an agreement under Section 6 of the Highways Act 1980 with the Department for Transport in relation to works carried out to local authority roads as a result of works carried out on the trunk road network. (ED)

## L3 New Roads and Street Works Act

Authority to exercise all powers and duties of the Council conferred under Part 3 of the New Roads and Street Works Act 1991 (as amended) (ED)

Power to authorise Officers of the Council's Department of Place to issue Fixed Penalty Notices for offences committed under Section 95A and Schedules 4A and 4B of the New Roads and Street Works Act 1991 (as amended by Section 41 and Schedules 2 and 3 of the Traffic Management Act 2004). (ED)

\* Prior Notification to be given to Ward Members

\*\* Prior Notification to be given to Ward Members and referral to the relevant Area Committee in the event of any objections to the decision making process

† Prior consultation with the Chair of the appropriate Area Committee

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## Report of the Strategic Director of Place to the meeting of Executive to be held on 7 November 2017

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**Subject:**

**AH**

Arrangements for the implementation and review of a district wide ban on the use of pavement display boards.

**Summary Statement:**

Following the resolution of Full Council on 18 July 2017 to ask the Council's Executive to implement a full ban on A-boards across the district preparatory work to produce the necessary policy and set up enforcement arrangements has been undertaken. This report updates the Executive on these arrangements and seeks formal approval to the policy and its implementation.

---

Steve Hartley  
Strategic Director, Place

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**Portfolio:**

Regeneration, Planning & Transport

**Overview & Scrutiny Area:**

Environment & Waste Management /  
Health & Social Care

## 1. SUMMARY

- 1.1 Following the resolution of Full Council on 18 July 2017 to ask the Council's Executive to implement a full ban on A-boards across the district preparatory work to produce the necessary policy and set up enforcement arrangements has been undertaken. This report updates the Executive on these arrangements and seeks formal approval to the policy and its implementation.

## 2. BACKGROUND

- 2.1 Executive considered details of the operation and effectiveness of a 12 month ban of pavement obstructions (advertising boards) in Bradford City Centre, Saltaire, Ilkley and on the A647 Leeds Road between Thornbury Gyratory and Bradford City Centre at its meeting of 7<sup>th</sup> March 2017 where the following resolution was made:

### **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; and**
  - 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 by delegated to the Strategic Director: Place in consultation with the Portfolio Holder.**
- 2.2 This resolution of the Executive was subject to call in within the prescribed period and the matter referred to the Health and Social Care Overview and Scrutiny Committee on 23 March 2017. The committee resolved that:

### **RESOLVED –**

**That the decision of the Executive be referred to Full Council for consideration.**

- 2.3 The matter was subsequently considered by Full Council on 18 July 2017 where the Council proposed:
- **To ask the Council's Executive to implement a full ban on A-Boards across the District.**
  - **That a report is sent to the Health and Social Care Overview & Scrutiny Committee to review the effectiveness of the ban 12 months after implementation.**



### **3. OTHER CONSIDERATIONS**

- 3.1 In preparation for the implementation of a district wide ban a policy outlining the process for enforcement of contraventions of the ban was developed in conjunction by the Council's Network Resilience & Management Team. This policy is attached at Appendix A of this report.
- 3.2 Based on the experience gained from the 12 months trial of banning advertising boards the policy covers specifically how the Council will approach dealing with disputes over title deed / highway status records.
- 3.3 The use of Community Protection Notices (CPNs) (under the Anti Social Behaviour, Crime and Policing Act 2014) is proposed as a more robust way of dealing with repeat offenders rather than referral to Magistrate's Court as required under the Highways Act 1980. A trigger of 2 instances of repeat offending by a business is proposed before the Council would move to the formal CPN process. This would allow sufficient evidence to be collected of the wilful contravention of the ban by the business in question.
- 3.4 When moving to a formal CPN stage of enforcement a business is served notice outlining the contravention which must cease by an authorised officer. Failure to comply with this notice permits the Council to issue a Fixed Penalty Notice of not more than £100 for failure to comply with the CPN as well as seize the item causing the contravention.
- 3.5 The policy describes the formal removal procedure to be adopted together with the process for businesses to reclaim any removed advertising boards from the Council.
- 3.6 A principal consideration as to when the ban could become operational is the need to contact all businesses who potentially use advertising boards as part of their marketing strategy. Unfortunately, as highlighted in the 12 month trial the Council does not have a separate data set of businesses who use advertising boards and must therefore consider how best to contact businesses across the district for the least cost to advise them of the date of introduction of the ban. To accomplish this it is proposed that details of the ban and its implementation date are included in the business rates mailing in the New Year.
- 3.7 To provide businesses the opportunity to comply with the requirements of the ban once they have been advised the date of operation of the ban is proposed to be 1 April 2018.

### **4. FINANCE & RESOURCE APPRAISAL**

- 4.1 Enforcement of the ban will be undertaken by the Council's Network Resilience & Management team in conjunction with Council Wardens (where patrols currently operate). Since the introduction of the 12 month trial ban resources in this time directed to enforcement of highways matters have increased to two dedicated Highway Enforcement Officers. In addition to

these officers the Council's two Traffic Officers will also be tasked with responding to reported contraventions of the ban.

## 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.

## 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 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 is 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.

**Highway Authority** – who have powers and duties under the Highways Act 1980 (the 1980 Act) and responsibility for the street scene enforcement.

- 6.2 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 below.
- 6.3 The Council has the power to order by notice the removal of obstructions under Sections 143 and 149 of the 1980 Act.
- 6.4 The offence of 'obstruction of the public highway' arises under Section 137 of the 1980 Act. The present of 'A board's' 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.

## 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 policy described in this report the Council has endeavoured to established balanced criteria which is fair to businesses, 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 sustainability implications arising from this report.

## 7.3 Greenhouse Gas Emissions Impacts

There are no greenhouse gas emissions impacts arising from 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 policy contained in this report the Council has endeavoured to established balanced criteria which are fair to businesses, 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 associated with 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.

## 7. NOT FOR PUBLICATION DOCUMENTS

7.1 None

## 8. OPTIONS

8.1 Executive may decide to adopt the proposed policy and the details of its implementation and operation.

8.2 Alternatively, Executive may decide not to approve the policy and the details of its operation and recommend an alternative approach to the enforcement of a district wide ban on advertising boards.

## 9. RECOMMENDATIONS

9.1 That Executive:

- a) Approves the introduction of a total ban on the use of advertising boards on areas of adopted highway on a district wide basis.
- b) Approves the proposed Advertising Board policy and the arrangements for its advertisement, implementation and operation described in this report.
- c) Approves the proposed date of implementation of the ban of 1<sup>st</sup> April 2018.

9.2 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.

## 10. APPENDICES

10.1 Appendix A – Advertising Board Policy

10.2 Appendix B – Equalities Impact Assessment.

## 11. BACKGROUND DOCUMENTS

11.1 Highways Act 1980

11.2 Local Government (Miscellaneous Provisions) Act 1982

- 11.3 Statutory Instrument 2004 No. 3701
- 11.4 Town and Country Planning Act 1990 (as amended)
- 11.5 Countryside and Rights of Way Act 2000
- 11.6 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.
- 11.7 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.
- 11.8 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.
- 11.9 '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.
- 11.10 'A' Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Executive on 4 February 2011
- 11.11 'A' Boards and Shop Pavement Displays as Obstruction on the Public Highways report to Environment & Waste Management Overview and Scrutiny Committee, 18 January 2011.
- 11.12 City of Bradford Metropolitan District Council Transportation, Design & Planning Director Decision Sheet 80/04
- 11.13 City of Bradford Metropolitan District Council Transportation, Design & Planning Director Decision Sheet 17/05
- 11.14 Report of the Transportation, Design & Planning Director to the meeting of Executive 17 October 2005.
- 11.15 Minutes of Executive's meeting held on Monday 17 October 2005
- 11.16 Kent City Council A-Board Guidance and Application Form
- 11.17 A-Boards on the Highway – Policy and Guidance, Kirklees Metropolitan Council, October 2014
- 11.18 Kirklees Metropolitan District Council Cabinet Report, 17 December 2013, Proposed controls on street based advertising such as A-boards and goods for sale
- 11.19 Who Put That There! The barriers to blind and partially sighted people getting

out and about, February 2015, RNIB Campaigns.

# Planning Transportation and Highways – Policy Document

## A-Boards

<b>Author</b>	<b>Darren Badrock</b>
<b>Revision Number</b>	<b>4</b>
<b>Date of Last Revision</b>	<b>October 2017</b>
<b>Review Date</b>	<b>April 2018</b>

### 1 Background

The placing of 'A'-Boards outside premises on the public highway poses a potential danger to pedestrians – particularly to partially sighted/blind and vulnerable members of society.

### 2 Council Position

On 7<sup>th</sup> November 2017 Executive Committee resolved the following;

**That Executive:**

- a) Approves the introduction of a total ban on the use of advertising boards on areas of adopted highway on a district wide basis.
- b) Approves the proposed Advertising Board policy and the arrangements for its advertisement, implementation and operation described in this report.
- c) Approves the proposed date of implementation of the ban of 1<sup>st</sup> April 2018.

As such, the stated position of the Authority is that no such boards be allowed on the public highway.

### 3 Relevant Enforcement Legislation

Highways Act 1980 – Sect. 137 – Penalty for wilful obstruction.

Highways Act 1980 – Sect. 148 – Penalty for depositing things or pitching booths etc. on highway.

Highways Act 1980 – Sect. 143 – Power to remove structures from highways.

Highways Act 1980 – Sect. 149 – Removal of things so deposited on highways as to be a nuisance etc.

Anti-Social Behaviour, Crime and Policing Act 2014 - Part 4 - Community Protection Notices.

### 4 Guidance for Officers

“Public Highway” in this instance is defined as the surface layers of any area maintainable at public expense, including footway, verge and carriageway between private property boundaries, excluding dedicated park land. Public rights of way are to be included in the policy.

There may be occasions where A-Boards are placed on private land immediately adjacent to the building in question and not on the Public Highway. In these instances, CBMDC Highways have no powers to enforce removal.

In specific instances, where the ownership of land is disputed, the owner should be asked to take the board down for safety reasons until the issue is resolved. They should also be asked and provide evidence that they own the land in question.

If they refuse to remove the board, the dispute should be noted and the date and time of the visit should be recorded.

Until such time as a definitive ruling on the extent of highway (adopted or un-adopted) can be made by the Council progression onto the next stage of enforcement action shall not be taken. The definitive Highway Record is held by The City of Bradford MDC Highway Records Officer. Anisah Naz — 01274 433707 – anisah.naz@bradford.gov.uk

### **Use of Community Protection Notices (CPN)**

CPN's are intended to be served in cases of antisocial behaviour. It is suggested that in order for a CPN to be issued a definitive pattern of repeat offences needs to be established.

In this instance it is suggested that after **2 repeat** instances of A-Boards being placed outside a particular business, a CPN is considered.

The issuing of a CPN is a formal process that requires a consistent evidence base and a caution to be issued PRIOR to moving to formal stage.

Following the issue of a CPN Offenders may be served with a Fixed Penalty Notice fine up to £100 per breach to mitigate the offence or - should the authority decided to prosecute – a fine up to £2,500 (for an individual) or up to £20,000 (for an organisation or corporate body).

The issuing of CPN's is covered in a separate policy document.

## **5 Removal Procedure**

- A-Board location to be noted, date and time of encounter to be recorded.
- Photographic evidence of A-Board, including siting to be taken – to include relevant nearby landmark/structure etc.
- Above information to be passed to Highways for recording
- Relevant Businesses/owner of A Board to be contacted and asked to remove permanently no later than the close of the current working day.
- If not removed by the business in question by the next day, the board is to be removed from the Highway by an authorised officer.
- Boards will be retained for 10 working days, after which they will be disposed of.
- Anyone wishing to reclaim the board can do so, at a cost of £200, this covers collection, storage and administration – payment should be made via the Authority's website at the url below.
- Advice regarding suitable alternatives to A-Boards is available on the Authority's website at the url below.





<https://www.bradford.gov.uk/transport-and-travel/highways/control-of-advertising-boards-and-display-of-goods-on-the-highway-pavements-of-the-bradford-district/>

## 5 Enforcement Timescales

- i. This policy relates to items either specifically reported to the Authority by the public or those directly encountered by officers on site in the course of their duties.
- ii. Initial responses to A Board complaints from the public should be undertaken within 10 working days where possible. This may take the form of noting for action when visiting a particular area.
- iii. Where multiple complaints are received from a single source enforcement will be undertaken at officers discretion to allow time for other issues to be dealt with proportionately.

## 6 Notes

- i. An initial guidance letter to all retail properties in Bradford District will be sent out with the corporate 2018 business rates documentation – a copy of this letter is included in Appendix A.
- ii. A copy of the letter in (i) above is to be included as standard in response to new planning applications and change of use applications for retail premises.
- iii. This policy is to be reviewed annually following introduction



## Standard A-Board Letter

Advertising Boards on adopted highway

Department of Place

Planning, Transportation &  
Highways Service

4<sup>th</sup> Floor Britannia House  
Hall Ings  
BRADFORD  
BD1 1HX

Tel: 01274 43100

Date as Postmark

In 2017 following a 12 month trial ban of advertising boards in the Bradford district the Council confirmed that it would implement a total ban of advertising boards and pavement obstructions across the district. This letter is provided to clarify the legal position of the Council in undertaking enforcement action in relation to the requirements of this policy.

City of Bradford Metropolitan District Council is the Highway Authority as defined under the Highways Act 1980 and has a statutory duty to ensure that the highway comprising the roads and pavements is kept safe and free from obstruction.

The Council will therefore exercise this duty on any land which is **designated as public highway**, whether it is adopted or un-adopted as it is an offence to obstruct the highway under Section 130 of the Highways Act 1980. It is similarly an offence to wilfully cause an obstruction to any public footpath or public thoroughfare under Section 28 of the Town Police Clauses Act 1847. Under Section 31 of the Highways Act the designation of highway may also arise from the use of land for an uninterrupted period of 20 years and therefore the Council may consider that land which has not formally been dedicated or adopted is appropriately designated as highway.

The land outside your premises is recorded as public highway. As such although you may have details on your deeds showing that you have ownership of the land outside your premises the existence of a public highway on this land supersedes any land ownership rights. That is to say the Highway Authority has precedence in legal consideration of activities on the highway land over the land owner.

Under the provisions of the Equality Act 2010, it is also unlawful for service providers and those exercising public functions, including highway functions, to discriminate against disabled people. This includes a duty not to indirectly discriminate and to make reasonable adjustments where existing arrangements place a disabled person at a substantial disadvantage.

As the duties under the Highways Act 1980 are statutory duties, the Council consider that it is reasonable and proportionate for the Council to exercise enforcement duty also under this Act.

Yours sincerely

RICHARD GELDER  
Highways Services Manager



City of Bradford  
Metropolitan District Council





## Equality Impact Assessment Form

<b>Department</b>	Place	<b>Version no</b>	1.0
<b>Assessed by</b>	Richard Gelder	<b>Date created</b>	03/10/2017
<b>Approved by</b>	Julian Jackson	<b>Date approved</b>	
<b>Updated by</b>		<b>Date updated</b>	
<b>Final approval</b>		<b>Date signed off</b>	

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

### Section 1: What is being assessed?

#### 1.1 Name of proposal to be assessed.

Policy for banning the use of advertising boards and the enforcement of a district wide ban.

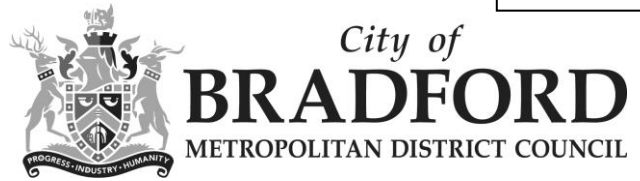
#### 1.2 Describe the proposal under assessment and what change it would result in if implemented.

The proposal under consideration in this Equalities Impact Assessment is the introduction of a policy banning the use of advertising boards on areas of highway within the Bradford District, including the Council’s approach to enforcement of the policy using the powers contained within Part 4 of the Anti Social Behaviour Crime and Policing Act 2014.

Introduction of this policy would assist vulnerable users move around the district unhindered by temporary, mobile obstructions of the highway created through the use of advertising boards.

### Section 2: What the impact of the proposal is likely to be

#### 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who



**share a protected characteristic and those that do not? If yes, please explain further.**

Yes. The introduction of this policy would ensure that temporary, mobile obstructions created through businesses using advertising boards would no longer be present on the highway. The removal of these obstructions would allow people to walk along their local streets without fear of colliding with a heavy, painful sign.

**2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

Yes - see above.

**2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

No.

**2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

<b>Protected Characteristics:</b>	<b>Impact (H, M, L, N)</b>
Age	N
Disability	N
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
<b>Additional Consideration:</b>	
Low income/low wage	L

**2.5 How could the disproportionate negative impacts be mitigated or eliminated?**



(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

### Section 3: Dependencies from other proposals

**3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.**

- Neighbourhood and Warden services would need to be advised on the introduction of this policy in relation to the approach taken by wardens encountering advertisement boards during the performance of their duties.

### Section 4: What evidence you have used?

**4.1 What evidence do you hold to back up this assessment?**

Who Put That There! The barriers to blind and partially sighted people getting out and about, February 2015, RNIB Campaigns.

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.

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.

'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.

Consultation with Local Businesses in the four trial zone areas as part of the review of the 12 month trial ban of pavement obstructions.

Consultation with local disabled groups via the Strategic Mobility Planning Group.

**4.2 Do you need further evidence?**

No.

### Section 5: Consultation Feedback



**5.1 Results from any previous consultations prior to the proposal development.**

The following is a gathering of comments, made by disabled individuals and are in no particular order.

A 100% zero tolerance approach across the whole district would be the ideal scenario.

If the council proceeds with the introduction of the ban then any officers taking on the responsibility of the newly envisaged enforcement roles (Neighbourhood Wardens?) would also benefit from relevant identified training that covers a basic understanding of differing disabled peoples access needs.

Tougher action is required on those who regularly offend by obstructing the highway at placing A-boards and shop pavement displays outside or near their premises. The current policy is of an arbitrary nature and relies on the goodwill of the trader to comply and lacks any real teeth in making sure the guidelines are properly adhered to. It allows a cat and mouse game to take place between the traders and the single Highway Enforcement Officer who has responsibility for making sure this and other additional duties he has are carried out. This is both time consuming, and has untold potential health and safety consequences on those pedestrians who are deemed vulnerable.

The group acknowledges the difficulty the Council has in balancing the needs of people with mobility issues and the desire of shop keepers to promote their businesses; however these two issues are not as polarised as they appear. People with visual impairments, those in wheelchairs and motorised scooters or those pushing prams and buggies are all shoppers. Pavement obstacles are a hindrance and act as a deterrent to these groups of shoppers and in such cases the removal of obstructions will increase foot fall not decrease it. Having free advertising space, on the public highway seems wrong in the eyes of the law and unfair to those traders who comply?

The Broadway Shopping Centre have stated recently in various forums via its media public press outlets, that the new Broadway Shopping Centre will adhere to a strict policy of banning use of A boards and any unauthorised display of goods within their boundary. It would be good to have the rest of the city centre follow suit.

In line with national government policy, public realm environments in many high pedestrian areas such as city centres and key tourist destinations have changed considerably over the recent years. The government policy aims to encourage designers and custodians of the built environment to ensure people can walk in safe and accessible places. Pavement obstructions only add to already existing clutter. It goes against the grain of how we want our areas of shopping to look and feel like.

We believe most traders are genuine and law abiding citizens and that any misdemeanours on the highway unknowingly caused, is usually through ignorance of disabled peoples needs, rather than a deliberate attempt at setting out to harm or



obstruct people’s movement. Implementation of any new approach towards tackling pavement enforcement should include explanatory type narrative that educates traders about disabled people’s access needs, as well as the reasons this having to be done.

### **Engagement with Businesses**

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%

Consistency of approach across the district is welcomed by businesses. Having separate areas where different rules apply (as in the trial situation) is not welcomed.

All businesses believe that the introduction of a ban on the use of advertising boards has adversely affected their trade although evidence to support this position was not provided in the questionnaire returns.

### **Inter-Departmental Feedback on Trial Zones**

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. 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.

## **5.2 The departmental feedback you provided on the previous consultation (as at 5.1).**

The support of local and national disabled interest groups (including the RNIB) towards the introduction of a full ban on the use of advertising boards is corporately supported. However, the mechanics of introducing such a ban and its enforcement need to be carefully developed.

The impact of the ban on local businesses could not be quantified in terms of loss of trade but all businesses who responded to the consultation were convinced that the prohibition on the use of advertising boards had detrimentally impacted their businesses.

Reference in the policy to dealing with areas of contented ownership was introduced to ensure a consistency of approach.

## **5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).**

The introduction of the ban is supported .



**5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.**

The enforcement proposals and policy have been developed in line with responses received, available council resources and associated with the recommendations from Full Council.





**MINUTES OF THE MEETING OF THE  
WEST YORKSHIRE COMBINED AUTHORITY  
HELD ON THURSDAY, 3 AUGUST 2017 AT COMMITTEE ROOM A, WELLINGTON  
HOUSE, 40-50 WELLINGTON STREET, LEEDS**

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**Present:**

Councillor Susan Hinchcliffe (Chair)	Bradford Council
Councillor Tim Swift (Vice-Chair)	Calderdale Council
Councillor Peter Box CBE	Wakefield Council
Councillor Keith Aspden	York Council
Councillor Judith Blake CBE	Leeds City Council
Councillor Simon Cooke	Bradford Council
Councillor David Sheard	Kirklees Council
Councillor Nicola Turner	Kirklees Council
Professor Bob Cryan CBE	University of Huddersfield

**In attendance:**

Ben Still	WYCA
Caroline Allen	WYCA
Angela Taylor	WYCA (minute 38 only)
Angie Shearon	WYCA

**27. Appointment of the WYCA Chair**

The Authority considered a report of the Director of Resources in respect of a vacancy in the office having arisen to appoint a Chair of WYCA and review committee membership and committee chairing arrangements.

Councillor Box advised members that he was resigning as Chair of the Authority because he had been appointed to the national role of chairing the Key Cities Group. He would however remain a member of the Authority.

Members were asked to consider nominations for the position of Chair of the West Yorkshire Combined Authority and Councillor Susan Hinchcliffe was proposed and seconded.

In reviewing committee membership, it was agreed that Councillor Box be appointed as Chair of the West Yorkshire & York Investment Committee and Councillor David Sheard as Chair of the Steering Inclusive Growth Group.

**Resolved:**

- (i) That Councillor Susan Hinchcliffe be appointed as Chair of the Authority.
- (ii) That Councillor Peter Box be appointed as Chair of the West Yorkshire & York Investment Committee.
- (iii) That Councillor David Sheard be appointed as Chair of the Steering Inclusive Growth Group.

**28. Chair's Comments**

Councillor Hinchcliffe thanked members for their support and was honoured to be given the opportunity to lead the organisation and build on the partnership progress to ensure the City Region continued to prosper. She also thanked Councillor Box on behalf of the Authority for his chairmanship, experience and wisdom since WYCA was established in 2014.

Members echoed Councillor Hinchcliffe's comments and paid tribute to the achievements made during Councillor Box's leadership which included securing the largest City Region Growth Deal outside London and supporting businesses to grow and create jobs in the City Region.

In response, Councillor Box thanked members for their support over the last 3 years and said he looked forward to continuing to play a constructive role with WYCA.

Members also welcomed Councillor Nicola Turner to her first meeting of the Authority.

**29. Apologies for Absence**

Apologies for absence were received from Councillor Andrew Carter and Roger Marsh.

**30. Declarations of Disclosable Pecuniary Interests**

Councillor Judith Blake declared an other interest in Agenda Item 10, Transport for the North, as she is WYCA's representative on the Transport for the North Partnership Board.

**31. Exclusion of the Press and Public**

There were no items on the agenda requiring exclusion of the press and public.

**32. Minutes of the Meeting of the Combined Authority held on 29 June 2017**

**Resolved:** That the minutes of the meeting of WYCA held on 29 June 2017 be approved and signed by the Chair.

### 33. Capital Spending and Project Approvals

The Authority considered a report of the Director of Delivery on the progression of and funding for the following schemes through WYCA's Assurance Process in line with WYCA's Assurance Framework:

- West Yorkshire Plus Transport Fund Transformational Scheme – Wakefield South Featherstone Link Road
- West Yorkshire Plus Transport Fund Transformational Scheme – York Outer Ring Road Dualling
- West Yorkshire Plus Transport Fund Transformational Scheme –North Kirklees Orbital Route
- WYCA's Portfolio Information Management System
- Pothole Action Fund

Details of the schemes were outlined in the submitted report. In respect of the Pothole Action Fund, it was reported that the decision to allocate monies was a Key Decision which should have been published 28 days in advance of consideration of the item. However, in view of the importance of passporting the funding to the District Councils as quickly as possible, the decision could not be deferred to a future meeting. It was therefore agreed to take this decision under the rules of General Exception as detailed in paragraph 5.2.1 of the submitted report. Further information in respect of the Pothole Action Fund would be circulated to members.

#### **Resolved:**

- (i) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes - Wakefield South Featherstone Link Road -**

That following a recommendation from the Investment Committee, WYCA approves funding of £284k for the Wakefield South Featherstone Link Road scheme to progress through Decision Point 2 and develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with Wakefield Council for expenditure of up to £284K from the West Yorkshire Plus Transport Fund.

- (ii) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes – York Outer Ring Road Dualling -**

That following a recommendation from the Investment Committee, WYCA approves funding of £295k for the York Outer Ring Road Dualling scheme to progress through Decision Point 2 and develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with York Council for expenditure of up to £295K from the West Yorkshire Plus Transport Fund.

- (iii) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes - North Kirklees Orbital Route -**

That following a recommendation from the Investment Committee, WYCA approves funding of £248k for the North Kirklees Orbital Route scheme to progress through Decision Point 2 to develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with Kirklees Council for expenditure of up to £248K from the West Yorkshire Plus Transport Fund.

(iv) That in respect of **WYCA's Portfolio Information Management System -**

That following a recommendation from Investment Committee, WYCA approves:

- (a) That the Portfolio Information Management System (PIMS) proceeds through Decision Point 3 onto Stage 2 Activity 5 (Full Business Case with Finalised Costs).
  - (b) That an indicative approval to the total project value of £150k capital for the development of the system and £50k per annum on-going licence fee (the on-going licence fee will be required from 18/19 onwards), to be funded as an overhead cost from the overall Portfolio Management Office costs, is given. Ultimate approval to spend will be granted once the scheme has progressed through the Assurance Process to Decision Point 5 (Full Business Case with finalised costs).
  - (c) That the future approvals at Decision Point 5 are made through a delegation to WYCA's Managing Director following a recommendation by WYCA's Programme Appraisal Team. This approval route will be subject to the scheme remaining within the tolerances set out in paragraph 3.1.6 of the submitted report.
- (v) That WYCA approves the £2.231m for the **Pothole Action Fund**, which will be funded from the DfT's allocation to WYCA.

### **34. A City Region Policy and Funding Framework for Inclusive Growth**

The Authority considered a report of the Director of Policy, Strategy & Communications and the Project Director for Inclusive Growth which sought WYCA's agreement to update its policy and funding framework to better foster inclusive growth.

Members welcomed the report and supported the proposal to broaden WYCA's policy remit to ensure a positive impact can be made on both direct and indirect drivers of inclusive growth. It would also allow WYCA and the LEP to better focus the funding programme to make more impact on business competitiveness and the living standards of city region residents.

It was acknowledged that transformation required funding and the opportunity of the industrial strategy and the new impetus in devolution negotiations would be used to secure further investment to address the funding gap that has emerged with other city regions.

The Authority noted the importance of working with the local authorities to add value and help inform decisions and the need to take immediate action and monitor progress was recognised.

**Resolved:**

- (i) That WYCA agrees, in principle, to broaden its policy remit to ensure it can make a positive impact on factors that drive inclusive growth.
- (ii) That the Steering Inclusive Growth Group (SIGG) be formalised into an Inclusive Growth Panel and a report be brought to a future meeting to set an appropriate remit over public services and tackling fuel poverty.
- (iii) That WYCA agrees, in principle, to review WYCA programmes to take account of inclusive growth, subject to the conditions on delegated funding.
- (iv) That it be noted that currently, funding streams are likely to prove insufficient and inflexible to resource a wider range of city region investment interventions. WYCA therefore seeks to maximise resources (eg. Shared Prosperity Fund) and secure more freedoms over in year spending.

**35. Transport Strategy Adoption**

The Authority considered a report of the Director of Policy, Strategy & Communications which sought WYCA's approval to adopt the West Yorkshire Transport Strategy.

A copy of the document, which set out the high level vision and policy aspirations for the transport system over the next 20 years had been circulated to members and could be viewed online via <http://www.westyorks-ca.gov.uk/transport-strategy/>.

Members expressed their concerns regarding the disparity of transport investment between the north and south of the country. It was recognised that all transport systems were in need of improvement as transport was a key driver for inclusive growth and the benefits an ambitious devolution deal would bring to the City Region were noted. Members discussed the current under-investment in respect of existing assets including highways maintenance and also for the development of new technologies/systems eg. ticketing and taxis.

**Resolved:**

- (i) That the Transport Strategy, which sets out the high level vision and policy aspirations for the transport system over the next 20 years be adopted.
- (ii) That a decision on the final appearance and any minor amendments of the Transport Strategy for publication be delegated to WYCA's Managing Director in consultation with the Chair of the Transport Committee.
- (iii) That a progress report be prepared for a future meeting.

**36. Bus Strategy Adoption**

The Authority considered a report of the Director of Policy, Strategy & Communications which sought approval to adopt the West Yorkshire Bus Strategy.

In noting the summary document which was attached at Appendix 1, members were advised that initial steps in delivering the Strategy had commenced. It was noted that the Strategy set a target of 25% patronage growth from 2016 levels over the next 10 years. However, because of the level of housing and employment growth forecast, this could possibly be increased and had the potential to lead an economic uplift to the region's economy.

Members highlighted problems being experienced by those who relied on bus services to reach employment and areas which were socially isolated. They welcomed the aspirations of the Strategy and the successes reported to date which included park and ride facilities, the Bus 18 partnership and the £173.5m DfT funding to improve public transport in Leeds which focussed on developing bus services.

It was noted that the Bus Services Act 2017 and devolution will provide the City Region with the powers to enable the delivery of the full Bus Strategy.

The Authority asked for their thanks to be passed to the Transport Committee for overseeing the development of the Strategy and requested a progress report to a future meeting.

**Resolved:**

- (i) That the Bus Strategy, which sets out the vision and policy aspirations for the bus system for the next 20 years, be adopted.
- (ii) That a progress report be prepared for a future meeting.

**37. Transport for the North**

The Authority considered a report of the Director of Policy, Strategy & Communications which sought:

- To re-affirm WYCA's commitment to agreed TfN priority areas.
- Consent in principle to the making of regulations by the Secretary of State for Transport to establish Transport for the North (TfN) as a Sub-National Transport Body (STB) under Section 102E of the Local Transport Act 2008.
- Subject to TfN being established as a STB, to agree the transfer of Rail North Limited to TfN, to enter into a new Rail Franchise Management Agreement with TfN and to make payments in respect of functions currently carried out by Rail North Ltd, to TfN.

Members confirmed WYCA's priorities for TfN and noted the implications for TfN becoming a statutory body which were detailed in the submitted report.

The Authority expressed concern regarding the Secretary of State for Transport's recent comments in respect of the Transpennine Route Upgrade (TRU) as it was essential to have rail links across the North to drive forward economic growth. The TRU was a vital part of a phased approach to investment in the North as well as HS2 and members noted the importance of working with TfN to continue to press the case for such projects.

It was reported that a summit had been arranged for 23 August 2017 to discuss and consider the current position, concerns and opportunities for lobbying across the North.

**Resolved:**

- (i) That WYCA re-affirms its commitment to the priority areas set out in paragraph 2 of the submitted report.
- (ii) That WYCA consents in principle to the Secretary of State making regulations under Section 102E of the Local Transport Act 2008 to establish Transport for the North as a Sub-National Transport Body (STB), and delegates authority to WYCA's Managing Director, in consultation with the Chair of WYCA and with WYCA's representatives on the Transport for the North Partnership Board, to consent to the regulations once they have been finalised.
- (iii) That WYCA agrees in principle the transfer of Rail North Ltd to TfN, once TfN has been established as a STB, and delegates authority to WYCA's Managing Director to take any necessary steps on behalf of WYCA to effect this transfer.
- (iv) That WYCA agrees to enter a new Rail Franchise Management Agreement with TfN, once it has been established as a STB, on terms consistent with the Rail North Ltd Members' Agreement.
- (v) That WYCA agrees to fund TfN to carry out functions to supporting rail franchise management which are currently carried out by Rail North Ltd, on

the existing basis, once TfN is established as a STB, and has assumed those functions.

**38. Proposed Pension Transfer**

The Authority considered a report of the Director of Resources which sought approval to a preferred way of meeting WYCA's element of pension obligations towards First Group, in response to consultation on a Secretary of State Direction on this matter.

It was noted that currently WYCA was required to pay an element of pension increase relating to people who were previously employed by the former West Yorkshire PTE and Yorkshire Rider who are now part of First Group. First Group were now seeking to consolidate its pension arrangements to Greater Manchester and members discussed the options outlined in the submitted report.

**Resolved:**

- (i) That Option 1, Bulk Asset Transfer, was the preferred option and that further work should be undertaken with regard to the proposed transfer of First Group pension arrangements.
- (ii) That a report be prepared for a future meeting of WYCA for decision but should timelines dictate an urgent decision to be made, then that authority be delegated to WYCA's Managing Director in consultation with the Chair.

**39. Governance Arrangements**

The Authority considered a report of the Director of Resources in respect of an appointment to the Overview & Scrutiny Committee.

It was noted that the City of York Council had notified WYCA of a change in one of their nominations to the Overview & Scrutiny Committee and that Councillor Jenny Brooks would replace Councillor Helen Douglas.

**Resolved:** That the City of York Council's revised nomination to the Overview & Scrutiny Committee be noted and Councillor Jenny Brooks be co-opted onto the Committee in place of Councillor Helen Douglas.

**40. Minutes of the Meeting of the West Yorkshire & York Investment Committee held on 16 June 2017**

**Resolved:** That the minutes of the meeting of the West Yorkshire & York Investment Committee held on 16 June 2017 be noted.



**41. Draft Minutes of the Meeting of the West Yorkshire & York Investment Committee held on 12 July 2017**

**Resolved:** That the draft minutes of the West Yorkshire & York Investment Committee held on 12 July 2017 be noted.

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