



Department of Corporate Services

Members of Council

Committee Secretariat

Legal and Democratic Services
Room 112, 1st Floor
City Hall
Bradford
West Yorkshire
BD1 1HY

Tel: 01274 432435
Contact: Adrian Tumber
Email: adrian.tumber@bradford.gov.uk
Your Ref: AT/Council

Date: 10 July 2017

Dear Councillor

MEETING OF COUNCIL – TUESDAY, 18 JULY 2017

You are requested to attend the meeting of the Council to be held in the Council Chamber - City Hall, Bradford, City Hall, Bradford, on Tuesday, 18 July 2017 at 4.00 pm

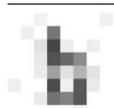
The agenda for the meeting is set out overleaf.

Yours sincerely

Parveen Akhtar
City Solicitor

Notes:

- ◆ This agenda can be made available in Braille, large print or tape format.
- ◆ 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 at the meeting should be aware that they may be filmed or sound recorded.



The Council's Fire Bell and Evacuation Procedure requires people to leave the building in an orderly fashion by the nearest exit, should the fire alarm sound. No one will be allowed to stay or return until the building has been checked.

Members are reminded that under the Members' Code of Conduct, they must register within 28 days any changes to their financial and other interests and notify the Monitoring Officer of any gift or hospitality received.

AGENDA

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 16 May 2017 be signed as a correct record (previously circulated).

(Adrian Tumber – 01274 432435)

3. **APOLOGIES FOR ABSENCE**

4. **WRITTEN ANNOUNCEMENTS FROM THE LORD MAYOR
(Standing Order 4)**

(To be circulated before the meeting).

5. **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.

(Adrian Tumber - 01274 432435)

B. BUSINESS ITEMS

6. **PETITIONS (Standing Order 11)**

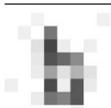
To consider up to five requests for the Council to receive petitions in accordance with Standing Orders.

Ward

(i) Keep Clayton Green from inappropriate developments **Clayton & Fairweather Green**

If any further requests are received, in writing, by mid-day three working days before the meeting (Thursday), details will be circulated.

(Tracey Sugden – 01274 434287)



7. PUBLIC QUESTION TIME (Standing Order 13)

The following question has been received from a member of the public:

“The former minister for climate change and industry for the UK the government, Nick Hurd, has stated that ‘preventing dangerous climate change means leaving at least 70-75% of known fossil fuel reserves unused in order to have a 50% chance of limiting global temperature rise to below 2 degrees’. Fossil Fuel companies' business models are incompatible with a 2 degree world and certainly a 1.5 degree one, and these companies and holdings in them pose material financial risks to West Yorkshire Pension Fund. Will the West Yorkshire Pension Fund set deadlines for its investments in fossil fuel companies, stating that they will divest if these companies have not made their business model compatible with the Paris Agreement targets?

The Lord Mayor will invite Leader of Council (or another nominated Member) to respond.

(Tracey Sugden – 01274 434287)

8. MEMBERSHIP OF COMMITTEES AND JOINT COMMITTEES (Standing Order 4)

Recommended –

- (1) **That the appointment of the following non-voting co-opted members to the Environment and Waste Management Overview and Scrutiny Committee for the 2017/18 Municipal Year be confirmed:**

**Julia Pearson - Bradford Environment Forum
Nicola Hoggart – Environment Agency**

- (2) **That the appointment of the following non-voting co-opted members to the Health and Social Care Overview and Scrutiny for the 2017/2018 Municipal Year be confirmed:**

**Susan Crowe – Strategic Disability Partnership
Trevor Ramsay – Strategic Disability Partnership
G Sam Samociuk – former Mental Health Nursing Lecturer
Jenny Scott – Older People’s Partnership**

To consider any further motions (i) to appoint members to a Committee or a Joint Committee; or (ii) to appoint Chairs or Deputy Chairs of Committees (excluding Area Committees).



9. REPORT BY THE LEADER OF COUNCIL

A written report by the Leader of Council giving an update on key issues will be circulated before the start of the meeting. There shall be a period of up to 15 minutes during which any Member of Council may ask the Leader of the Council (or a Member of the Council nominated by the Leader) a question on any matter arising out of the written report.

10. MEMBER QUESTION TIME (Standing Order 12)

To deal with supplementary questions arising from the attached questions of which written notice has been given.

Notes:

- (i) *Answers to written questions shall be circulated at the commencement of the meeting.*
- (ii) *The Lord Mayor will have regard to the list of questions and the political composition of the Council in calling on Members to put their supplementary question to the Leader of Council and Portfolio Holders.*
- (iii) *A period of up to 30 minutes shall be available for supplementary questions to Members of the Executive.*

QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. Councillor Farley

Can the portfolio holder give an update on measures to ease traffic congestion in Keighley and when the works are likely to be complete?

2. Councillor Whiteley

Whilst having the aim of moving children from children's homes to foster care is good for the Council's budget it is more important for children to be brought up in a family environment. Please can the Portfolio Holder for Health & Wellbeing provide details of the number of children, by age, living in children's homes funded by this Council for the years 2010- 2017 together with the amount spent on these placements each year. How many children were transferred to foster carers over this period and what was the consequent saving to the Council?

3. Councillor Ward

Who does the Portfolio-holder for Education, Employment and Skills believe was to blame for the £1.9 million deficit at Hanson School at the end of March 2017?



4. Councillor Warnes

The West Yorkshire Pension Fund (WYPF) has recently recognised the risks and opportunities associated with climate change and stated that it will seek to reduce the carbon exposure of its holdings over time. This is a very welcome development in terms of supporting our transition towards a low carbon economy. In the meantime, the Environment Agency has stated they will decarbonise their equity portfolio by 90% by 2020, and reduce their oil and gas equities by 50% by 2020, in order to be compatible with the Paris agreement target to keep global warming below two degrees at most. Bearing the decision of the Environment Agency in mind, plus the likelihood that global warming is progressing faster than predicted towards a 'three-degree world' according to the United Nations Environment Programme, plus the need to protect WYPF members from the growing risk of stranded fossil fuel assets, will the Leader of Council please update us on (a) when the WYPF will begin to reduce its carbon exposure; (b) by how much it will do so; and (c) whether or not the WYPF will commit to reducing its carbon exposure by at least as much as the Environment Agency?

5. Councillor Hawkesworth

If Ilkley Parish Council move forward and take responsibility for Ilkley public conveniences on central car park will the Council give discretionary rate relief?

6. Councillor Morris

Now Keighley has drawn the short straw again, this time with regards the Community Infrastructure Levy (CIL). How do you intend to fund extra school places, road improvements, health centres or Doctors surgeries in Keighley now you have opened the door to developers who will be able to build as many houses as they wish without having to pay a penny towards Keighley's infrastructure.?

7. Councillor Swallow

In the budget, the Portfolio Holder set aside funding to help speed up the Community Asset Transfer process. Could the Portfolio Holder provide a progress update on this and the Community Asset Transfer programme in general?

8. Councillor Warburton

Could the Portfolio Holder explain what the benefits will be for Bradford from the Bus Corridor Improvement Programme recently approved through the Combined Authority?



9. **Councillor Townend**

Given the significant cost of enforcement and clean-up to the Council, can the Leader of the Council set out what has been done to:

- Identify council-owned or managed sites at risk from use as an illegal encampment?
- Reduce these risks and associated costs through barriers, locks, bunds or other physical measures?

10. **Councillor Hassan Khan**

Will the Leader join me in condemning the recent terror attacks in Britain and throughout the world and can she give an update on our activities to promote cohesion in Bradford District?

11. **Councillor Wainwright**

Can the Leader tell us how many calls are dealt with by staff on the 431000 customer services number and the average waiting times? I'm concerned how the strangled funding by central government might impact on such important services for residents.

12. **Councillor Pennington**

The Council were presented with a framed certificate by The Bradford Textile Society for display in City Hall, would the Leader of the Council be so good as to inform us where it is?

13. **Councillor Mohammed**

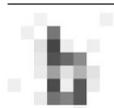
Does the Portfolio Holder for Education, Employment and Skills join me in urging the government to use the funding it set aside for its aborted grammar schools plan to be invested in comprehensive schools instead, and to reverse its planned real terms cuts to children's education?

14. **Councillor Nicola Pollard**

How many foster carers in the Bradford district have not had an annual review in the past twelve months and how many have waited longer than two years for a review?

15. **Councillor Farley**

Can the portfolio holder give an update on the former Keighley College building at Cavendish Street and proposals for the site once cleared?



16. Councillor Pennington

Could the Portfolio Holder for Environment, Sport and Culture confirm the cost of customer revenue lost to date, through the closure of St. Georges Hall?

17. Councillor Jamil

Our hearts go out to everyone affected by the tragedy at Grenfell Tower in London. Can the Leader provide reassurance about our emergency planning processes here in the Bradford District?

18. Councillor Farley

Could the portfolio holder provide an update on the proposed shopping centre on Worth Way?

19. Councillor Whiteley

As it is some time since the funding and organisation of Children's Centres changed, can the Portfolio Holder please provide the following information for each Childrens' Centre Cluster:

- What has been the exact funding to each Children's Centre Cluster in the last three financial years?
- What has been the take up of each Cluster – children registered and attendance?
- What plans does the Council have in place, in any draft or other document, to continue the service across the whole district and specifically in relation to each of the Clusters that are currently funded, following the re-commissioning of Children's Centre Services that will take place in 2019?

20. Councillor Greenwood

Does the Leader welcome the increased Arts Council funding in Bradford and how can we build on this progress?

21. Councillor Farley

Will the Leader join me in welcoming the election of the new Labour MP for Keighley, John Grogan?

22. Councillor Nicola Pollard

To the Portfolio Holder for Health and Social Care - What percentage of Hospital beds in the District is currently occupied by someone with Dementia and what is the average length of stay for one of these patients?



23. Councillor Hassan Khan

Can the Portfolio Holder for culture tell us how successful this year's Bradford Literature Festival has been for the district?

24. Councillor Heseltine

Can Portfolio Holder for Environment, Sport and Culture outline how community groups working to improve their communities can use powered tools in spaces such as parks to help their efforts?

25. Councillor Swallow

Does the Leader welcome the opportunity for Channel 4 to move north and potentially to Yorkshire?

26. Councillor Warnes

Will the Leader of Council please advise when the two trees that were removed from Moorhead Terrace and Beechwood Grove earlier this year will be replaced; and why officers have failed to respond to repeated emails from me in relation to these matters?

27. Councillor Shafiq

A recent Care Quality Commission report found that almost a quarter of care providers nationally require improvement on safety. Will the Portfolio Holder tell us how we are performing as a district?

28. Councillor Malcolm Slater

Could I have an update on what has happened about the former Riddlesden Golf Club site since I attended a meeting on this matter in Argus Chambers on 10 May 2017?

29. Councillor Ellis

Can the Leader of the Council provide details of what contingency plans the Council has in place to deal with household waste at times when waste collections cannot be dealt with in the usual manner, due to any unforeseen circumstances?

30. Councillor Shafiq

Can the portfolio holder for health and wellbeing explain how the Council is supporting social care staff to drive up standards at a time when the government's complete lack of a funding plan is letting down the sector and those who need care?



31. Councillor Mohammed

Could the Portfolio Holder provide an update on progress on regeneration in Bradford city centre?

32. Councillor Stelling

To the Leader of Council - The aftermath of the Grenfell Tower Disaster revealed a flaw in the handling of the emergency from Royal Borough of Kensington and Chelsea Council. In light of this disaster is Bradford Council reviewing its own plans to our own civil emergency planning, in-line with the Governments guidance document 'Local authorities' preparedness for civil emergencies' and is that review district wide?

33. Councillor Mike Pollard

On 26 March 2015, Brandon Lewis, the then Minister of State for Housing and Planning, reminded Council Leaders of the robust powers that they have available to clamp down quickly on illegal and unauthorised traveller encampments. Could the Leader advise whether measures other than the Council's currently somewhat relaxed published policy are being considered to deal with this on-going and expensive nuisance?

34. Councillor Ellis

In light of the involvement of a number of Taxi, Private Hire and Hackney Carriage license holders in high profile Child Sexual Exploitation cases, would the Leader of the Council confirm that she shares my alarm regarding the current situation, whereby amendments made in 2013, to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, leave Councils unable to consider all of an applicant for a licence's offences as a whole, as some are now deemed protected and thus not matters which the Council can take into account when deciding the application?

35. Councillor Pennington

I should be grateful if the Portfolio Holder for Regeneration, Planning & Transport could advise members, whether the Council provides grants to housing associations and if so provide details?

36. Councillor Stelling

To the Leader of Council - Can our authority reassure our residents, business owners and communities that we can cope in a devastating emergency?



37. Councillor Whiteley

Please could the Portfolio Holder for Childrens' Services provide details of sickness absence (by working weeks lost) among Social Workers in Children's Services as a proportion of the total number of weeks available, for the years 2015-16 and 2015-17 and explain how these absences were covered?

38. Councillor Martin Smith

Would the Portfolio Holder be so kind as to provide details of Council Property sales and purchases during each of the last 5 years, with details of revenue raised and purchase costs, along with a view regarding the financial viability / sustainability of the Council's activities in this area?

39. Councillor Griffiths

To ask the Portfolio holder for Education and Skills how many schools have 20 mph zones either side of any entrances and how many do not?

11. RECOMMENDATIONS FROM THE EXECUTIVE AND COMMITTEES (Standing Order 15)

11.1 RECOMMENDATIONS FROM THE EXECUTIVE - LOCAL PLAN CORE STRATEGY - INSPECTOR'S REPORT AND ADOPTION

1 - 168

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 sets out the strategic approach to managing development and change to 2030. It was submitted for Examination in December 2014 with Hearings held in March 2015. Proposed modifications were published in November 2015 and resumed hearings held in May 2016.

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

On 20 June 2017 the Executive considered the report of the Strategic Director, Place (**Executive Document "C"**) to note the contents of the Inspector's report and to seek authority to proceed to Full Council to request the legal adoption of the modified Core Strategy in line with the Inspector's recommendation.



The Executive,

Resolved -

- (1) That the contents of Document “C” and contents of the Inspector’s Report be noted and that it be recommend that Full Council formally adopt the Core Strategy as approved by Full Council on December 2013 and submitted to the government for examination with the Main Modifications contained in Appendix 1 to Document “C”, as proposed by the Inspector pursuant to Section 23 of the Planning and Compulsory Purchase Act 2004.**

- (2) That the Assistant Director (Planning Transportation and Highways) in consultation with the relevant Portfolio Holder be authorised to make other minor amendments of redrafting or of a similar nature as may be necessary prior to formal publication.**

(Andrew Marshall – 01274 434050)

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

169 -
212

At its meeting on 7 March 2017 the Executive received a report of the Strategic Director, Place (**Executive Document “BM”**) on the 12 month trial ban on pavement obstructions in Bradford City Centre, Saltaire, Ilkley and on A647 Leeds Road between Thornbury Gyratory and Bradford City Centre.

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

Executive resolved –

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

- a) The current trial zone ban areas be retained;**
- b) Arrangements to allow licensing of pavement obstructions be incorporated into the Council’s approach.**
- c) That the development of details of the licensing arrangements including the approval of policy for determining locations suitable for placement of obstructions and levels of license fee to be charged**



be delegated to the Strategic Director: Place in consultation with the Portfolio Holder.

The decision of the Executive was called in by Councillors Dale Smith and Joanne Sharp:

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

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

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

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

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

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

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

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

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



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

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

The reasons for the call in are:

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

The reasons for the call-in were considered by the Health and Social Care Overview and Scrutiny Committee on 23 March 2017 together with the response to the call-in submitted by the Strategic Director, Place in **Health and Social Care Overview and Scrutiny Committee Document “AJ”**. A copy of comments made by the Chair of the Ilkley Civic Society which had been circulated to Members of the Executive were also submitted to the Overview and Scrutiny Committee. The Committee,

Resolved –

That the decision of the Executive be referred to full Council for consideration.

In accordance with Paragraph 9 of Part 3E of the Constitution Members of Council can, following consideration of the matter, resolve to:

- (1) Release the decision for implementation.
- (2) Refer all or part of the decision back to the Executive to



reconsider the decision and at the same time Council may make recommendations to the Executive that it may think fit.

The following motion is to be moved by Councillor Hinchcliffe and seconded by Councillor Ross-Shaw:

In February 2014 the Health and Social Care Overview and Scrutiny Committee requested that the Executive ‘bring about a change in the Authority’s available powers to deal more effectively with obstruction of the highway’.

Council notes that:

- **Bradford Council takes its responsibilities under the Highways Act seriously and under the existing Code of Practice for Advertising Displays any A-board reasonably deemed to constitute a danger to highway users will be removed**
- **The trial ban of A-boards in Saltaire, Ilkley, Leeds Road and Bradford city centre were effective in reducing the number of A-boards on the highways**
- **The growing number of Local Authorities introducing bans and other powers to manage the numbers and locations of A-boards on the public highway**

Therefore Council proposes:

- **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 and Scrutiny Committee to review the effectiveness of the ban 12 months after implementation**

If Council makes no resolution, in accordance with the Constitution, the decision may be implemented.

(Richard Gelder - 01274 436703)

11.3 RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - TREASURY MANAGEMENT POLICY STATEMENT, MINIMUM REVENUE PROVISION STRATEGY AND ANNUAL INVESTMENT 2017/18 213 -
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At the meeting of the Governance and Audit Committee held on 28 March 2017 the Strategic Director Corporate Services submitted a report (**Governance and Audit Committee Document “AH”**) showing the Council’s Treasury Strategy for borrowing for the three financial years commencing 2017/18 and the Annual Investment Strategy for 2017/18.

Recommended –



That the Treasury Management Policy (Document “AH”) be adopted.

(David Willis – 01274 432361)

12. NOTICES OF MOTION (Standing Order 17)

To consider the attached motions of which notice has been given.

12.1 REVIEW OF FIRE SAFETY IN ALL HIGH RISE BUILDINGS IN THE DISTRICT

To be moved by Councillor Jeanette Sunderland
Seconded by Councillor Riaz Ahmed

This Council believes, in the light of the devastating fire in the Grenfell Tower in London that the Council and its partners should review fire safety in all high-rise buildings in the District including, but not limited to, homes, schools, health and police properties.

The Council instructs the Chief Executive to carry out the review as a matter of urgency and report the findings to the appropriate Overview and Scrutiny Committee.

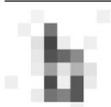
The review should include, but not be limited to;

1. The safety of the materials used to clad the building and the fitting of fire barriers
2. The number of properties over 30 metres in height that do not have a sprinkler system
3. Whether the policy advice of Staying Put is still the correct advice, if not what other steps should be taken to revise the advice.
4. The work and impact of the Safe and Well, Home Fire Safety Service
5. The policy of housing families with children in high rise accommodation.
6. How regular are buildings being inspected and re-checked?

12.2 CENTENARY OF THE 1918 REPRESENTATION OF THE PEOPLE ACT

To be moved by Councillor Jeanette Sunderland
Seconded by Councillor Rachel Sunderland

This Council notes that 2018 will be the centenary of the 1918 Representation of the People Act which enabled more women to vote in local elections and stand as candidates. The Act also enabled women to stand for Parliament and granted those over 30 the right to vote in parliamentary elections.



This Council welcomes the 'Suffrage to Citizenship' project and therefore wishes to appoint a champion to help lead local celebrations and activity to identify and celebrate the lives of ordinary people who did extraordinary things to win the vote for women.

12.3 IMPROVING CITY CENTRE AIR QUALITY AND PEDESTRIAN SAFETY

To be moved by Councillor Cooke
Seconded by Councillor Pennington

Council notes:

Council notes the success of pedestrianisation in the City Centre and the popularity of City Park and Centenary Square as well as the local support from businesses and residents for extending this pedestrianised area.

Council further notes the requirements of Government air quality strategies and our own policies on reducing the health impact of air pollution.

Council believes that extending pedestrianisation in the City centre would make a significant contribution to improving air quality and to meeting our targets of reducing air pollution in addition to improving the City's walkability and safety.

Council asks the Strategic Director of Place to:

1. Prepare plans and costings for the pedestrianisation of Market Street, Bank Street, Broadway, and the section of Sunbridge Road from Hall Ings to Aldermanbury
2. Undertake discussions with the West Yorkshire Combined Authority and bus companies over the relocation of bus stops and amendment of bus routes
3. Discuss with City centre businesses further opportunities to improve the walkability of the City.

12.4 BRADFORD COUNCIL'S COMMITMENT TO THE SAFETY OF HOMES AND BUILDINGS

To be moved by Councillor Ross-Shaw
Seconded by Councillor Jabar

This Council notes:

The tragic events at Grenfell Tower have shocked us all and the thoughts and prayers of everyone in the district are with the victims and their families.



Although Bradford Council transferred its stock of social housing, including high rise tower blocks, to InCommunities in 2003 we are fully committed to doing everything in our power to ensure the safety of people in their homes and public buildings across the Bradford District.

In the past few weeks Bradford Council has been working with our partners in the social housing sector and the West Yorkshire Fire & Rescue Service (WYFRS) to ensure we are confident that properties have up-to-date safety records and the type of cladding used at Grenfell Tower is not used anywhere in our district.

We have also liaised with our partners in the NHS and in the district's schools to ensure Fire Risk Assessments have been carried out and information is up to date.

This Council endorses the approach taken so far by the Portfolio Holder in conjunction with the Strategic Director of Place in:

- Writing to high rise owners to request up-to-date information on building safety where necessary to ensure our records are complete
- Reviewing our Emergency Response Procedures to ensure any lessons learned from Grenfell Tower are implemented
- Working with the WYFRS to expand our concordat with InCommunities to include other housing providers in the social and private sector

This Council also resolves to:

- Call on the government to increase the funding available, or provide greater powers related to raising revenue, to Local Authorities to better enforce their powers under the Housing Act 2004 on health and safety and fire safety related issues
- Continue to work with the District Tenants' Federation to organise seminars/workshops with representatives of the WYFRS, housing providers and Bradford Council to discuss fire safety
 - Support and challenge housing providers in the District to fully and swiftly implement any Grenfell Tower Inquiry recommendations on sprinklers or other fire safety measures.

12.5 BRADFORD DISTRICT REQUESTS A FAIR FUNDING DEAL

To be moved by Councillor Hinchcliffe
Seconded by Councillor Imran Khan

This Council welcomes the first indications from the new government that austerity is over. We are keen to hear what additional budgets will be made available for local authorities to fund key services such as education and adult social care in particular.



This Council notes:

- Bradford Council's net budget has reduced by more than £250 million and our workforce has reduced by over 2,000 staff since the start of the government's austerity programme in 2010
- The Prime Minister has previously spoken about making this "a country that works for everyone"
- The new government has dropped its plan to devolve the retention of business rates to local authorities but has not yet announced a new funding plan

This Council resolves to:

- Ask the Chancellor and the Secretary of State for Communities and Local Government for clarity about their plans for local government funding and to request a fair deal for this district to realise the aim of making a country that works for everyone
- Urge the LGA to work on a cross-party campaign to ensure local government is not forgotten if austerity is rolled back
- Press the Health Secretary to address the continuing funding crisis in adult social care.

12.6 CELEBRATING CIVIC AND YORKSHIRE PRIDE IN THE BRADFORD DISTRICT

To be moved by Councillor Hinchcliffe
Seconded by Councillor Ferriby

This Council notes:

- Yorkshire Day takes place on 1st August and is the latest opportunity to celebrate all that's great about our county and district
- The success of recent events such as the Tour de Yorkshire which celebrate and promote pride in the district
- The Council's historic crest has taken a secondary position to the orange and blue logo in the last decade, yet the crest better represents the heritage and towns which make up our district

This Council resolves to:

- Build on the success of sporting and cultural events such as Tour de Yorkshire and Yorkshire Day to promote pride in the Bradford District
- Ask the Yorkshire Society to lead their traditional celebrations for 1st August from Bradford at the next earliest opportunity
- Roll out the use of the Council's historic civic crest in Council literature and civic buildings and gradually phase out use of the orange and blue 'City of Bradford MDC' logo, without incurring



additional cost, to more strongly reflect civic pride and the different towns within the district.

13. FOOD SAFETY PLAN

243 -
280

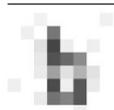
The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan in place. The report of the Director of Health and Wellbeing (**Document “D”**) seeks approval of the Plan.

Recommended –

That the Food Safety Service Plan be approved.

(Ruth Lees – 01274 431349)

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



B

PUBLIC QUESTION TIME

18 JULY 2017

Question

The former minister for climate change and industry for the UK the government, Nick Hurd, has stated that 'preventing dangerous climate change means leaving at least 70-75% of known fossil fuel reserves unused in order to have a 50% chance of limiting global temperature rise to below 2 degrees'. Fossil Fuel companies' business models are incompatible with a 2 degree world and certainly a 1.5 degree one, and these companies and holdings in them pose material financial risks to West Yorkshire Pension Fund. Will the West Yorkshire Pension Fund set deadlines for its investments in fossil fuel companies, stating that they will divest if these companies have not made their business model compatible with the Paris Agreement targets?

Leader's response

The West Yorkshire Pension Fund acknowledges climate risk, as outlined in the new Investment Strategy Statement on the Fund website. The Fund is seeking to reduce carbon exposure but has no plans to set a deadline for divestment. Our fund managers monitor many factors for all investments on a continuous basis, including climate risk, and adjust the portfolio accordingly.

The Fund continues to engage with fossil fuel companies, as it has done for a number of years. Following a comprehensive report, it was agreed at Corporate Overview and Scrutiny Committee in October 2016 that a policy of positive engagement is more progressive and successful than a policy of divestment. As shareholders we can bring pressure to bear on the fossil fuel companies to adjust their business models to align with the Paris Agreement, if we divest we lose that power.

The fund continues to invest in renewable and 'green' technology wherever possible. These new sources of energy are still developing and investment returns are low at present and produce little income for the Fund. The Fund requires a strong dividend income stream in order to pay its pensioners. In a time of extremely low interest rates, the Fund benefits from the large dividends which are currently paid by resources companies, which provide the highest yield in the equity market. To divest would mean that income would fall, and in the longer term there would be pressure on council tax payers to make up any shortfall.

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C

LEADER'S REPORT TO FULL COUNCIL

18 JULY 2017

Grenfell Tower

The terrible scenes at Grenfell Tower in London shocked us all. Here in Bradford even though all the council's housing stock was transferred to Incommunities in 2003, naturally we still have a moral obligation to the tenants as residents of this district. Many of us work with Incommunities on a daily basis to solve residents' issues.

We have been liaising with West Yorkshire Fire Service, Incommunities and other housing providers to make sure our own policies and procedures are robust. None of us ever want to be tested in this regard but we want to make sure that, should we be put to the test, we would respond properly.

Landmark House, a privately owned apartment block in the city centre, is the first building in the district to be found to have ACM cladding and fail the Government's test. This is obviously upsetting for the residents. Our housing and building control staff immediately met with the fire service, and the management company to assess the situation.

West Yorkshire Fire Service has agreed that there is no need to immediately evacuate the premises. Residents all have smoke alarms present in their flats which they need to check are working on a regular basis. There is also a common alarm system which if activated, triggers a full evacuation. Increased surveillance is being introduced. The management company are following Government guidance.

We have offered the management company the use of City Hall this week for them to speak with residents and answer concerns. We will attend ourselves to offer support.

Terrorism

Since the last Full Council meeting there have been a number of terror attacks in this country – Westminster, Manchester, London Bridge and Finsbury Park – events that have directly affected people in this Chamber. Our thoughts and prayers remain with those whose lives were lost or changed by those events.

These terror attacks have reminded us that we need to work harder to protect ourselves. But we must also challenge ourselves on how cohesive we are as a society. In Bradford we pride ourselves on being a friendly city and generally get on well together. Naturally however attacks such as these make people of all faiths and none feel less safe. We must keep working at this. I am keen for us to work with other local authorities to look at what else we can do so that Bradford remains a peaceful and friendly district well into the future.

Transport

Since the last Full Council, I arranged a meeting with Andrew Jones MP, then Transport Minister, Philip Davies MP and Roger Marsh, Chair of the Leeds City Region LEP to discuss how we might convince Government to invest in a Bradford stop on Northern Powerhouse Rail. I had been pushing for a date to meet the Minister for some time to talk about transport and the meeting went well. The Minister was supportive of Bradford being a stop on Northern Powerhouse Rail. However since then there has been a general election and the Minister has now been moved to the Treasury. We have written to the new Minister asking for a meeting and will make our case again.

To the same end I've met again with John Cridland, Chair of Transport for the North in Manchester and welcomed Department of Transport civil servants to Bradford to show them the opportunities which Bradford district presents to anyone serious about realising an increase in UK productivity. I also met with Lord Bradshaw who takes a particular interest in transport matters and was keen to relay our conversation to officers in Rail North with whom we have since also met.

Peer Review

Thank you to everyone in this Chamber and beyond who took part in the Local Government Association Peer Review. Representatives for the councils of Wigan, Newcastle, Hackney and Luton were part of the team who came to review how we serve the public of Bradford district. The resulting positive report includes areas of strength plus areas for development. We will be tabling a paper outlining an action plan to address the points raised at the Executive meeting in September.

West Yorkshire Combined Authority

The Investment Committee met recently to approve £180 million of investment which included several schemes in the Bradford district. The most notable of these was the £17 million for the Bradford Forster Square redevelopment which is due to be completed by 2021. Major work on four routes in the district has also been approved to improve journey times. We were also delighted to see the opening recently of Low Moor station, another West Yorkshire Combined Authority investment of £10.8 million into the District which is proving to be very successful.

Ministerial meeting at Key Cities

Members will recall that Bradford is represented on the Executive of this national network of UK towns and cities. At a recent Key Cities meeting we welcomed the new BEIS (Business, Energy and Industrial Strategy) Minister Richard Harrington to talk with us. The Minister spoke about the Industrial Strategy. I asked him to particularly consider place-based investment, skills and transport as priorities. The Minister said he had previously visited Bradford and would be happy to do so again. An invitation is being sent.

Medical School at Bradford University

Bradford University led a meeting in London with a number of local MPs and Lords to discuss the opportunity of having a Medical School at Bradford University which I

also attended. As discussed before in this Chamber this would be hugely significant for the city to have such an institution and is the ideal place to locate it. We will continue to give the initiative our full support. No guidance on the bidding process has yet been released by Government.

Education Opportunity Fund

The snap General Election meant that civil servants at DfE were forced to cancel the Bradford launch of the Education Opportunity Fund. Cllr Imran Khan and I met with DfE again last week to accelerate activity. A new launch date is being organised for September. This remains an excellent opportunity to gain access to the £72 million put aside for the 12 Education Opportunity Areas nationally. However we are also seeing increased investment interest from national education organisations and charities just because we are an Education Opportunity Area. We look forward to working with everyone who has a passion for Education to increase the attainment levels of Bradford children.

QUESTION TO THE LEADER

Councillor Jeanette Sunderland

Just a question about the Education Opportunity Fund under the education bit. I just wondered how you felt about the announcement about Dixons being funded to become a research school and what impact you would expect to see that research have on social mobility?

Councillor Susan Hinchcliffe

It's not on the report but we always welcome money into Bradford to improve education. What we're seeing here is the Education Opportunity Fund is already starting to bring people in. It's not just about the money and it is the different organisations who want to help Bradford schools and that's very welcome with the Education Opportunity Fund money.

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Report of the Strategic Director Place to the meeting of Executive to be held on 20 June 2017.

Subject: Local Plan Core Strategy - Inspectors Report and Adoption

Summary statement:

C

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 sets out the strategic approach to managing development and change to 2030. It was submitted for Examination in December 2014 with Hearings held in March 2015. Proposed modifications were published in November 2015 and resumed hearings held in May 2016.

The Council has now received the Inspector's final Report and recommendations. The Inspector has considered all the matters before him including the plan, the evidence underpinning it, and the objections and representations made and the published modifications. In his report he concludes that the Plan can be considered to be legally compliant and sound, providing a limited set of Main Modifications are made to the plan, 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 modified Core Strategy in line with the Inspector's recommendation.

Julian Jackson
Assistant Director Planning
Transportation and Highways

Portfolio:

Regeneration, Planning and Transport

Report Contact: Andrew Marshall
Phone: (01274) 434050
E-mail: Andrew.marshall@bradford.gov.uk

Overview & Scrutiny Area:

Environment and Waste Management

1. SUMMARY

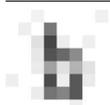
- 1.1 The Council is in the process of preparing a new Local Plan which will replace the current statutory development plan for Bradford District (the Replacement Unitary Development Plan) which was adopted in 2005.
- 1.2 The first of the Local Plan documents is the Core Strategy which sets out the strategic approach to managing development and change to 2030. It was submitted for Examination in December 2014 with Hearings held in March 2015. Proposed modifications were published in November 2015 and resumed hearings held in May 2016.
- 1.3 The Council has now received the Inspector's Final Report and recommendations. The Inspector has considered all the matters before him including the plan, the evidence underpinning it, and the objections and representations made and the published modifications. In his report he concludes that the Plan can be considered to be legally compliant and sound, providing a limited set of Main Modifications are made to the plan, as submitted.
- 1.4 The purpose of this report is for the Executive to note the contents of the Inspectors report and to seek authority to proceed to Full Council to request the legal adoption of the modified Core Strategy in line with the Inspector's Recommendation.

2. BACKGROUND

- 2.1 In accordance with the Planning & Compulsory Purchase Act 2004 and National Planning Policy Framework (NPPF), the Council is in the process of preparing an up to date Local Plan for the Bradford District. The Local Plan will ultimately supersede the current Replacement Unitary Development Plan (RUDP) (as saved by the Secretary of State October 2008). It will set out the policies against which development proposals are tested, as well as allocating land for homes, economic development and supporting infrastructure. It will also review other local designations such as open space and heritage assets etc. The Council is committed to produce the following suite of Development Plan Documents which will make up the Local Plan:
 - Core Strategy
 - Allocations Development Plan Document (DPD)
 - Bradford City Centre Area Action Plan (AAP)
 - Shipley and Canal Road Corridor Area Action Plan (AAP)
 - Waste Management Development Plan Documents (DPD)
- 2.2 The Council is now making significant progress towards putting in place a new Local Plan, in particular with the receipt of the Inspector's report into the Core Strategy. Given the complex challenges and the context of changes to national planning policy, the receipt of the report and recommendation allowing it's adoption is a major milestone.



- 2.3 The Core Strategy provides the spatial vision and objectives for the District to 2030 and includes strategic policies to inform future development proposals. It also provides direction as to the approach, development targets and policies to be contained within the other parts of the Local Plan such as the Area Action Plans and the Allocations DPD. Without an adopted Core Strategy, progress in preparing the other Local Plan documents, which will themselves deliver the regeneration, investments, infrastructure and housing development required, will be undermined. The Core Strategy once adopted will also shape investment decisions and assist the Council in making successful bids for resources. Utility and infrastructure providers will be given a greater level of certainty as to the level and distribution of development planned and this will in turn enable them to plan more effectively and to secure funding for projects which will benefit the District. This is extremely significant given the understandable concerns raised by those who made representations during the Core Strategy process, as to how the Council would manage change and ensure that development is matched by supporting infrastructure.
- 2.4 The Core Strategy thus provides a fundamental framework to plan for the homes and jobs the District needs in a sustainable manner and in locations which respects local character and the distinctiveness of the diverse communities across the Bradford District. However, the Plan covers a much wider range of issues than just those of housing and employment development. It provides a strategic set of policies on a range of issues key to delivering sustainable development, including environmental protection and enhancement, addressing climate change and supporting low carbon development, place making and design quality. The Core Strategy in this respect needs to be considered as whole in planning for growth and development in the District to 2030.
- 2.5 The Core Strategy has been in preparation for a number of years and subject to extensive formal and informal consultation and is supported by a range of technical studies and assessments which have been published and used to inform the content and approach in line with national guidance. The formal stages of consultation prior to submission included:
- Issues & Options (2007)
 - Further Issues and Options (2008)
 - Core Strategy Further Engagement Draft (FED) (2011 – 2012)
 - Core Strategy Publication Draft (2014)
- 2.6 The Core Strategy was approved for submission to the government for examination by Full Council in December 2013, which was then followed by its publication for formal representations. The Core Strategy and the representations were submitted to the government in December 2014. The appointed Inspector Mr Stephen Pratt held hearings in March 2015 into a number of key matters and issues. Following the hearings further changes to the Plan were considered necessary to ensure the Core Strategy would be ‘sound’ (in line with national guidance, justified, effective and positively prepared) and capable of legal adoption. These Main Modifications were published by the Council in November 2015 for representations. The Inspector held



a number of further hearings in May 2016 to consider a limited number of matters raised through the representations to the Main Modifications. A further set of very limited changes were proposed to the Main Modifications following these hearings. The Council received the Inspector's Report on 22 August 2016 and made it available for information on 5 September (see Appendix 1). The receipt of the Inspector's Report marks the final step prior to formal adoption.

- 2.7 The Inspector's report was due to be considered by the Councils Executive on 11 October 2016. However, Gavin Barwell Minister of State (Housing & Planning) on 10 October 2016 issued a temporary holding Direction under powers contained in Section 21A of the Planning and Compulsory Purchase Act 2004. This required the Council not to take any steps in connection with the adoption of the Core Strategy until the Direction is withdrawn. The Core Strategy has no effect while the Direction was in force. The Direction allowed the Minister to consider whether to give direction under section 21 of the Act which gives a number of powers to the Minister to intervene in the preparation of a Local Plan. The Letter from the Minister was published on the Council's web site for information.
- 2.8 These powers were instigated by the Local MP for Shipley Philip Davies who raised several concerns in noted in the Direction. These included:
- Proposed release of Green Belt (in particular in Wharfedale);
 - Development of Green belt before brownfield land is exhausted;
 - Efforts under Duty to Cooperate to meet Bradford's housing needs; and
 - Appropriate location of development to meet the District's Housing need and contribute to the regeneration of Bradford City Centre.
- 2.9 The Council worked with DCLG officers in order for them to fully consider the issues raised by Philip Davies and make a recommendation to the Minister. The required information was provided to DCLG by end of November. This demonstrated both the process gone through and the relevant evidence upon which the plan was based as well as the approach adopted to Green Belt within the Core Strategy.
- 2.10 Following consideration of the matters raised by Philip Davies the Minister of State (Housing and Planning) has formally withdrawn the holding direction in his letter dated 28 March 2017. The Letter from the Minister was published on the Council's web site for information. In this respect he has decided not to intervene in the Core Strategy.
- 2.11 Reference is made in the Ministers letter to the recent Housing White Paper consultation. As is normal practice the Council will consider the implications of changes to national policy when finalised and whether this requires any part of the Local Plan to be subject to review as a result.
- 2.12 This now allows the Council to proceed towards the adoption of the Core Strategy.

Main Issues

- 2.13 The role of the Inspector was to consider all the relevant matters before him



(including all issues in the formal representations) and the supporting evidence base and thus conclude whether the Plan could be considered to be legally compliant and 'sound' and therefore capable of legal adoption by the Council.

- 2.14 In order to help the Inspector reach a conclusion and to allow all relevant parties to contribute to the debate, an Examination in Public was held. As noted above this involved a limited set of hearings, the nature, content and management of which were determined by the Inspector. The hearings covered matters and questions which the Inspector considered required further exploration and they allowed those with concerns to provide further information linked to the matters and issues determined by the Inspector. Further statements and information were produced as part of the examination process at the request of the Inspector and made available on the examination web site. This allowed adequate opportunities for all parties to ensure the Inspector fully understood and considered their issues/concerns as part of his formal considerations and in coming to his conclusion and recommendation.
- 2.15 In his report the Inspector concluded that he considers that the Core Strategy as approved by Full Council to provide an appropriate basis for the planning of the District but only provided that a number of Main Modifications (MM) are made to it. The Council specifically requested that the Inspector consider any potentially necessary Main Modifications as part of the examination process. To this end the Council proposed Main Modifications which were subject to separate consultation.
- 2.16 The Inspector has concluded that with the recommended Main Modifications set out in the Appendix to his report, the Core Strategy Development Plan Document satisfies the requirements of Section 20(5) of the 2004 Act, meets the criteria for soundness in the National Planning Policy Framework, and is capable of adoption.
- 2.17 The Inspector's Report sets out the reasons for his conclusion and why he considers the Main Modifications are necessary (see in particular the Non-Technical Summary). The full Inspector's Report and Appendix can be found in Appendix 1 to this report. Below a number of the major issues are highlighted and outlined with reference to the Inspector's Report and conclusions.
- 2.18 It is worth noting that whilst there are numerous Main Modifications set out in the schedule appended to his report, the vast majority of the Core Strategy as submitted has been accepted by the Inspector and remains unchanged.

Legal compliance

- 2.19 The Inspector has concluded that the Council has complied with legal requirements in the preparation of the document including the approach to consultation and engagement, national policy, sustainability appraisal and legal/regulatory requirements. Concerns which were raised in the initial Examination hearings of March 2015 with regards to the Habitats Regulation Assessment and its subsequent impacts on a number of policies – concerns which if left unaddressed could have rendered the plan incapable of adoption - were rectified through a



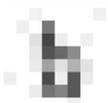
review as part of the Examination (see paragraph 2.21 – 2.22 below).

Duty to cooperate

- 2.20 During the course of the Core Strategy's preparation the Council had to respond to a number of changes to the planning system and to new procedural requirements. One such key change which followed on from the revocation of Regional Spatial Strategies, was the need to meet the new duty to cooperate. In the absence of formal regional planning the duty ensures that councils prepare their strategic plans in consultation and co-operation with neighbouring Local Planning Authorities (LPAs) and specified statutory bodies.
- 2.21 A number of concerns by those making representations were raised regarding compliance with this duty including scales of development, cross boundary impacts (green belt, transport and other infrastructure). The matter was subject to a specific Examination hearing. Having considered all the evidence and the discussions at the hearing the Inspector concludes that the Council has met this duty in terms of maximising the effectiveness of the plan making process and actively co-operating and engaging with relevant bodies on an on-going basis. It is worth noting that his conclusion relates to the Core Strategy and further on-going work will take place on strategic/cross boundary impacts and on-going liaison with adjoining LPAs as part of the more detailed Local Plan documents in particular the Allocations DPD.

Spatial Vision and Development Strategy

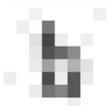
- 2.22 One of the key roles of the Core Strategy is to set out a clear spatial vision which in turn then determines the Plan's objectives and the proposed spatial distribution of development. The focus of the Plan is to support the role of the Regional City of Bradford and secure its on-going regeneration and to that end the majority of new development proposed in the Plan is focused on Bradford and to a lesser extent the Principal Towns of Keighley, Ilkley and Bingley. The Plan however also highlights the need to support development and investment of the network of smaller settlements within the District whilst also protecting the environment. Having considered a range of representations suggesting alternative approaches, the Inspector has supported the overall approach and spatial priorities contained within the spatial vision, and the objectives and Strategic Core Policies. He has supported the need for a focus on the urban area of the City of Bradford and its regeneration, and the proposed distribution of development. In doing so he rejected calls for differing approaches to the distribution of development, rejected calls for development quantum to be further adjusted (over and above those adjustments already put forward in the Main Modifications) and supported the Plan's approach relating to infrastructure which included the preparation of a comprehensive Local Infrastructure Plan (LIP).
- 2.23 The approach to the location of development (Policy SC5) has been supported including the need to prioritise brownfield land, but it is important to stress that the Inspector has fully accepted the Council's arguments that bearing in mind the scale of housing required and the nature of the available and deliverable land supply a substantial contribution from green field and Green Belt land will be needed to



deliver the District's development needs in full. However, the Inspector has also accepted the importance of the prioritisation of the use of brown field land within the District, as set out in Policies SC5 and HO6. While national planning guidance does not allow a brownfield first policy there are still many ways in which the Council can use its plans, investment programmes and strategies to encourage the use of brownfield sites and the Inspector has endorsed the Council's policies and approach as balanced and in conformity with the NPPF.

Green belt

- 2.24 As indicated above, one of the key issues which has been the subject of a significant number of representations, has been the need to make changes to the Green Belt in order to ensure that the District's development needs are met. It is important to stress that the Government's guidance contained within the NPPF does allow for councils to make changes to the Green Belt when preparing a new Local Plan, but only if certain tests are met and if the evidence supports and justifies such an approach. In particular, the Council are required to demonstrate that 'Exceptional Circumstances' exist which justify Green Belt changes and that the Council has fully considered the environmental and sustainability implications of making such changes.
- 2.25 The Inspector in this respect thoroughly examined whether the Council had demonstrated 'Exceptional Circumstances' to support a review of the Green Belt as required by NPPF. The Council's evidence set out that Green Belt change was required in order to fully meet the development needs for housing, and support regeneration and long term economic success of the District. The evidence on land supply in the Strategic Housing Land Availability Assessment (SHLAA) confirmed that there was insufficient land outside the Green Belt to fully meet the identified housing needs. Other evidence confirmed that there was land available in the Green Belt in sustainable locations which if developed would not undermine the functions and purpose of Green Belt. Having considered the evidence and also the differing views of those who made representations, the Inspector has concluded that the Council has indeed demonstrated that 'Exceptional Circumstances' to change the Green Belt exist and that the Council has considered whether it would be appropriate to make such changes – in particular that such changes can be made in a sustainable manner. However, in order to clarify the process and approach taken the Inspector has asked for a number of changes and additions to the supporting text within the Plan which are set out in one of the published Main Modifications.
- 2.26 The Inspector also considered the need to allocate Safeguarded Land as advocated by some objectors, in order to ensure a Green Belt boundary when reviewed which could last beyond the plan period. The Inspector was content that the revised boundaries could endure beyond the plan period and any longer term review of the Green Belt would need a more strategic approach across the sub region as part of future plans.

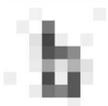


South Pennine Moors SAC/SPA

- 2.27 One of the key issues which was subject to objection and thus debate within the Core Strategy examination was whether the submitted plan had taken the right approach to the protection of the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA) and whether the Plan had been informed by an appropriate and robust Habitats Regulations Assessment (HRA). This in turn linked to representations which were concerned that the approach taken had been unnecessarily precautionary leading to housing targets for certain settlements (mainly in Wharfedale) which were lower than could be justified and to concerns over other policies such as those relating to the Plan's settlement hierarchy.
- 2.28 Having reviewed the original policy approach and the original HRA and other evidence the Inspector concluded there were some deficiencies. In order to address these concerns the Council with its consultants and Natural England reviewed and revised the HRA and in light of the revised HRA amended the approach under Policy SC8. The Council also reviewed the implications for the settlement hierarchy (Policy SC4) and the spatial distribution of development as set out in particular within Policy HO3.

Housing

- 2.28.1 One of the most important aspects of a strategic plan is to undertake an objective assessment of the level of new housing which will be needed in the District over the plan period. The setting of a housing requirement has been an issue which has caused problems to the progress of a large number of plans across the country over recent years with some having their plans rejected outright due to Inspector's concerns that plans were failing to identify and provide for the full extent of need in their areas. Within Bradford's Core Strategy a range of evidence including Government issued population and household projections, migration trends, economic and jobs growth projections, housing market information and data on past housing delivery has been used to conclude that over the period to 2030 at least 42,100 new homes will be required.
- 2.29 The Inspector has considered the evidence produced and the widely differing views expressed by different objectors and concluded that the Council's approach to assessing housing need is consistent with NPPF and National Planning Policy Guidance (NPPG). In particular, the Inspector has confirmed that the Council has considered the required wide range of factors set out in the NPPG and not just the Government's population and household projections which are nonetheless a key element. The Inspector has fully considered the issues raised by those who sought to either increase or reduce the housing requirement and concluded that the Council's approach is sound.
- 2.30 The Inspector has confirmed that as required by the NPPF, the Core Strategy should plan positively to boost housing delivery but in this respect has asked for a Main Modification which provides a revised housing trajectory in one of the Core Strategy's appendices. The revised trajectory reflects the need to boost delivery in



the early part of the plan period, in recognition of the existence of a backlog of unmet housing need and the current lack of a 5 year land supply.

- 2.31 The scale and distribution of development (Policy HO3 and Sub Area policies) proposed by the Core Strategy to meet the housing requirement was broadly supported by the Inspector but subject to several Main Modifications which take account of the revised HRA, an updated land supply position in the latest Strategic Housing Land Availability Assessment (SHLAA) and the need to address concerns raised by Historic England about impact on the Saltaire World Heritage Site and Haworth Conservation Area. This resulted in a limited number of settlements having their housing targets increased (Burley In Wharfedale, Menston, Ilkley, and Silsden) and others slightly reduced (Shipley, Bradford North East, the Canal Road Corridor, Haworth, and Baildon). These changes were included in the Main Modifications published and representations to the changes considered at the further hearings held in May 2016.
- 2.32 The Inspector supported the identification of Holme Wood as an urban extension, the exact scale to be determined through the Land Allocations Development Plan Document.
- 2.33 The broad approach to the settlement hierarchy (Policy SC4) was supported by the Inspector though the classification of two settlements (Burley in Wharfedale and Menston) are proposed to be modified to reflect the changes in scales of development and returned to their previous proposed status as Local Growth Centres. The fact that the settlements of Burley in Wharfedale and Menston had only been downgraded from Local Growth Centres to Local Services Centres on the back of the deficient HRA was accepted by the Inspector thus requiring the Council's to propose a Main Modification not only to the HRA related policy but also to the settlement hierarchy and proposed scale of housing proposed within Wharfedale. While the modifications to increase housing targets within parts of Wharfedale raised a significant number of representations it is important to note that the modifications made only modest changes to the overall housing distribution and the focus of the Plan remains overwhelmingly focused on the main urban areas. This is illustrated by the fact that the modified plan proposes that the Regional City of Bradford will see 27,750 new homes (66% of the district wide requirement) as compared to 2,500 (5.9%) within Wharfedale.
- 2.34 In other sections of his report the Inspector has confirmed, subject to the inclusion of a number of Main Modifications the approach to:
- Affordable housing (Policy HO11) with minor change to the threshold for small sites to reflect changes in national policy;
 - Phasing the release of housing sites(Policy HO4);
 - Density of development (Policy HO5);
 - Prioritisation of development on brownfield land (Policy HO6); and
 - Housing standards (policy HO9) with changes to bring into line with new national housing standards.

Infrastructure



2.35 The Core Strategy's sub area policies (which summarise and highlight the priorities and policies in each area) were subject to extensive consideration at the hearings in March 2015 and examined again in light of proposed Main Modifications in May 2016. As well as considering the issues relating to the proposed scale and distribution of development and the role of individual settlements as noted above, the Inspector considered the concerns raised in most communities regarding ability of Infrastructure to accommodate the scale of development proposed. The Inspector considered fully the Council's evidence in particular the Transport Study and Local Infrastructure Plan. He concluded that the Council had considered as far as possible the critical infrastructure and improvements necessary (including highlighting key elements within the Sub Area policies) and emphasised that the process of assessing and planning for such infrastructure would continue through on-going liaison with key infrastructure providers and as the Council develops the Allocations Development Plan Document. The Inspector also noted that in some cases new development can enhance or improve existing facilities and services as well as providing new facilities.

Flooding

2.36 Flooding was a key concern in a number of communities which was considered fully by the Inspector who supported the Councils approach as being in line with NPPF and NPPG and appropriate to the strategic nature of the Plan. He noted that many areas are at risk of to flooding from rivers, groundwater and surface water. The Core Strategy was supported by a Strategic Flood Risk Assessment (SFRA) level 1 which considered all sources of flooding as well as a sequential testing paper which concluded that the proposed development targets could in the majority of settlements be met entirely on sites in the lowest areas of fluvial flood risk (flood zones 1 and 2). The Inspector noted that further work would take place as part of the Land Allocations Development Plan Document on a site by site basis. Detailed policy guidance on flood risk is contained in Core Strategy Policy EN7.

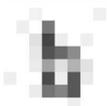
Economic Development

2.37 The approach to economic development including the provision of a supply of new employment land of 135Ha was supported with Main Modifications to provide clarity on the job projections to reflect those used in the Leeds City Region (LCR) Regional Econometric Model and their use in the housing needs projections.

Environment

2.38 The wide range of environmental policies were supported by the Inspector, with only a limited number of small changes to policy to provide clarification or align with changes to Policy SC8.

Minerals and Waste



- 2.39 The approach to minerals and waste was support with a small number of changes.to the policies and the inclusion of more background information in the lower case text on the minerals and waste needs.

Adoption

- 2.40 The Core Strategy as proposed to be modified provides a clear and up to date context for the Land Allocations Development Plan Document as well as supporting the approach in the two Area Action Plans, Waste Management Development Plan Document currently due to be discussed at their own examinations during the coming months. The adoption of the Core Strategy would also clarify the policy context for the local communities who wish to progress Neighbourhood Plans.

Minor modifications

- 2.41 During the Examination a number of minor changes (in addition to what have been termed 'Main Modifications') were also considered. An additional schedule of these changes was published with the proposed Main Modifications in November 2015. The minor changes relate to editorial issues and matters of presentation or fact. These will be incorporated into the Plan if adopted together with the Main Modifications.

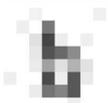
Adoption Process

- 2.42 Assuming the Core Strategy is adopted, following resolution by Full Council, it will form a part of the statutory Local Plan for the District. It will become a key document in the determination of planning applications. It will replace many of the existing saved policies of the RUDP. A full schedule of the RUDP polices and their status on adoption of the Core Strategy has been produced as part of the examination and is available to view on the Council's web site (SD/010).
- 2.43 It is important to stress that the policies within the RUDP were prepared a considerable time ago and over time will become ever more vulnerable to challenge. This includes policies to protect key environmental assets such as green spaces, as well as those policies which relate to development. The adoption of the Core Strategy will provide policies 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 Core Strategy 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 loss to development of green field sites.
- 2.44 If the Core Strategy is adopted by Full Council in line with the Inspector's recommendations with all the proposed Main Modifications the Council will then publish an Adoption Statement. Following this 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 Core Strategy as proposed to be modified is sound and can be adopted by the Council. However he has also confirmed that the original plan 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 to ensure that the Plan 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 Core Strategy 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. 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 The NPPF presumption in favour of sustainable development makes clear that decisions should be made against the Local Plan. For planning decision it states that this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are Out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted
- 3.8 The RUDP was adopted in 2005 and most of its policies saved in 2008. The RUDP plan period was only until 2014 and had a land supply which reflected much lower levels of housing need than that which is now required to be delivered. .
- 3.9 The land supply elements of the RUDP are therefore already considered as out of date. Although many of its saved policies accord with NPPF, there is also a danger, as indicated above, that the age of the RUDP will result in more of its policies being superseded as time goes on if not replaced and refreshed by the new Local Plan.
- 3.10 The reliance on the remaining unimplemented RUDP housing site allocations together with other more recent planning consents means that the Council is and will continue to be unable to demonstrate as required by the NPPF that it has an appropriate supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 20% (moved forward from later in the plan period), to ensure choice and competition in the market for land. In such circumstances paragraph 14 of the NPPF (see paragraph 3.7 above) applies.
- 3.11 The latest SHLAA update demonstrates that the Council does not currently have a five year supply in line with NPPF. It currently stands at 2.3 years. Given the scale of the housing requirement the only way the District can ensure a 5 year supply is to allocate more land through the new Local Plan. The adoption of the Core Strategy will allow for progress to be made towards the allocation of sustainable sites within



the two Area Action Plans and the Allocations DPD.

- 3.12 Given the above it is imperative that the Council proceeds to put in place an up to date Local Plan as soon as practicable. Until a new up to date plan is in place decision making particularly on housing developments will be determined with reference to the presumption in NPPF and away from local control. Delay will also impact on the progress on the two Area Action Plans which support key regeneration areas as well as the wider Land Allocations work which will put in place the up to date supply of land to meet the need for homes and jobs.
- 3.13 It is also important to communities, business and investors that an up to date plan is put in place in order to ensure certainty and confidence. It also will assist in supporting 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 cost.

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;
 - Loss or reduction of New Homes Bonus from Government
 - 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 development strategic planning framework for the District which will form part of the statutory Local Plan and provide a starting point for the consideration of planning applications. It will also provide the strategy and framework for the production of other Local Plan documents. It will also provide confidence and clarify 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 with submission to examination the decision whether to adopt the Core Strategy 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 plan was supported by a legal compliance check list and the Inspector concluded that the submitted plan was legally compliant.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The consultation on the local plan is undertaken in line with the Statement of Community Involvement (SCI), 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 Local Plan documents are subject to an Equality Impact Assessment which was submitted with the Core Strategy to examination.

7.2 SUSTAINABILITY IMPLICATIONS

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 plan. The Inspector considered the SA and SEA and concluded that they met the legal and regulatory requirements.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

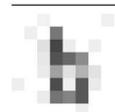
The Local Plan is subject to Sustainability Appraisal throughout its development, which identifies the likely impacts of the Plan and where appropriate any mitigation to manage any negative impacts. Climate Change is identified within the Core Strategy as a key issue and is covered by several policies which seek to reduce greenhouse gas emissions and also manage the potential impacts of Climate Change.

7.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications.

7.5 HUMAN RIGHTS ACT

The SCI sets out how all individuals can have their say on the development plan documents. Anyone who is aggrieved by a Development Plan Document as submitted has a right to be heard at an independent examination. The Submission Statement sets out the stages of engagement and a summary of the key issues



raised together with the Council's response. The two sets of hearings held by the Inspector allowed for any individual with a representation to have their concerns heard as well as considered through the written documents.

7.6 TRADE UNION

There are no Trade Union implications.

7.7 WARD IMPLICATIONS

The Core Strategy relates to the whole District and affects all wards.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1 The Executive have 3 options.

Options1

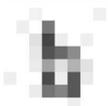
9.2 The first option is to approve the Core Strategy in line with the Inspector's Report and recommendations including the complete set of Main Modifications contained in the Appendix to the Inspector's Report. The document is considered 'Sound' and legally compliant by the Inspector and capable of adoption only with the proposed Main Modifications.

Option 2

9.6 The second option is to attempt to adopt the Core Strategy but not to include all the Main Modifications or with different changes. There is a strong likelihood that such a course of action would fail and result in successful legal challenge as the Inspector has made clear that the Main Modifications are all required in order to produce a 'Sound' and legally compliant plan, which is capable of adoption;

Option 3

9.7 The third option is to not adopt the Plan and to review the document. In effect this would amount to a withdrawal of the Plan in total as the Inspector has now concluded his examination. This would delay significantly the adoption of the Local Plan having particular implications for the site allocation documents as well as Neighbourhood Plans. 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 continue to lack a 5 year supply of housing land and lose control influence over of development proposals in the District. During the course of the production of the Core Strategy considerable sums have been invested in the Plan's preparation including the production and commissioning of evidence and the holding of an Examination in Public. Failure to adopt the Core Strategy 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.

- 9.8 The Executive are therefore recommended to follow Option 1 and recommend to Full Council that the Core Strategy as submitted be adopted with the Main Modifications proposed by the Inspector for the reasons set out in his report and also this report. The other options 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 and recommend that Full Council formally adopt the Core Strategy as approved by Full Council on December 2013 and submitted to the government for examination with the Main Modifications contained in Appendix 1, 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.

11. APPENDICES

- 11.1 Report on the examination of the Local Plan for the Bradford District Core Strategy Development Plan Document and Appendix (containing the Main Modifications).

12. BACKGROUND DOCUMENTS

- 12.1 Local Development Scheme (July 2014)
12.2 Publication Draft Core Strategy
12.3 Additional Modifications (November 2015)
12.4 National Planning Policy Framework
12.5 National Planning Policy Guidance
12.6 Holding Direction letter to leader of the Council from Gavin Barwell Minister of State (Housing & Planning) dated 10 October 2016
12.7 Letter to leader of the Council from Gavin Barwell Minister of State (Housing & Planning) withdrawing the Holding Direction dated 27 March 2017



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Appendix 1

Inspector's Report into the examination of the Local Plan for the Bradford District Core Strategy Development Plan Document and Appendix (containing the Main Modifications).

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Report to the City of Bradford Metropolitan District Council

by Stephen J Pratt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 22 August 2016

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Local Plan for the Bradford District Core Strategy Development Plan Document

The Plan was submitted for examination on 12 December 2014

The examination hearings were held between 4-20 March 2015 & 17-20 May 2016

File Ref: PINS/W4705/429/7

Abbreviations used in this report

| | |
|--------|--|
| AAP | Area Action Plan |
| AONB | Area of Outstanding Natural Beauty |
| BCS | Local Plan for Bradford District – Core Strategy DPD |
| CBMDC | City of Bradford Metropolitan District Council |
| CIL | Community Infrastructure Levy |
| DCLG | Department for Communities & Local Government |
| DPD | Development Plan Document |
| DTC | Duty to Co-operate |
| dw/yr | dwelling per year |
| EA | Environment Agency |
| EH/HE | Historic England (formerly English Heritage) |
| ELS | Employment Land Study |
| FED | Bradford Local Plan Core Strategy – Further Engagement Draft |
| G&T | Gypsy and Traveller |
| GTAA | Gypsy & Travellers Accommodation Assessment |
| ha | hectares |
| HA | Highway Authority |
| HE | Highways England (formerly Highways Agency) |
| HCA | Homes & Communities Agency |
| HFR | Household Formation Rates |
| HRA | Habitats Regulations Assessment |
| HWTNDP | Holme Wood & Tong Neighbourhood Development Plan |
| LAA | Local Aggregates Assessment |
| LCR | Leeds City Region |
| LDS | Local Development Scheme |
| LEP | Local Enterprise Partnership |
| LIP | Local Infrastructure Plan |
| LTP | Local Transport Plan |
| MM | Main Modification |
| NE | Natural England |
| NPPF | National Planning Policy Framework |
| NPPW | National Planning Policy for Waste |
| OAN | Objective Assessment of Housing Need |
| ¶/para | paragraph |
| PPG | Planning Practice Guidance |
| REM | Regional Econometric Model |
| RUDP | City of Bradford Replacement Unitary Development Plan |
| SA | Sustainability Appraisal |
| SAC | Special Area of Conservation |
| SADPD | Site Allocations Development Plan Document |
| SAMM | Strategic Access Management & Monitoring Strategy |
| SCI | Statement of Community Involvement |
| SCS | Sustainable Community Strategy |
| SEA | Strategic Environmental Assessment |
| SEP | Strategic Economic Plan |
| SFRA | Strategic Flood Risk Assessment |
| SHLAA | Strategic Housing Land Availability Assessment |
| SHMA | Strategic Housing Market Assessment |
| SIDP | Strategic Infrastructure Delivery Plan |
| SOC | Statement of Co-operation |
| SOCG | Statement of Common Ground |
| SPA | Special Protection Area |
| SPMSPA | South Pennine Moors Special Protection Area |
| SSSI | Site of Special Scientific Interest |
| SUE | Sustainable Urban Extension |
| WYCA | West Yorkshire Combined Authority |
| YHRSS | Yorkshire & the Humber Regional Spatial Strategy |
| YHWTAB | Yorkshire & the Humber Waste Technical Advisory Body |

Non-Technical Summary

This report concludes that the Local Plan for the Bradford District Core Strategy provides an appropriate basis for the planning of the district providing a number of main modifications are made to the plan. The City of Bradford MDC has specifically requested me to recommend any main modifications necessary to enable the plan to be adopted. All the main modifications to address this were proposed by the Council, and I have recommended their inclusion after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Amend the approach and policy for protecting the integrity of the South Pennine Moors SAC/SPA and their zones of influence in Policy SC8, the associated Sub-area, Environment, Waste and Implementation policies and accompanying text, to reflect the updated Habitats Regulations Assessment;
- Amend the Settlement Hierarchy to designate Burley-in-Wharfedale and Menston as Local Growth Centres, to reflect the updated Habitats Regulations Assessment, and clarify the nature of development for each level of the hierarchy;
- Specify the “exceptional circumstances” identified to justify the amendment of Green Belt boundaries;
- Amend the spatial distribution of new housing development, to reflect the updated Habitats Regulations Assessment, the latest assessment of potential housing land availability and impact on heritage assets, including the revised apportionments for the City of Bradford Regional City (including Shipley & Canal Road Corridor, Shipley and North-East Bradford), Airedale (including Silsden & Baildon), Wharfedale (including Ilkley, Burley-in-Wharfedale & Menston), and the South Pennine towns and villages (including Haworth);
- Clarify and update the sub-area policies and detailed development strategy for each of the sub-areas of Bradford district, including the revised settlement hierarchy and spatial distribution of development, updated Habitats Regulations Assessment, and the scale and type of development at the settlements;
- Amend the number of new jobs envisaged to 1,600/year, to align with the housing strategy, clarify the justification for the overall amount of new employment land and confirm that this is a minimum figure, and clarify the purpose of the Economic Growth Areas;
- Clarify the approach to establishing the objective assessment of housing need, the overall housing requirement figure and the approach to 5-year housing land supply, and update the housing trajectory;
- Clarify the approach to phasing housing development, the release of housing sites, density, viability and housing standards;
- Amend the site size thresholds for affordable housing, specifying a minimum threshold of 11 units in Wharfedale and other specified villages;
- Update the approach and requirement for gypsies and travellers accommodation;
- Set out the approach and policy for development affecting Sites of Special Scientific Interest, and clarify the approach to Locally Designated Sites;
- Update and clarify the policy and approach to renewable energy;
- Update and clarify the policies and approach to flood risk and air quality;
- Re-draft the section and policies on Minerals, to provide more information about the supply and provision of minerals, including the Local Aggregates Assessment and landbanks;
- Re-draft the section and policies on Waste Management, to provide more information about existing and forecast waste arisings and existing and future waste management capacity, including the approach to identifying waste management sites and the area of search;
- Update and amend the content of the appendices, including monitoring, parking standards, amended housing trajectory, the approach to previously developed land and the programme for subsequent Development Plan Documents.

Introduction

1. This report contains my assessment of the *Local Plan for the Bradford District Core Strategy Development Plan Document* (BCS) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan complies with the legal requirements, including the Duty to Co-operate, recognising that there is no scope to remedy any failure of the latter requirement. It then considers whether the Plan is sound in terms of the National Planning Policy Framework (NPPF), which confirms that to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy (NPPF; ¶ 182).
2. The starting point for the Examination is the assumption that the City of Bradford Metropolitan District Council (CBMDC) has submitted what it considers to be a sound plan. The basis for the examination is the *Local Plan for Bradford District Core Strategy Publication Draft* (February 2014) [SD/001].
3. This report deals with the Main Modifications needed to make the BCS sound and legally compliant, as identified in bold in the report **[MM]**. In accordance with section 20(7C) of the 2004 Act, CBMDC has requested me to recommend any modifications needed to rectify matters that make the plan unsound or not legally compliant, and thus incapable of being adopted. These Main Modifications are set out in the accompanying Appendix. CBMDC also proposes to make other minor changes (“Additional Modifications”) to the Plan, which do not affect its overall soundness and do not need any positive recommendation from me.
4. The Main Modifications that are needed to ensure the BCS is sound and legally compliant all relate to matters that were discussed at the examination hearings. All the Main Modifications were subject to sustainability appraisal and public consultation between November 2015-January 2016, and I have taken account of the representations and the subsequent hearings in coming to my conclusions.
5. My approach to the Examination has been to work with CBMDC and other participants in a positive, pragmatic and supportive manner. In so doing, I have considered all the points made in the representations, statements and at the hearing sessions. However, the purpose of this report is to consider the legal compliance and soundness of the Plan, giving reasons for the recommended modifications, rather than responding to every point made in the representations and discussions. References to documentary sources are provided thus [].

Assessment of Legal Compliance

6. At the hearing sessions of the Examination, some participants expressed concerns about the consultation undertaken during the preparation of the BCS, particularly the relationship with the proposed Holme Wood Sustainable Urban Extension (SUE) and possible alternative options, and the emerging Holme Wood & Tong Neighbourhood Development Plan (HWTNDP). There may have been some confusion when consultation was undertaken on the BCS Further Engagement Draft (FED) and the HWTNDP, but CBMDC confirms that the consultation arrangements for the BCS were undertaken separately from that on the HWTNDP. Although each consultation process can inform other plans, I understand that, whilst it may be a material consideration, the HWTNDP is non-statutory, having been prepared prior to the Localism Act. CBMDC has set out the process of public consultation on the BCS [SD/009; SD/015], and I can see no legal or procedural flaws

in the process in terms of the procedures outlined in the Statement of Community Involvement (SCI) [SS/055] and the requirements of the Local Planning Regulations as far as Holme Wood is concerned.

7. Some participants raised serious concerns about the adequacy and legality of the submitted Habitats Regulations Assessment (HRA) [SD/021-022]. These concerns particularly related to the assessment of the impacts of the BCS on the South Pennine Moors Special Protection Area (SPMSPA) and the implications of its conclusions for the status and potential for growth of settlements in Wharfedale (including Burley-in-Wharfedale and Menston), addressed in Policies HO3 & SC8 [PS/D025; PS/F009; PS/F024; PS/F027a; PS/F042d; PS/F050-51; PS/F082; PS/F086a/c]. The key issues concerned the conservation objectives of the SPMSPA, the extent of the functional habitat, including qualifying features and breeding bird assemblage, the recreational impact of development, location and choice of housing sites, and the wording of Policies SC8 & EN2. CBMDC confirmed that the approach had been agreed with Natural England (NE), but recognised that there were outstanding issues about mitigation, management measures and greenspace.
8. Consequently, I asked for these issues to be discussed between the parties during the hearing sessions of the examination with the aim of resolving the matters in dispute. The outcome was that CBMDC agreed to undertake a revised and updated HRA [PS/G004h], which forms the basis for the amended policies, including a revised settlement hierarchy and spatial distribution of development, particularly in the Wharfedale sub-area. CBMDC put forward proposed modifications to the relevant policies which overcome many of the concerns and have been endorsed by NE. The amended policies, including the revised distribution of development and status of particular settlements, were subject to consultation as part of the Main Modifications process, and I deal with the soundness implications of these proposed modifications later in my report.
9. Some concerns were also raised about the adequacy of the Sustainability Appraisal (SA) undertaken for the BCS, but SA was undertaken at all key stages during its preparation and earlier SA work influenced the final plan. The Final SA [SD/002-003] considered reasonable alternatives, including spatial, policy and site options, and identified the necessary mitigation measures. The BCS sets out the policy links to the SA and other key documents, and issues about the assessment of alternative/higher levels of housing development are dealt with in the soundness section of my report. Consequently, I find that adequate SA work has been undertaken to support the submitted BCS.
10. Issues about consistency of the BCS with the NPPF are dealt with in the soundness section of this report. CBMDC has also set out clear reasons why it is continuing with a multi-stage approach to its development plan, involving a Core Strategy, Site Allocations Plan, Area Action Plans and Waste Management DPD, rather than a single comprehensive Local Plan [SD/001; ¶ 1.3].
11. CBMDC has undertaken its own self-assessment of the legal compliance of the BCS [SD/007]. My assessment of these and other aspects of legal compliance of the BCS is summarised below, and confirms that it meets all the relevant legal requirements.

| LEGAL REQUIREMENTS | |
|---|---|
| Local Development Scheme (LDS) | The BCS is identified in the approved LDS (July 2014) [SS/054], and its role and content comply with the LDS. It is also consistent with the current timetable of plan preparation, although formal adoption will be delayed due to the need to prepare and consult on Main Modifications needed to the BCS. |
| Statement of Community Involvement (SCI) and relevant regulations | The SCI was adopted in July 2008 [SS/055]. The BCS was subject to several rounds of consultation and engagement during its preparation, in line with the adopted SCI and relevant legal and regulatory framework. The plan-making and consultation processes met the minimum requirements of the Local Planning Regulations and CBMDC’s adopted SCI, including consultation on Main Modifications. |
| Sustainability Appraisal (SA) | Adequate SA has been carried out at all stages during the preparation of the BCS, including at the Publication Draft and Main Modifications stages [SD/002-003; PS/G004c]. The Publication Draft was supported by a full SA, which also considered reasonable alternatives, including spatial options, and a SA Addendum was prepared at the Main Modifications stage; the BCS sets out all the policy links with the SA. |
| Habitats Regulations Assessment (HRA) | The original Habitats Regulations Assessment accompanying the submitted BCS [SD/021-022] was found to have legal and other flaws, but these have been rectified as part of the revised HRA [PS/G004h], which has also been undertaken to the satisfaction of Natural England. |
| National Policy | The BCS is consistent with national policy, except where indicated and Main Modifications are recommended. |
| 2004 Act (as amended) and 2012 Regulations | The BCS complies with the Act and the Local Planning Regulations. |

Assessment of Duty to Co-operate

12. Section 20(5)(c) of the 2004 Act requires me to consider whether CBMDC has complied with any duty imposed on it by s33A of the Act in relation to preparing the Plan. This requires them to co-operate in maximising the effectiveness of plan-making, and to engage constructively, actively and on an on-going basis with neighbouring planning authorities and prescribed bodies when preparing development plan documents with regard to a strategic matter. This is defined as sustainable development or use of land which has or would have a significant impact on at least two planning areas, including sustainable development or use of land for strategic infrastructure. This Duty (DTC) is closely related to the requirements in the NPPF (¶ 156; 178-181), and the soundness tests which require plans to be positively prepared and effective (NPPF; ¶ 182).
13. CBMDC has submitted evidence outlining how it has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies during the preparation of the BCS [SD/006; PS/E001]. This has involved co-operating and engaging with neighbouring authorities, established groups and partnerships in the Leeds City Region (LCR) to address strategic planning alignment and to support other local planning authorities in discharging the DTC.

14. There is a long legacy of strategic co-operation and joint working within the LCR and across West Yorkshire for both officers and elected members; this helps to co-ordinate strategic planning across the county, both from the earlier days of the Regional Spatial Strategy and as set up more recently by the LCR. I particularly note that all neighbouring authorities are satisfied that CBMDC has met the DTC requirements and there are no outstanding or unresolved issues; they have also endorsed CBMDC’s DTC statement [SD/006]. CBMDC has also engaged and consulted with prescribed bodies and the LCR Local Enterprise Partnership (LEP).
15. As part of the DTC process, CBMDC has identified and addressed strategic issues relating to housing requirements, economic issues and employment land, Green Belt, highways, transport and infrastructure, gypsies and travellers, environment, and minerals and waste matters; this culminated in the LCR Statement of Co-operation (SOC) [SD/006; Appx 2/4], agreed by all authorities in the LCR.
16. On housing, following the revocation of the Yorkshire & the Humber Regional Spatial Strategy (YHRSS), the LCR authorities have undertaken much work on establishing sub-regional housing requirements. CBMDC’s assessment of its own housing requirements was closely associated with this work, including examining relevant housing market signals, market drivers and characteristics of the housing markets across Bradford and beyond, including migration and cross-boundary issues. Furthermore, CBMDC is planning to fully meet its objectively assessed housing needs within its own area and there are no unmet housing needs from any neighbouring authorities which CBMDC is being asked to meet. More recent LCR reports addressing sub-regional housing needs and cross-boundary issues support the approach taken in the BCS. CBMDC has identified key strategic issues relating to the scale of housing provision and the location of new housing land, including impact on the Green Belt; detailed issues about the housing market area and past housing supply are dealt with in the soundness section of my report.
17. CBMDC confirms that adjoining local authorities, including Leeds City Council (LCC), were fully consulted about the BCS and the proposed Holme Wood SUE, including both Green Belt and highways implications. LCC has raised some concerns about the impact of new housing development close to its borders, including that resulting from the Proposed Modifications, but is content for these issues to be considered again in more detail when specific sites have been identified in the SADPD & AAPs.
18. The BCS recognises the need to deliver economic development and regeneration within the wider context of LCR growth and ambitions, reflecting the labour market of a polycentric conurbation and alignment with the strategic priorities and objectives of the LEP and its Strategic Economic Plan (SEP) [PS/B001b(xv-xvii)]. As part of the DTC, the potential impact of new employment land in Bradford on the regeneration prospects in neighbouring areas has been identified as a key strategic issue, but no issues have been raised by LCR authorities about the economic and employment strategy of the BCS.
19. CBMDC has identified and addressed strategic issues relating to the Green Belt, re-stating the functions of the Green Belt, identifying the exceptional circumstances needed to amend the Green Belt and minimising the overall loss of Green Belt. This ensures a consistent approach to the Green Belt across the LCR sub-region when considering the implications of the scale and extent of proposed development on Green Belt in the LCR, and has been endorsed by the LCR authorities. Although the LCR authorities acknowledge the possible need for a full review of the Green Belt in the future, there is no current requirement for such a wide-ranging review.

CBMDC strongly maintains that such a review is unnecessary in Bradford, given its selective approach to Green Belt amendments in this district and the need to avoid prejudicing its strategic function. The BCS identifies the broad locations where amendments to the Green Belt may be needed, and the detailed boundaries of these amendments will be set out in the subsequent Site Allocations DPD (SADP).

20. On transport, engagement has involved cross-boundary issues, joint working with other local authorities, public transport bodies, Highways England/Highways Agency (HA/HE) and the highways authorities, strategic transport co-ordination with the LEP’s SEP and the West Yorkshire Combined Authority (WYCA). Joint working has taken place on transport models and in establishing a consistent approach to considering the impact of new development on strategic, local and cross-boundary road networks and key strategic transport corridors. The BCS addresses the objectives of the West Yorkshire Local Transport Plan (WYLTP) [PS/B001b(xxiv)] and the LCR Transport Strategy [PS/B001b(xxii)], and further work will be undertaken, working with adjoining authorities, to address the detailed traffic and transport implications of particular developments. Major cross-boundary routes, such as the M62, M621, M606 & A65, have been examined, earlier highways objections have been overcome, and further on-going joint working will undertake and share information on particular transport corridors. CBMDC has also positively engaged with prescribed and other bodies in identifying the key elements of infrastructure needed to deliver the BCS, culminating in a Local Infrastructure Plan (LIP) [EB/044; PS/M005].
21. In order to be consistent with other LCR authorities, CBMDC commissioned an update of the gypsy and traveller accommodation needs included in the 2008 Gypsy & Traveller Accommodation Assessment (GTAA) for West Yorkshire [PS/G004f-g]. The approach was discussed with other local authorities, but since the final results of this work were not available prior to submitting the BCS for examination, the amendments to site/pitch provision in Policy HO12 were subject to consultation as part of the Main Modifications process.
22. Strategic issues on the environment, including flood risk and HRA, have been discussed with neighbouring authorities and prescribed bodies, including Historic England/English Heritage (HE/EH), Natural England (NE) and the Environment Agency (EA). A revised sequential testing for flood risk has been produced, agreed with EA, along with some updating of the Stage 1 Strategic Flood Risk Assessment (SFRA); the potential for proposed developments to increase flood risk downstream has also been examined. CBMDC has worked with NE to produce the submitted and amended HRA, including identifying and delivering management and mitigation measures and ensuring a consistent approach to considering the impact of development on the South Pennine Moors SPA and on internationally protected sites outside Bradford. CBMDC has also worked with HE/EH on heritage assets, and with other LCR authorities to establish a consistent approach to renewable energy technologies, including wind energy, and green infrastructure.
23. On minerals, strategic issues and requirements have been identified and addressed, in liaison with LCR mineral planning authorities and the Regional Aggregates Working Party, including the cross-boundary implications of supply and import/export of aggregates and cut stone; the results and implications of the latest regional Local Aggregates Assessment have been subject to consultation as part of the Main Modifications process. CBMDC has also identified and addressed strategic issues and requirements relating to waste management, engaging with other waste planning authorities and the Yorkshire & Humber Waste Technical Advisory Body (YHWTAB), including assessing regional landfill capacity and cross-

boundary movements of waste into and out of Bradford; a Memorandum of Understanding (MOU) and Waste Position Statement has also been agreed with the YHWTAB. Updates of the base information about waste generation and capacity have been subject to consultation as part of the Main Modifications process.

24. Consequently, having considered all the evidence and discussions at the hearings, I conclude that CBMDC has met the legal requirements of the Duty to Co-operate in terms of maximising the effectiveness of the plan-making process and actively co-operating and engaging with relevant bodies on an ongoing basis.

Assessment of Soundness

Preamble

25. The BCS establishes the strategic planning framework for Bradford district up to 2030, setting out the development strategy and establishing the principles and policy framework to guide development in the future. It is a “high-level” strategic Core Strategy which sets the scene, with a vision for the future and a series of strategic core policies, followed by policies for the sub-areas of the district, including Bradford City, Airedale, Wharfedale and the South Pennine Towns and Villages; a Key Diagram/Spatial Vision Diagrams indicate broad locations for urban extensions and growth areas, including some Green Belt deletions. It then sets out a series of thematic policies, covering economy and jobs, transport and movement, housing, environment, minerals, waste management, design, implementation and delivery. It is accompanied by an extensive evidence base, including sustainability appraisals, supporting documents, background papers, technical reports and studies, along with further evidence/statements submitted to the examination. The BCS will be supplemented by a Site Allocations Plan (SADPD), Area Action Plans (AAPs) and a Waste Management DPD, to provide a comprehensive development plan for Bradford district, which will eventually supersede the Bradford Replacement Unitary Development Plan (2005) (RUDP).
26. Preparation of the BCS began in early 2005, developing Issues & Options (2007-2008), Preferred Option and a Further Engagement Draft (2011), culminating in the Publication Draft version of the plan (2014) [SD/015]. Early stages of the preparation of the BCS were influenced by the strategic context of the YHRSS, but this was formally revoked in 2013. However, the BCS is supported and justified by its own locally-derived evidence which does not rely on previous evidence or strategies in the YHRSS. This includes detailed assessments of housing need, employment land, viability, accommodation for gypsies and travellers, transport, highways and infrastructure. The DTC process has partly replaced the former mechanisms of regional planning, effectively addressing cross-boundary issues. There has also been close liaison between CBMDC, the LEP and neighbouring local authorities in the Leeds City Region (LCR) to ensure consistency of approach and in addressing cross-boundary issues.
27. In considering the soundness of this plan, I have not only had regard to the NPPF & Planning Practice Guidance (PPG), but also taken account of more recent Government and Ministerial statements about planning and plan-making, including amendments to the PPG, to which CBMDC has responded.

Main Issues

28. Taking account of the representations, supporting evidence, written statements and discussion at the examination hearings, there are seven main matters and eleven key issues upon which the soundness of the BCS depends.

MATTER 1: SPATIAL VISION AND STRATEGIC OBJECTIVES

Key issue – *Is the Spatial Vision for Bradford justified, effective, locally distinctive and appropriate, reflecting the Sustainable Community Strategy, community views and issues raised during the preparation of the Plan, and are the Strategic Objectives appropriate, effective, justified and soundly based, and will they help to deliver the spatial vision of the Plan?*

29. Section 3 of the BCS sets out a Spatial Vision for the future of Bradford district, along with a series of Strategic Objectives to provide a tangible and measurable way of delivering the Vision [PS/E002]. The Vision is supplemented by a series of place-specific spatial visions and policies for each sub-area.
30. The Vision derives from the challenges, issues, opportunities and aspirations of the Community Strategy [PS/B001b(i)], and gives spatial expression to this strategy. It provides a positive approach to the sustainable development of homes, economic growth and associated infrastructure, which has been informed by the local community through consultation, engagement and the evidence base. It also recognises the environmental, cultural and historic value of much of the district. Together with the place-specific visions for the sub-areas which highlight the importance of urban regeneration and use of brownfield land, it is a key starting point to establish a clear, concise, effective and locally distinctive spatial vision for the district. As such, it forms a sound basis for the strategic policies of the BCS, and provides an appropriate balance between economic growth, sustainable development, infrastructure requirements, environmental and social matters, and between brownfield and greenfield development.
31. Some participants expressed concern about the time-period of the BCS. When submitted, it covered a period of at least 15 years, but delays in the examination and adoption period would slightly reduce this period; however, the NPPF allows CBMDC to determine the appropriate plan period. Given the relatively long gestation period of this plan and CBMDC’s clear intention to review it well within this period, this is not a fundamental failing of the BCS. Issues about the vision and strategy for particular places, including Bradford City, Holme Wood, Airedale and Wharfedale, are dealt with in the sub-areas section of my report.
32. The Objectives cover the key strategic matters relevant to the delivery of the Spatial Vision, including cross-boundary issues, with specific linkages shown to corporate and LCR priorities; they directly relate to the Spatial Vision and reflect the challenges, issues, opportunities and aspirations of the Community Strategy. In Strategic Objective 2, CBMDC suggests confirming that housing, business and commercial needs are to be met *in full*; this is necessary to provide a firm and unequivocal statement of the intentions of this objective, making it effective, sound and consistent with the NPPF [MM1].
33. With this recommended change, the Spatial Vision and Strategic Objectives are locally distinctive and appropriate for Bradford district, reflecting the priorities of the Community Strategy and the views of local communities, and provide a sound and effective strategic framework for the plan’s strategy and strategic policies.

MATTER 2 – STRATEGIC CORE POLICIES

Key issue – Are the Overall Approach and Key Spatial Priorities, the principles of locating development, the general approach to the Green Belt, and the approach to development proposals in the South Pennine Moors Zone of Influence soundly based, effective, appropriate, deliverable, locally distinctive and justified by robust, proportionate and credible evidence, particularly in terms of delivering the proposed amount of housing, employment and other development, and are they positively prepared and consistent with the latest national policy?

34. Section 3 of the BCS also sets out key strategic core policies, including the overall approach and spatial priorities, settlement hierarchy, principles of locating development, Green Belt and protection of the South Pennine Moors. Issues relating to the settlement hierarchy are dealt with under Matter 5, and other strategic core policies are dealt with under the relevant topics, later in this report.

Overall approach and Key Spatial Priorities

35. Core Policy SC1 summarises the aims of the BCS and establishes the key spatial priorities to deliver the spatial vision and objectives of the Plan and capitalise on the main strategic strengths and issues across the district. It is a high-level core policy, which provides the strategic framework for the more detailed policies which follow. It establishes spatial priorities which reflect CBMDC’s key priorities, including regeneration, the need for a balanced distribution of development and infrastructure, as well as the nature of the settlements within the district and their roles, challenges and opportunities. It also recognises the important role that the district plays in the wider LCR and the priorities of the LEP’s SEP, along with the environmental and heritage assets of the district, the need for significant growth and the challenges in mitigating and managing the impact of climate change. It reflects the core principles in the NPPF (¶ 17), providing a balanced approach between the three dimensions of sustainable development, and is supported by further evidence which justifies its approach [SD/015; EB/038; EB/044; PS/E003].

36. Some participants were concerned that the policy over-emphasises the role of Bradford as the Regional City, but this is critical to the strategy in terms of regeneration and land supply; along with Shipley and Lower Baildon, it accounts for over 65% of the proposed new development in the district, whilst recognising that sustainable development is also proposed in other parts of the district. Issues relating to the *Economic Growth Areas* are dealt with under Policy EC1, and other policies deal with the status of particular settlements and concerns about infrastructure, related to the Local Infrastructure Plan [EB/044; PS/M005]. However, amendments to the policy and accompanying text are needed to reflect changes in the settlement hierarchy (covered under Policy SC4), to remove the impression that only housing to meet local needs is being provided for, and clarify the definition of *key hubs* in criterion B5 of the policy [MM2-4]. With these recommended amendments, the policy would be clear, effective and sound.

Principles for the location of development

37. Core Policy SC5 establishes the four main priorities guiding the location of development, with a sequential approach balancing the priorities of brownfield and greenfield land, local Green Belt releases and larger-scale urban extensions, as well as the accessibility, deliverability and viability of new development. It is a high-level strategic policy which gives direction to the BCS and the site-selection/allocation process, helping to deliver its vision and objectives through sustainable development; it also focuses on the main urban areas, but recognises the need for some loss of Green Belt. More detail is provided in Policies HO6 & HO7. The

spatial distribution of development is set out in detail in Policy HO3 and the associated sub-area Policies WD1, AD1, WD1 & PN1, which I deal with later.

38. The main concerns relate to the emphasis given to previously developed land (PDL) and the approach to the Green Belt. However, the prioritisation of developing PDL is entirely consistent with current policy in the NPPF (¶ 17), and with more recent ministerial statements and emerging policy, and is supported by evidence in the SHLAA [EB/049]. CBMDC accepts that greenfield sites will need to be developed, including some Green Belt land, but rightly maintains that the starting point should be to use developable and deliverable PDL, since it could offer benefits in terms of regenerating and improving an area, as well as reducing the need to use green spaces and greenfield sites. Greenfield sites are next in the sequence, reflecting national policy in the NPPF, which advises that non-Green Belt options should be looked at first in terms of meeting assessed development needs. This enables sites to be identified and compared during the site-selection process. Further flexibility is provided by excluding any contribution from windfall sites which may come forward during the plan period.
39. Issues about viability have been considered in the Viability Assessments [EB/045-046], which recognise the challenges which may be faced in the inner urban areas of Bradford city and Keighley, but the policy does not place undue emphasis on these types of sites. Policy SC5 also refers to accessibility, but the standards in Appendix 3 are a starting point, and are considered in more detail in Policies TR3 & TR5; infrastructure requirements are addressed in the Local Infrastructure Plan (LIP) [EB/044; PS/M005]. Consequently, the general approach of the policy, including the balance between brownfield and greenfield sites, is appropriate and justified.
40. However, amendments to the policy and accompanying text are needed to confirm that it only applies to the allocation of sites in subsequent plans, without preventing windfall developments in sustainable locations from coming forward, and to clarify the approach to the accessibility standards (in Appendix 3) **[MM13-14]**. With these recommended amendments, Policy SC5 would be clear, effective and soundly based.

Green Belt

41. Core Policy SC7 sets out the approach to the Green Belt, reaffirming its role and confirming that some releases of land from the Green Belt will be needed, but indicating that the revised Green Belt boundary should endure for at least 15 years from adoption of the BCS. The NPPF (¶ 83-84) confirms that existing Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the local plan, taking account of the need to promote sustainable patterns of development. The main issue is whether the approach of Policy SC7 is appropriate, effective, positively prepared, justified, soundly based and consistent with national policy, particularly in terms of identifying the exceptional circumstances needed to justify using Green Belt land and demonstrating the need to promote sustainable patterns of development.
42. CBMDC has identified the exceptional circumstances needed to justify the release of Green Belt land, in order to fully meet the development needs for housing and to support the regeneration and long-term economic success of the district [SD/16; PS/E003; PS/F067/086b]. Evidence in the SHLAA [EB/049; PS/G004i] confirms that insufficient land can be identified outside of the Green Belt to fully meet identified housing needs; some 11,000 dwellings are likely to have to be accommodated on Green Belt land, given the availability and constraints on non-Green Belt land.

43. Further evidence in the Growth Study [EB/037] confirms that land is available in the Green Belt in sustainable locations without undermining the functions and purpose of the Green Belt. Similarly, the Employment Land Review (ELR) [EB/027] confirms that a significant proportion of new employment land will have to be accommodated within Green Belt areas, to ensure a suitable offer of deliverable large sites in good market locations, given the current supply and quality of employment land in non-Green Belt areas.
44. These exceptional circumstances are closely related to meeting all identified development needs, promoting economic development and regeneration, and ensuring sustainable patterns of development. However, these specific circumstances are not explicitly set out in the submitted BCS, and so modifications are needed to the policy and accompanying text to confirm the exceptional circumstances needed to justify the use of Green Belt land and to meet the requirements of national policy **[MM17-18]**.
45. Policy SC7 confirms that a selective review of the Green Belt will be undertaken in the subsequent SADPD, in order to fully meet identified housing and other development needs; this detailed review will be undertaken within the strategic framework provided by the BCS, focusing on the broad areas where release of Green Belt land is needed, informed by published methodology and aligned to approaches adopted by neighbouring authorities, as confirmed in the DTC statement [SD/006]. The extent of the Green Belt around Bradford is well established and, although the RUDP reviewed the entire Green Belt in Bradford, in most cases it is drawn tightly around the urban areas. Moreover, a staged approach to assessing and reviewing Green Belt boundaries in separate parts of the local plan has been found sound in other cases and in legal judgements¹.
46. Some participants argued that a full review of the Green Belt is needed; indeed, some suggested a wider review of the sub-regional Green Belt undertaken in collaboration with neighbouring authorities. However, given the underlying strategy of the BCS, with its focus on specific areas, and in view of the different stages that adjoining local plans are at, this is neither practicable nor necessary. CBMDC and the LCR authorities accept that a strategic review of the wider Green Belt may be needed in the future, but there is currently no commitment to such a review, and neighbouring authorities are content with CBMDC’s approach [SD/006].
47. Moreover, the Growth Study [EB/037] provided a high-level review of land around the settlements in Bradford, including the functions of the Green Belt, and provided the strategic context for identifying potential broad locations for new development in the Green Belt. It also confirmed that, while Green Belt land releases will be needed at most settlements in the district, the release of such land will be minimised, supported by Policies HO5 & HO7; the detailed location, extent and implications of releasing such land will be considered in the SADPD. The sub-area policies indicate the implications of Green Belt release for each settlement, which are addressed later in my report. Moreover, since Green Belt boundaries are expected to endure beyond the current plan period, there is no absolute requirement to identify further Safeguarded Land, particularly since this matter can be reconsidered if and when the wider sub-regional Green Belt is reviewed. In these circumstances, the approach is appropriate for Bradford and accords with national policy in the NPPF (¶ 82-85).

¹ for example: Calverton PC and Nottingham CC, Broxtowe BC & Gedling BC and Peverill Securities Ltd & UKPP (Toton) Ltd [2015; EWHC 1078 (CO/4846/2014); 21/04/15]

48. Many participants were concerned about the extent and implications of Green Belt land releases in particular areas, including North-East and South-West Bradford, Holme Wood/Tong Valley, and settlements in Wharfedale. However, although the key diagrams indicate the broad location of such Green Belt releases, the precise location, extent and boundaries of such land will be addressed in the SADPD, as part of a detailed review and assessment of potential sites. A significant amount of Green Belt land will need to be released to accommodate identified housing and other development needs, but the detailed location, extent and implications of such releases cannot properly be considered at this stage in this high-level Core Strategy; this is a matter to be addressed in the subsequent SADPD.

49. Consequently, and with the recommended modifications to explicitly set out the exceptional circumstances justifying the use of Green Belt land **[MM17-18]**, the approach of Policy SC7 is appropriate, effective, positively prepared, justified, soundly based and consistent with national policy.

South Pennine Moors

50. Core Policy SC8 sets out the approach to new development in terms of protecting the South Pennine Moors SAC/SPA and its Zones of Influence. The main issue is whether this approach is appropriate, effective, positively prepared, justified, soundly based and consistent with the latest national policy and good practice.

51. The approach in the submitted Plan is based on the original Habitats Regulations Assessment (HRA) [SD/021]. However, serious concerns were raised by some participants about the approach, content and legal compliance of this HRA, particularly in terms of the conservation objectives of the South Pennine Moors SAC/SPA, the extent of the functional habitat, including the qualifying features, breeding assemblage and foraging areas for birds, the recreational impact of development, and its implications for the location and choice of housing sites, particularly in Wharfedale. Having reviewed the approach and content of the original HRA, the supporting material and evidence, I consider it had serious deficiencies, both in legal and content terms, and was unsatisfactory.

52. Consequently, CBMDC’s consultants reviewed and revised the original HRA work, in liaison with Natural England (NE). NE has agreed with the assessment approach and conclusions of the revised HRA, subject to all the necessary mitigation measures being developed and secured, and the revised approach has largely met the main concerns of representors. Amendments to the wording of Policy SC8 were publicised as part of the Main Modifications procedure and were discussed at the resumed hearings. CBMDC has also provided further evidence to explain and justify its revised approach [PS/K001].

53. The revised policy sets out the approach to development within three identified zones, confirming that development will not be permitted where it would be likely to lead to an adverse effect, which cannot be effectively mitigated, on the integrity of the SAC/SPA; it also sets out the approach to carrying out the assessment for each of the zones, with further guidance in the accompanying text. This revised approach takes a slightly less precautionary approach, and acknowledges that some adverse effects are capable of mitigation, reflecting the detailed technical work undertaken in the revised HRA. Although some participants criticise the approach and methodology, it is consistent with national policy in the NPPF (¶ 119), good practice guidance in the PPG [ID-8-011] and the

relevant regulations², and with the SA addendum [PS/G004c]. More detailed guidance will be provided in a subsequent SPD and the associated Strategic Access Management & Monitoring Strategy (SAMM). Although the local plans for neighbouring authorities are at different stages of preparation, the approach to development affecting the South Pennine Moors SPA within Bradford district is not inconsistent or incompatible with the approach of neighbouring areas.

54. On this basis, the revised policy provides a consistent, effective and proportionate approach to the potential impact of development on the South Pennine Moors SAC/SPA, which is appropriate to the strategic nature of this Plan; further more detailed assessments will be undertaken in the subsequent SADPD and for individual planning applications. There are some outstanding concerns about the detailed wording of some of the accompanying text and associated policies, including Policies EN2, AD1, WD1, PN1 & WM2; CBMDC has agreed some further minor changes to the wording, which have been endorsed by NE and, as the responsible body, it is this wording that is to be preferred; when read as a whole and in the context of the conclusions of the updated Habitats Regulations Assessment, the approach is clear, consistent and sound.
55. Consequently, with the recommended changes **[MM19-37]**, the revised approach to development affecting the integrity of the South Pennine Moors SAC/SPA is appropriate, effective and proportionate, without being unduly precautionary, and is justified, soundly based and consistent with national policy and good practice.

Flexibility and strategic guidance

56. The Plan and its policies include sufficient flexibility to take account of unexpected circumstances, including achieving a significant boost in housing supply, compared with past completions, by setting a minimum "at least" overall requirement. This would provide flexibility to enable other sustainable developments to come forward, including windfall sites and future proposals in neighbourhood plans, ensuring that housing supply is robust and meets identified needs. Further flexibility is provided within specific policies, including those that address viability, other contingencies and site-specific circumstances. As an integral part of the monitoring process, specific indicators show where remedial action is needed to ensure that the plan’s delivery targets are being met.
57. When the strategic core policies are read in the context of the detailed thematic policies which follow, they provide sufficient strategic guidance to direct future development and inform development decisions, by specifying the scale, location, timing and implementation of new strategic developments, as well as providing the policy framework for progressing developments and making development decisions. The Key Diagram and other sub-area diagrams specify the spatial elements of policies and proposals, including the key locations for the main housing and economic growth areas (including the urban extension at Holme Wood), potential localised Green Belt deletions, areas for regeneration and renewal, the settlement hierarchy and strategic transport network.

Alternative strategies and options

58. In order to establish the most appropriate strategy, it is necessary to consider alternative options in terms of the spatial distribution and scale of development. At the Issues & Options stage, CBMDC initially considered three strategic options based on regeneration, dispersal and focused growth; at the Further Issues &

² Conservation of Habitats & Species Regulations 2010 (Reg 102)

Options stage, four further options based on the YHRSS settlement hierarchy, continuation of the RUDP, focused and dispersed growth points, with a fifth option including an element of dispersal to non-city locations, were considered, all of which were subject to SA. Early options looked at different levels of development at the various settlements, including alternative locations and spatial distributions of development, but most of these options were set in the context of the YHRSS, including a higher housing figure of 50,000 dwellings; this would more than meet the objectively assessed housing needs of the district.

59. More recently, a wide range of options based on various housing and employment-led scenarios were examined in the Housing Requirement Studies [EB/028-033; PS/F017]. Various areas of search were examined for larger-scale developments, including Green Belt areas, and more detailed site options will be considered in subsequent SADPD & AAPs. This is a reasonable approach to take, given that this is a strategic plan and there is no need to meet any of the development needs of surrounding areas and no other authority proposes any peripheral development which might help to meet Bradford’s needs.
60. It is for CBMDC to determine which alternative strategies should be considered as part of the SA process and, on this basis, the approach set out is sound. PPG guidance [ID:11] does not require a specific set of alternatives to be considered at every stage of the process, providing reasons are given for selecting and rejecting particular alternatives. Having considered all the evidence, I am satisfied that CBMDC has considered reasonable and realistic alternative strategies, scenarios and options at various stages throughout the preparation of the BCS, with a full assessment of their advantages and disadvantages and reasons for rejecting and selecting particular alternatives in the associated SA reports.
61. Consequently, with the recommended amendments [MM2-4; 13-14; 17-37], the strategic core policies provide an appropriate, effective, deliverable, locally distinct and soundly based strategic framework for the BCS, which is justified with robust, proportionate and credible evidence, and which is positively prepared and consistent with national policy.

MATTER 3 – HOUSING

Housing requirement

Key issue – Has the Council undertaken its objective assessment of housing need in line with the latest national guidance and good practice?

62. In order to significantly boost housing supply, the NPPF requires plans to fully meet the objectively assessed need for market and affordable housing unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF’s policies as a whole, including specific constraint policies. It confirms that a Strategic Housing Market Assessment (SHMA) should assess the full housing need, working with neighbouring authorities where housing markets cross administrative boundaries. The scale and mix of housing should meet household and population projections, taking account of migration and demographic change, address the need for all types of housing, including affordable housing, and cater for housing demand. PPG [ID-2a] confirms that DCLG’s household projections are the starting point for assessing overall housing need; these can be adjusted to reflect local circumstances, such as demography, migration and household formation. Housing factors, including market signals, and economic factors, including economic projections and the likely change in the number of jobs, should also be taken into account.

63. The assessment of housing need requires assumptions and judgements to be made about various trends, based on a variety of empirical evidence, for which there is no single method, approach or data which determines the appropriate level of housing need; it is a matter of judgement based on an objective analysis of the available evidence, rather than on a forensic examination of each figure, estimate and assumption.
64. Policy HO1 sets an overall housing requirement of 56,140 homes (2004-2030); after allowing for completions between 2004-2013 and a reduction in vacant homes, it makes provision to allocate land for at least 42,100 homes between 2013-2030. This figure is based on CBMDC’s Housing Requirements Study (HRS) [EB/028-033] and SHMAs [EB/050-053], which establish an annual requirement of 2,200 homes (2011-2030); this includes an allowance of 7,687 dwellings to reflect past under-provision against the development plan targets for 2004-2011 and the shortfall against the proposed 2,200 housing target for 2011-2013, as well as an expected reduction of 3,000 dwellings from bringing vacant homes back into use [PS/E004a]. It also takes into account the relatively high need for affordable housing in the district (587 units/year).
65. CBMDC commissioned independent consultants to undertake the necessary work and has submitted detailed evidence and justification for its assessment of housing need [EB/028-033; EB/037; EB/050-053; SD/015-017; PS/F002, F017, F059, F063, F086f-i]. The latest update of housing requirements [EB/033; PS/E013-015] was commissioned as a result of work with neighbouring authorities, to ensure a consistent approach to addressing housing needs in the LCR. It is particularly relevant to note that neighbouring authorities do not dispute the proposed housing requirement figure, and none seek Bradford to meet any of their housing needs [SD/015]. The original HRS [EB/033] examined several core scenarios, based on various demographic and employment-led scenarios, whilst a more recent analysis includes updated and alternative demographic and employment-led trend-based scenarios incorporating migration data [PS/F002].
66. In general terms, CBMDC’s approach to establishing the objective assessment of housing need is consistent with the NPPF and PPG guidance, although it uses the term “housing requirement” as a proxy for “housing need”. As a starting point, the updated HRS uses what were, when the plan was prepared, the latest 2011-based household projections and 2012-based population projections, which establish a base demographic need for some 1,785 dw/year, increasing to 2,049-2,302 dw/yr for the employment-led and migration scenarios; the proposed requirement figure of 2,200 dw/yr is towards the upper end of the various scenarios. The HRS examined alternative headship rates, based on the 2008 & 2011-based household projections, and took account of national and international migration rates, including local adjustments to reflect higher levels of international migration in Bradford district [PS/F086f]. There may be some uncertainty about some of the projections and assumptions, but they are based on the most reliable published forecasts. The housing requirement figure is based on a reasonable balance between the various trend-based projections, reflecting likely household formation trends, local circumstances and economic needs and opportunities.
67. In terms of the housing market area, Bradford district is largely self-contained, with over 76% of moves made within the area, but with functional links with adjoining housing markets, including Leeds. The HRS and SHMA have considered other housing factors, including key drivers of population and housing growth, market demand and relevant market signals, the need for affordable housing and past housing provision and completion rates. The studies have thoroughly

analysed the housing market and addressed house sales and prices, transaction levels, affordability, vacancies, overcrowding, rates of development and the level of unmet housing need [PS/F059; F086i]. As regards past under-performance, CBMDC readily accepts that past completion rates and housing provision have fallen short of the required targets, and an allowance of 7,687 dwellings has been added to reflect this factor [PS/F086h]. The overall housing requirement figure represents a significant uplift in the demographic housing need, and takes into account past rates of growth and overcrowding.

68. The latest SHMA [EB/052] assesses the overall need for affordable housing within Bradford district, identifying a net need for some 587 affordable units/year, offsetting shortfalls and surpluses in dwelling stock. Future affordable housing need is already included in the demographic calculations and, given the overall housing requirement figure and the fact that most of the identified need for affordable housing will be met over the Plan period (see later), I can see little justification for a further uplift in the OAN to reflect this element of housing need. The studies have also reflected on the needs of different groups, including the elderly and disabled people.
69. The overall housing requirement figure also takes account of the expected reduction in vacant homes over the plan period. This reduction could be considered as part of the supply side of the equation, but CBMDC’s approach does not significantly affect the overall housing requirement figure. The anticipated reduction of 3,000 homes is supported by Policy HO10 and specific evidence [PS/B001b(x-xii)], recognising progress in delivering this objective by initiatives like the Empty Homes Strategy, in line with NPPF (¶ 51) and PPG guidance [ID-3-039].
70. The HRS also considered economic factors, not only in terms of the various employment-led scenarios, but also reflecting existing and future economic activity and economic growth rates, jobs growth, unemployment, commuting patterns and cross-boundary employment flows [SD/006]. The assumptions are clearly set out, including the basis for the economic models used. CBMDC recognises the apparent disparity between the aspirational number of jobs originally envisaged in Policy EC2 in the submitted Plan and the more realistic number of new jobs expected, based on future employment land supply (1,600 jobs/year). The latest HRS uses the most recent REM model, which indicates an annual increase of 1,604 jobs, equating to 28,867 jobs over the Plan period. As a result, the level of jobs growth in Policy EC2 has been amended to 1,600/year (see later), to ensure consistency between the housing and economic strategies. The housing projections are now fully aligned with the latest employment projections, recognising that both economic and housing markets are in an improving and recovering position. In considering economic factors, CBMDC also proposes a housing requirement figure which helps to support the priorities of the LEP’s SEP [PS/B001b(xv-xvii)].
71. Consequently, I am satisfied that the “housing requirement” figure of 2,200 dw/yr (2011-2030) fully meets the objectively assessed need for market and affordable housing over the Plan period. It more than meets demographic housing needs and addresses housing market signals and previous backlogs in housing provision, having regard to the growth in households since 2004 and housing completions. It takes account of the need for a significant boost in housing provision, compared with that envisaged in the previous RUDP (1,390 dw/year) and actual completions (721-1,000 dw/year). It also takes account of the proposed economic strategy and economic factors, including economic needs and opportunities. It includes two elements of uplift, reflecting past under-performance in housing completions and ensuring that the overall housing requirement aligns with economic and jobs

growth projections. Cross-boundary housing issues have been addressed, including the relationship with Leeds and the LCR. The housing requirement figure also reflects work undertaken at LCR level, which has emerged through a process of co-operation and co-ordination [SD/006], taking account of the housing and economic strategies, plans, priorities and projects of adjoining authorities, the LEP and other agencies. In bringing all the evidence together in establishing the overall housing requirement, CBMDC has also considered development, social, physical and policy constraints, including loss of Green Belt and infrastructure issues, along with likely delivery rates, viability and deliverability issues.

72. Several participants seek levels of housing provision both higher and lower than that proposed, some using differing assumptions and methodologies, including those relating to headship rates, market signals, economic activity rates, economic and jobs growth, whilst others use methodology which is inconsistent with the approach set out in the NPPF/PPG. Some highlight the fact that CBMDC is proposing to increase the level of housing provision above that needed to meet demographic trends, but this is only one element in the assessment of housing need. In the course of preparing the BCS, CBMDC has considered and assessed various alternative levels and spatial options of housing provision, including earlier options based on the former YHRSS and more recent alternatives based on the various scenarios included in the HRS [PS/F017]; allowances for windfalls, backlog and unmet need have also been considered [PS/F063; PS/F086g-h].
73. Some participants were particularly concerned about the potential impact on the Green Belt, some of which would be lost as a result of meeting the proposed level of housing required. The NPPF (¶ 14) confirms that Green Belt is one of the restrictive policies which may constrain the ability to fully meet objectively assessed needs. However, CBMDC has fully examined the impact of the proposed level of development on the Green Belt and has shown that a sustainable pattern of development can be provided by making significant, but limited and focused amendments to Green Belt boundaries, without fundamentally undermining the purposes and functions of the Green Belt, as allowed for in the NPPF (¶ 83-84). As I have found earlier in my report, the exceptional circumstances justifying the alteration of Green Belt boundaries have also been demonstrated.
74. The Strategic Housing Land Availability Assessment (SHLAA) [EB/049; PS/E018a-b; PS/G004i] confirms that maximum use will be made of brownfield and non-Green Belt land, whilst the Growth Study [EB/037] confirms that Green Belt releases can be made in a range of locations which are both sustainable and accessible, without undermining the local or strategic functions of the Green Belt; this assessment also considered housing land supply issues (see later). Issues of flood risk and drainage have been fully considered and CBMDC confirms that sites would be selected in non/low flood risk areas.
75. Consequently, and having reviewed all the evidence, I am satisfied that the proposed housing requirement figure will fully meet the objectively assessed need for market and affordable housing over the Plan period, and is soundly based, fully justified by proportionate and robust evidence, based on realistic assumptions, and is consistent with the approach advocated in the NPPF and PPG.
76. However, in order to fully explain, justify and update the process of establishing the overall housing requirement figure, some amendments are needed to the text accompanying Policy HO1 **[MM72-73]**. With these recommended amendments, the approach would be soundly based, fully justified, effective, positively prepared and consistent with the latest national policy and good practice guidance.

Housing supply

Key issue – Is the approach to identifying the strategic sources of housing supply fully justified with up-to-date and reliable evidence, effective, deliverable, positively prepared, soundly based and consistent with the latest national guidance?

77. The need to make adequate provision to ensure a sufficient supply of housing land is a key requirement of national policy. The NPPF advises that local authorities should identify and update the supply of specific deliverable housing sites to meet 5 years’ housing requirement, along with a buffer of 5/20% (depending on whether there has been persistent under-delivery of housing), together with developable sites or broad locations for growth in years 6-10 and, where possible, years 11-15; the expected rate of housing delivery should be shown in a housing trajectory. A Strategic Housing Land Availability Assessment (SHLAA) should also be prepared to establish realistic assumptions about the availability, suitability and viability of land to meet the identified need for housing over the plan period.
78. Policy HO2 confirms that the housing requirement figure will be met by strategic sources of housing supply, including past housing completions, sites with existing commitments and planning permission, unimplemented sites allocated in the RUDP, and additional deliverable and developable housing sites to be allocated in the SADPD, the AAPs and Local Neighbourhood Plans. It identifies specific priority area-based initiatives for growth, including designated Growth Areas (Shipley & Canal Road Corridor; Bradford City Centre, SE Bradford and other smaller-scale growth settlements), an urban extension at Holme Wood and local Green Belt releases. Further evidence is provided to justify the main elements of the strategic sources of housing supply, including current commitments and new development sites in the main areas of strategic growth, along with the potential capacity of key locations within these areas [SD/16; EB/037; PS/E004b]. However, further clarification is needed about the status of housing completions in order for the policy to be effective **[MM74]**. The detailed distribution and capacity of specific settlements and locations is addressed under Policy HO3.
79. Specific evidence about potential land supply is provided in the SHLAAs [EB/049; PS/E018a-b; PS/G004i], the latest of which undertakes a comprehensive and robust assessment of the suitability, availability, developability, deliverability, viability, sustainability and constraints of potential sites, and has been discussed with developers, landowners and other stakeholders. It provides an extensive “pool” of potential sites from which site allocations can be selected, identifying potential sites for almost 51,000 dwellings within the plan period, including over 19,000 on Green Belt or safeguarded land; sites for about 25,600 are identified as suitable now without constraints, suggesting that additional sites for over 16,000 dwellings will need to be identified to fully meet the housing requirement figure (42,100) indicated in Policy HO1.
80. The latest SHLAA confirms that there is insufficient land identified as suitable and available now, without constraints, to fully meet the proposed housing requirement figure. However, progress is being made on identifying new site allocations through the emerging AAPs for Bradford City Centre and the Shipley & Canal Road Corridor, progressing work on the Holme Wood urban extension, and preparing the SADPD; other initiatives involving CBMDC’s land assets and other housing providers will also help to ensure that the identified housing needs are fully met within the Plan period. The SHLAA also identifies some sites which are not currently available and may be developed in the longer-term, beyond the current plan period (c.4,000 dwellings), but some could come forward earlier.

81. The SHLAA confirms that sufficient brownfield land can be identified to reflect the targets for each sub-area/settlement set out in Policy HO6, although a significant number of sites will inevitably need to be allocated on greenfield land, including some Green Belt sites [PS/F086m]. Although windfall sites have been an important element in past supply, the current figures make no allowance for such sites, given the smaller site size and more thorough assessment of potential sites in the SHLAAs; however, if such sites did come forward in the future, this would give further flexibility in terms of meeting identified housing needs [PS/F086g].
82. However, the latest SHLAA and other evidence [PS/E004a; PS/F033-34; PS/F086j-k; PS/G004i] confirms that a 5-year housing land supply cannot currently be demonstrated in Bradford district; the latest evidence indicates that deliverable supply for this period is barely 2.3-3.3 years supply, depending on whether the backlog is met within five years or over the entire plan period. Furthermore, CBMDC accepts that, due to under-delivery in the past, a 20% buffer needs to be added to the 5-year housing land requirement, as advised in NPPF (¶ 47). Nevertheless, as a result of the commitment to fully meet the identified housing requirement figure, the BCS will make a significant contribution to securing a 5-year supply of housing land by identifying specific locations for new housing development, which will be taken forward in the subsequent SADPD and AAPs in terms of making specific land allocations.
83. Addressing the current shortfall of housing provision (over 7,680 dwellings) is a critical issue, particularly in terms of the 20% buffer and whether it will be met within 5 years (as recommended in the NPPF/PPG), or over the entire plan period. CBMDC proposes to meet the shortfall (including the 20% buffer) over the period of the Plan, as confirmed in the revised housing trajectory and explanatory text **[MM152-154]**. To attempt to fully meet the shortfall and buffer within the first 5 years would imply an excessive amount of new housing to be completed within this period (over 4,000 dw/year); this would be both unrealistic and undeliverable, particularly when seen in the context of the previous and current rates of dwelling completions (around 700-900/year) and the environmental and infrastructure implications of such increased provision [PS/F063; PS/F086h]. The BCS already aims to increase annual house completions to at least 2,200 dwellings, which represents a significant increase over current and past performance; even meeting the shortfall with the 20% buffer over the remaining plan period will be challenging, compared with past and current rates of housing completions. Consequently, there are sound reasons to justify an approach which envisages meeting the shortfall in housing delivery over the full plan period, ensuring an aspirational, but realistic supply of housing land.
84. Further consideration of the timing and phasing of new housing development is addressed under Policy HO4. However, provided that the necessary site allocations are made and come forward as expected, the provisions of Policy HO2 will ensure that sufficient land is allocated to fully meet housing requirements both over the next 5-year period and for later periods of the plan. CBMDC is fully aware of the need to make new site allocations, including new areas of growth and Green Belt releases, and the BCS will provide the strategic framework and spatial direction for making the necessary site allocations in subsequent parts of the development plan. The suitability, availability, developability, deliverability and viability of particular site allocations will need to be carefully assessed when specific sites are identified in subsequent AAPs/SADPD.

85. Some participants suggested that a better strategic framework could be provided for the designated Growth Areas. However, considering all the policies in the BCS and the supporting evidence, sufficient information is available about potential sites and options for the Growth Areas, including the Growth Study [EB/037] and sub-area policies. Work is actively taking place in bringing forward site allocations in these areas, including site appraisals, development frameworks and masterplans, through work on the AAPs and SADP. Considerable evidence is available, much of it subject to consultation and debate, along with infrastructure requirements, which have been included in the Local Infrastructure Plan (LIP) [EB/044]. Further work will also be undertaken on the details of specific allocations, including the Holme Wood urban extension.
86. Although the delivery of some sites in the inner areas of Bradford City may prove challenging, particularly in terms of viability and market demand, CBMDC is actively working on identifying and bringing forward such sites, involving various public/private sector initiatives, funding and development partners. Moreover, whilst many brownfield sites have come forward in the past, it is clear that identified housing needs cannot be met from this source alone, and greenfield and Green Belt sites will need to be identified to fully meet these housing needs. The precise extent of Green Belt land releases will be known when specific allocations are made in subsequent parts of the Local Plan. The deliverability of some large sites, such as Holme Wood, may be challenging, especially where significant infrastructure is needed, but realistic build rates have been used and the likely timescale and delivery of specific sites is indicated in the latest housing trajectory and will be regularly monitored.
87. Having considered all the available evidence and the discussions at the hearing sessions, and with the recommended updates and clarification to the housing trajectory and accompanying text [MM74; 152-154], I consider Policy HO2 provides a sound, effective and positively prepared strategic framework for delivering the housing required to meet the objectively assessed needs of the district, which is justified with reliable and up-to-date evidence and is consistent with the approach outlined in national policy guidance.

Spatial distribution of housing development

88. The spatial distribution of housing development, outlined in Policy HO3, is dealt with under Matter 5, later in my report.

Affordable housing provision

Key issue – Is the Council’s approach to providing affordable housing appropriate, soundly based, justified with robust evidence, effective, deliverable, viable and consistent with the latest national guidance?

89. Access to affordable housing is a major issue in Bradford district. Policy HO11 aims to ensure a sufficient supply of good quality affordable housing throughout the district, and sets out the proportions of affordable housing required at new residential developments, ranging from up to 15% in inner Bradford and Keighley, up to 20% in towns, suburbs and villages, and up to 30% in Wharfedale. In the submitted BCS, the site threshold is 0.4ha/15 dwellings, except in Wharfedale and some villages, where it is lowered to 5 dwellings; affordable housing provision is also subject to viability considerations. The policy helps to meet key objectives and strategic priorities of CBMDC’s Housing Strategy and Community Strategy [PS/B001b(i)/(vii)], aiming to strike a balance between meeting the need for affordable housing and the economic viability of meeting such needs.

90. The affordable housing targets and thresholds for specific areas and settlements are informed and justified by evidence in the SHMAs [EB/050-053], and have been tested in the viability appraisals [EB/023-025; 045-046] and in other background evidence [SD/017; PS/E004f]. They reflect the relative need for affordable housing across the district, and the characteristics and market conditions of specific housing areas and settlements, including viability, affordability and proposed levels of housing provision in each sub-area of the district. Further flexibility is provided by setting targets “up to” the specific percentages. The site-size thresholds are informed by the SHMA and viability assessments, including the lower threshold in higher value areas.
91. The net need for affordable housing identified in the SHMAs (587 units/year) will be met by various means, involving private housebuilders, CBMDC’s own housing programme and other social housing partners. Firstly, by aiming to ensure that between 20-25% of total housing delivery is affordable housing, the proposed level of provision would help to meet the annual net need for affordable housing; over 7,700 units are expected to be delivered in this way (over 18% of the total housing provision) [PS/E004f]. Provision will be negotiated on a site-by-site basis, having regard to viability and site suitability, which represents a positive, effective and flexible approach, and enables changing market conditions to be taken into account, in line with national guidance (NPPF; ¶ 50; 173-174; PPG [ID-10/23b]); higher targets or levels of provision would be unrealistic, unachievable and raise viability issues. CBMDC’s own social housing programme is expected to deliver 766 affordable homes over the next 3 years, and further provision will be made by other social housing and Registered Providers. CBMDC will also develop and use grant funding sources, including those secured through the Homes & Communities Agency (HCA), and other specific measures to support the delivery of affordable housing, as well as maximising the re-use of vacant homes and opportunities offered by Council-owned land.
92. This approach is effective in enabling affordable housing to be delivered across the district, through targets and thresholds set for private housing schemes, along with other public and private sector initiatives. Significant amounts of affordable housing have been delivered in the past, ranging from 196-322 units/year (around 30% of total provision) [PS/E004f]; as overall housing provision is expected to increase, so the amount of affordable housing will increase over the period of the Plan. The policy will help to deliver affordable housing where it is most needed, based on the SHMA evidence, focused on the larger urban areas and settlements in the district, although the actual delivery and funding of affordable housing will be for CBMDC and the providers to address.
93. Some participants were concerned that the targets and site thresholds are unduly onerous. However, the viability assessments [EB/023-25/045-046] address this matter, including the cumulative impact of other policy requirements and standards; they confirm that the proposed targets and thresholds would be viable over most of the district under improving/mid-market conditions, and the differential targets reflect the characteristics of the respective housing markets, as well as the viability implications of providing affordable housing. The latest viability study [EB/046] recognises that viability will be challenging in some inner urban areas, but grant funding or other subsidies will be directed to the areas of highest need, helping to bridge the viability gap; much will depend on the circumstances of specific developments and sites. Furthermore, the policy has the flexibility to address this issue on a site-by-site basis; developers will be able to

demonstrate lack of viability, if necessary, to reflect market conditions and site/sales values, which need not be unduly onerous.

94. However, national policy on affordable housing has changed over the period of examining the BCS. In November 2014, changes were made to national policy [PPG; ID-23b], aimed at boosting development on small sites and introducing a threshold of 10 units, under which affordable housing contributions and tariff-style planning obligations should not be sought. Following a legal challenge, this guidance was revoked in February 2015, and consequential amendments were made to the PPG [ID-23b-012]. A further legal challenge reinstated the earlier position and, in May 2016, further amendments were made to the PPG confirming that affordable housing contributions should not be sought from developments of 10 units or less [ID-23b-031].
95. Following the original change to national policy, CBMDC agreed to raise the threshold for affordable housing in Wharfedale and the smaller settlements to 11 dwellings, but following the first legal challenge, proposed to reduce it to 5 dwellings; this was subject to consultation as part of the Main Modifications process. CBMDC now recognises that the original 5-dwelling threshold for Wharfedale and the smaller settlements in the submitted policy is no longer consistent with the latest national policy and agrees to amend this threshold to 11 dwellings, with consequential amendments to the wording of the policy and accompanying text **[MM108-109]** [PS/H003b].
96. Although this revised threshold would reduce the supply of new affordable housing in Wharfedale and the smaller settlements, it is likely to improve the viability of delivering smaller sites in these areas; and since it would only apply to a limited number of sites below the revised threshold, the impact on the overall delivery of affordable housing would be relatively small. The implications of this higher threshold were considered during the examination, with associated evidence [PS/F073; PS/H003b], and no formal public consultation is needed on the higher threshold. Consequently, these latest amendments are recommended to ensure that the approach in Policy HO11 accords with the latest national policy.
97. Policy HO11 also sets out the approach to rural affordable housing, including Rural Exception Sites, helping to meet the need for affordable housing in rural areas and consistent with the latest national guidance in the NPPF/PPG [ID-23b].
98. Consequently, having considered all the supporting evidence and discussions at the hearing sessions, and subject to the recommended modifications **[MM108-109]**, CBMDC’s amended approach to the provision of affordable housing is soundly based, justified with robust and up-to-date evidence, effective, deliverable, viable and consistent with the latest national policy.

Managing housing delivery

Key issue – Does the Plan provide a clear, effective and soundly based framework for managing housing delivery, which is fully justified with evidence, positively prepared and consistent with the latest national guidance?

99. Section 5.3 of the BCS also sets out policies for managing housing delivery, including phasing, density, previously developed land, principles for allocating housing sites, housing mix and quality, overcrowding, and gypsies and travellers.

Phasing

100. Policy HO4 sets out the approach to phasing new housing development, splitting the plan period into two phases, and establishing the proportion of development and the principles of allocating sites within each phase, with 61% (25,533 units) within the first phase and the remainder in the second phase; the results are shown in the updated housing trajectory. The purpose of the policy is to manage the delivery of housing growth and the release of housing sites over the plan period in a sustainable way, without constraining delivery, especially since the proposed housing requirement figure may be challenging, compared with previous trends, particularly in terms of providing infrastructure and services and the release of Green Belt land. CBMDC justifies this approach in the BCS and in supplementary evidence [PS/E007b].
101. The main concerns are whether the approach to phasing is consistent with the NPPF, and whether it would undermine housing supply or preclude sustainable and deliverable housing sites from coming forward. Policy HO4 sets the general parameters of overall housing provision within the two phases, but the precise phasing of specific housing sites will depend on further work being undertaken in the SADPD & AAPs; CBMDC confirms that there would be no bar on any type or location of site being included in the first phase, subject to suitability, availability, deliverability, viability and the provision of the necessary infrastructure.
102. Although national policy does not encourage or require the phasing of housing development, it promotes sustainable development and does not preclude the phasing of housing delivery. Phasing can be justified where there is a clear link to the provision of essential infrastructure and services [PPG: ID:12-018; ID:34-005], as in this case, where service providers support this approach. Given the significant increase in the overall scale of housing growth proposed in the BCS compared with previous plans, it would not undermine the need to significantly boost housing supply or prevent the provision of sustainable housing schemes.
103. Moreover, the phasing policy would not directly conflict with the guidance in the NPPF (¶ 47), which advises that plans should identify key sites which are critical to housing delivery and emphasises the need to maintain a 5-year supply of housing throughout the plan period, with a housing trajectory showing how this will be delivered. Nor would it lead to any shortfall in housing provision, since sufficient sites will be identified to maintain housing supply throughout the plan period, including unexpected windfall sites and a 20% buffer to the 5-year supply.
104. Consequently, given the specific circumstances of Bradford and the need to ensure that sufficient land is identified to deliver housing throughout the Plan period, the general approach to phasing should help to positively manage the delivery of new housing, without undermining housing provision or unnecessarily preventing or delaying sustainable housing development from coming forward.
105. However, some amendments are needed to the wording of the policy and the accompanying text. Firstly, clarification is needed about the scale and proportion of each phase of housing delivery and the role of the SADPD; secondly, confirmation that some large or complex sites may need to be brought forward within the first phase, where this would aid delivery within the Plan period and secure required investment and infrastructure; thirdly, that a 5-year supply (including buffer) will be maintained throughout the Plan period; fourthly, to explain how the policy will support housing delivery and regeneration, including the early release of housing sites in the AAPs and the approach where shortfalls

in supply may occur; fifthly, to confirm that the phasing policy only applies to site allocations, rather than to other sustainable housing sites (including windfalls) that may come forward in the future; and finally to amend and update the housing trajectory to show the expected delivery of housing **[MM89-92; 152-154]**. These amendments would ensure that the policy fully delivers and maintains the required supply of new housing throughout the Plan period in a clear, effective and soundly based way, and better reflects national guidance.

Density

106. Policy HO5 establishes the minimum density expected of housing developments (30dw/ha), in order to achieve the best and most efficient use of land. NPPF (¶ 47) advises planning authorities to set out their approach to housing density to reflect local circumstances. In this case, given the scale of new housing needed and land constraints (including the need to minimise the loss of Green Belt land), it is important to use land efficiently. The policy sets a reasonably modest benchmark, which should be achievable on most sites, but allows flexibility to provide higher or lower densities in particular cases. It provides a realistic starting point for discussions, with the aim of making the most effective use of specific sites. The application of the policy may result in better designs and higher yields, particularly in inner city areas, so should not adversely affect the 5-year supply of housing; in the past, most new housing schemes have achieved the minimum requirements, and the SHLAA [EB/049; PS/G004i] uses a range of densities at and above this figure. The Viability Studies [EB/045-046] confirm that this minimum density level should not have any implications for viability, given the flexible approach envisaged; higher densities may be challenging in some cases, but this will largely depend on site-specific, locational and market factors; these issues will be considered in more detail at the SADPD/AAP stage when site allocations are made, including setting local density targets.
107. However, further clarification is needed in the accompanying text to confirm that *most*, rather than all, developments should achieve the minimum density, and confirm that this relates to net density, with an associated definition **[MM93-95]**. This would ensure that the policy is clear, effective, achievable and consistent with national policy, with sufficient flexibility to respond to site-specific factors.

Use of Previously Developed Land

108. Policy HO6 aims to maximise the use of previously developed land (PDL), setting targets for the Plan period and for the Regional City, Principal Towns and Local Growth & Local Service Centres. Although the NPPF (¶ 111) *encourages* rather than *prioritises* the use of PDL, given the increased emphasis on such development, this approach is not inconsistent with current national guidance [PPG: ID-10], more recent ministerial statements and emerging national policy. The proposed targets are supported by evidence on specific sites in the SHLAA [EB/049; PS/G004i] and in the housing trajectory, and are in fact lower than rates achieved in the past; they also relate to the delivery of housing completions, rather than just to proposed site allocations. The higher targets within Bradford city reflect the supply of potential brownfield land within the urban area, whilst lower targets elsewhere reflect the need for some greenfield development, including land released from the Green Belt. While higher targets may be challenging in some cases, CBMDC confirms that they are achievable [PS/E007b]; issues of viability have been addressed in the Viability Studies [EB/045-046]. Given the increasing focus on the use of PDL, there is little evidence that the targets would adversely impact on the supply of housing, particularly since greenfield sites will continue to come forward to balance the overall supply.

109. However, to provide more flexibility and confirm that the percentages are *targets* rather than *minimum requirements*, amendments are needed to the wording of the policy and accompanying text **[MM96-98]**; an amendment is also needed to Appendix 6 (Table 3) to clarify the approach where PDL delivery targets are not being met **[MM156]**. With these recommended amendments, the policy would be clear, effective and consistent with existing and emerging national policy, with sufficient flexibility to respond to site-specific factors.

Principles for allocating new housing sites

110. Policy HO7 establishes the principles for allocating new housing sites, in order to deliver and manage growth in a sustainable way, which are key elements of national policy. It sets the strategic framework to guide the allocation of sites in subsequent plans, enabling potential sites to be compared and assessed in an objective way. It reflects the over-arching principles in Core Policy SC5 and key strategic objectives, and aligns with CBMDC’s corporate goals for achieving growth and regeneration and those of the LEP’s SEP. It also reflects the balance between homes and jobs, and between brownfield and greenfield sites established in other policies, with a range of factors to ensure the delivery of sustainable development; these include prioritising those sites which assist regeneration and address infrastructure deficiencies and maximising the use of previously developed land. It recognises the need to minimise the loss of Green Belt, whilst maximising environmental benefits and minimising environmental impacts. It provides an effective framework for allocating sites in subsequent plans, which is consistent with national policy and needs no amendments in terms of soundness.

Mix and balance of new housing

111. Policy HO8 seeks to ensure a mix and balance of new housing to meet the needs of the district’s population, with specific principles and strategic priorities. This approach is consistent with the NPPF (¶ 50; 159) and is informed by evidence in the SHMAs [EB/050/052], which include a full analysis of the housing market, key market drivers and housing needs, along with other supplementary evidence [SD/017; PS/E007b]. Housing mix will be assessed on a site-by-site basis using published evidence and more recent evidence on local need and demand, rather than being established on a district/area-wide basis. A site size of 10 dwellings provides an appropriate threshold to provide a mix of housing, with flexibility to consider site-specific factors. The viability implications of providing a mix of housing will also be considered on a site-by-site basis, as confirmed in the Viability Studies [EB/045-046] and Policy ID2; this ensures that the policy requirements are effective and retain flexibility without being unduly onerous. However, the accompanying text needs to confirm that viability will be a factor when considering the appropriate housing mix on specific sites **[MM99]** in order to ensure that the policy is clear, effective and soundly based.

Design of new housing

112. Policy HO9 aims to ensure that new housing is of high quality and good design, setting out minimum standards. It is justified in the BCS and in supporting evidence [SD/017; PS/E007b], whilst the Viability Studies [EB/045-046] confirm the need to balance viability with deliverability and provide flexibility in terms of housing quality. The need to achieve good design is a key element of the NPPF (¶ 56-59), along with the need to consider low-carbon solutions. However, some of the detailed requirements in the policy (including references to sustainable, accessible and internal space standards) are not consistent with the recent Government review of housing standards. CBMDC therefore agrees to amend the detailed

wording of the policy and accompanying text, deleting reference to the *Code for Sustainable Homes, Lifetime Homes* and internal space standards [MM100-107]. These amendments would ensure that the policy is effective, up-to-date and consistent with the latest national policy on housing standards, with sufficient flexibility to ensure that it is not unduly onerous or detrimental to the delivery of new developments. Further evidence will be needed if CBMDC wishes to seek additional standards in any subsequent plans or guidance.

Overcrowding and empty homes

113. Policy HO10 aims to address the problems of overcrowding and the number of empty homes through a series of policy interventions and investment decisions. It accords with national policy in the NPPF (¶ 51) and is supported by CBMDC’s Housing & Homelessness Strategy, Empty Homes Delivery Plan and other initiatives [PS/B001b(vii; x-xi)]; it needs no amendments in terms of soundness.

Gypsies and travellers

114. Policy HO12 sets out the approach to providing sites for gypsy and traveller communities, including locational criteria. As submitted, it aimed to provide 74 new pitches for gypsies and travellers and 22 new pitches for travelling showpeople (2008-2030); this was based on the 2008 regional Gypsy & Traveller Accommodation Assessment (GTAA) [EB/043]. However, CBMDC commissioned an update for Bradford district, in order to update the pitch requirements and address concerns about the methodology raised by gypsy organisations, but this was not completed and approved until after the initial hearings of the examination had closed. The updated GTAA [PS/G004f-g] identifies a need for 82 pitches for gypsies and travellers (2014-2019), along with 9 pitches for the longer term (2019-2030) and 7 transit pitches, and 68 plots for travelling showpeople (2014-2019) with a longer term requirement for 13 plots; with existing provision, this equates to a total need for 39 new pitches for gypsies and travellers and 45 plots for travelling showpeople, together with an additional 7 plots for transit provision. These amended requirements, along with amendments to the policy and accompanying text, were subject to consultation as part of the Main Modifications procedure, and no new issues were raised [MM110-112].
115. Consequently, with the recommended amendments, the BCS provides a clear, effective and soundly based framework for managing housing delivery, which is fully justified with evidence, positively prepared and consistent with the latest national guidance.

MATTER 4 – ECONOMY AND JOBS

Key issue – Does the Plan set out a clear, effective and soundly based economic strategy which positively and proactively encourages sustainable enterprise and economic growth, and are the policies for economic prosperity, rural economy, employment land, city, town, district and local centres appropriate for Bradford, supported by a robust, credible and up-to-date evidence base and consistent with the latest national policy?

116. Section 5.1 of the BCS sets out policies addressing Bradford’s economic strategy, to ensure that business thrives in the district, generating opportunities to deliver jobs growth and prosperity. CBMDC has provided evidence to justify the overall economic and employment strategy of the BCS [SD/018; EB/027; PS/B001b(xiv); PS/E005]; this provides the strategic context and background to Bradford’s economy, analyses its strengths, weaknesses, opportunities and requirements, having regard to the LEP’s SEP [PS/B001b(xv)].

117. Policy EC1 sets out the ways in which a successful and competitive economy will be delivered across Bradford district. It is an over-arching strategic policy which recognises the key economic drivers and establishes the spatial priorities for stimulating and managing the economy, helping to transform economic conditions and manage the benefits of economic growth across the urban and rural areas of the district as part of the wider LCR. It is underpinned by a range of sub-regional and local evidence and is consistent with the strategic priorities of the LEP’s SEP and the key factors outlined in the NPPF (¶ 18-19). Although *Economic Growth Areas* are shown on the Key Diagram, there is a need to clarify their extent, focused in the Airedale corridor, Bradford city centre, the main towns along the M606 and in the north-east/south-east Bradford/Leeds interface [PS/F057]; it is also necessary to include extraction industries in the opportunities for business relating to environmental assets **[MM63-64]**. With these recommended additions, Policy EC1 would be clear, effective and soundly-based.
118. As submitted, Policy EC2 aims to support business and job creation, with the delivery of 2,897 new jobs annually and a supply of 135ha of developable employment land over the plan period. The original jobs growth figure was related to the working age population expected to have jobs, including those who receive job-seekers allowance; but this is a theoretical and aspirational figure that assumes full employment, which is unattainable [PS/F065]. In order to provide a more realistic indication of projected jobs growth, rather than an over-optimistic aspirational figure, CBMDC proposes to reduce the annual number of new jobs to 1,600 **[MM65-67]**; this is based on the Regional Econometric Model (REM) and is closely aligned with the jobs figure used to determine housing need.
119. A further amendment to the accompanying text is needed to clarify the nature of the potential new employment land supply set out in Policy EC2, confirming that less than 52ha of the total 116ha of existing employment land is potentially suitable for new investment and economic growth; taking account of qualitative factors, an additional 83.43ha of new employment land will need to be identified in the Bradford City and Airedale sub-areas **[MM68]**; these figures will be reviewed in the SADPD when specific site allocations are made [PS/F053-a]. With these recommended amendments, Policy EC2 would be clear, effective, aligned with the housing figures and soundly based.
120. Policy EC3 indicates how the overall employment land requirement (135ha) will be distributed across the district, with 100ha within Bradford city, 30ha in the Airedale corridor and 5ha in the Wharfedale corridor. Although the REM and Employment Land Review (ELR) [EB/026-027] provide a broad picture of local economic performance and a wide range of employment land needs (125-212ha), a more appropriate estimate of land requirements is based on past development trends, including past take-up of employment land [SD/018; PS/E005]; between 1983-2013, take-up of land averaged around 12.8ha/year, but based on a more recent period of 2001-2013, taking account of economic recessions, this averaged about 9ha/year, equating to a total of 135ha up to 2030 (limited to Class B uses and excluding growth in retail, health and service sector jobs). The overall level of employment land provision has been discussed with neighbouring authorities as part of the DTC, including the potential to prejudice their regeneration prospects, but no serious issues have emerged, subject to considering the detailed implications of specific site allocations at the SADPD stage.
121. On this basis, the proposed scale of provision represents a reasonable, deliverable and justified requirement for employment land over the current plan period. However, an amendment to the policy wording is needed, to confirm that this is

the minimum level of provision, to be sound, effective and consistent with the approach in Policy EC2, enable other sustainable sites to come forward, provide flexibility and choice, and ensure positive economic growth **[MM69]**.

122. As for the spatial distribution of employment land, this is based on market analysis in the ELR and the 5 functional economic areas within the district; it also reflects population and the economic priorities in the district, including city-centre regeneration and supporting the main employment corridors and hierarchy of towns [SD/018; EB/026-27; PS/B001b(xiv); PS/E005]. This approach is consistent with national policy in NPPF (¶ 18-22; 160-161) & PPG [ID-2a/3]. Employment land provision will be made up of existing deliverable sites within the RUDP, other sites with planning permission, sites identified in regeneration strategies and masterplans, and new sites identified in the AAPs and SADPD. CBMDC also confirms that this scale and distribution of new employment land will require some releases of land from the Green Belt; the BCS identifies broad areas of search for the larger employment sites within north/south-east Bradford and east/north-east of Keighley; specific sites will be allocated in the SADPD. The proposed scale and distribution of employment land is also balanced with the employment needs and scale of new housing proposed in each sub-area, and is well-related to underlying strategy and focus of the BCS.
123. The transport and traffic implications of the proposed spatial distribution of employment development have been assessed by the district-wide Transport Study [EB/039], Local Infrastructure Plan (LIP) [EB/044; PS/M005] and the Local Transport Plan (LTP) [PS/B001b(xxiv)]; more detailed traffic assessments will be undertaken when specific sites are allocated in the SADPD. Concerns about the broad locations for new employment sites, including infrastructure, use of brownfield land, impact on the environment, and the scale and location of potential sites in Wharfedale and Airedale, will similarly be addressed in more detail when specific sites are identified and allocated.
124. With the recommended amendment, Policy EC3 will set a soundly-based framework for the provision and spatial distribution of employment land which is effective, justified, positively prepared and consistent with national policy.
125. Policy EC4 seeks to manage economic and employment growth in an effective and sustainable manner, and sets out the criteria and delivery mechanisms, which reflect key policy guidance in the NPPF (¶ 21). The approach to protecting existing employment sites reflects the need to maintain the provision of jobs and retain a range of accommodation for business uses. It sets out a series of factors which need to be addressed, reflecting the needs of businesses and including viability, accessibility, market factors, regeneration and infrastructure considerations, and taking account of pressures for higher land value uses, without unnecessarily protecting land which will be unlikely to be needed for future employment uses; this approach reflects national policy in the NPPF (¶ 22). The policy also adequately supports agricultural and rural businesses, in line with NPPF (¶ 18), recognising that over 60% of the district covers rural areas.
126. However, some amendments to the policy and accompanying text are needed to confirm that *Strategic Employment Zones* will be identified in the SADPD & AAPs, and clarify the definition as key locations within the urban areas where existing industrial and business uses predominate [PS/F055] **[MM70-71]**. With these amendments, the policy is clear, effective and soundly based.

127. Policy EC5 sets out the approach to city, town, district and local centres, including the role of each centre, the need for retail impact assessments and the approach to retail and other town centre developments within and outside the existing centres. It defines the hierarchy of centres, based on retail studies [EB/034-036] and reflecting the settlement hierarchy established in Policy SC4, and seeks to positively maintain and enhance their roles, functions, vitality and viability, including through regeneration. Amendments to the settlement hierarchy proposed for Burley-in-Wharfedale and Menston (see later) do not significantly affect their role, status and function in retail and town centre terms.
128. The policy does not indicate the capacity for additional retail/town centre development, but figures are included in the retail studies [EB/034-036], and are regularly updated. The latest update confirms that planned investments and commitments will take up all of the short-medium term spare retail capacity in the defined centres, after allowing for enhancement of market share in Bradford city centre. The approach and boundaries of town centres and primary shopping areas will be reviewed in the SADPD and AAPs. The proposed thresholds for retail and other impact assessments reflect their differing scale, function and role and the potential retail impact; this approach is justified in the supporting evidence [EB/034-036]. The policy also addresses the need for small shops and other town centre uses, including offices, residential, community, cultural, health and educational facilities.
129. As drafted, the overall approach to city, town and other centres set out in Policy EC5 is consistent with national policy in the NPPF (¶ 23-27), and provides an appropriate, effective, comprehensive and soundly-based framework for establishing the hierarchy of centres, maintaining and enhancing their roles, and for considering development proposals within and outside them.
130. Consequently, with the recommended amendments **[MM63-71]**, the Plan sets out a clear, effective and soundly based economic strategy, which positively and proactively encourages sustainable enterprise and economic growth, is supported by robust, credible and up-to-date evidence and is consistent with the latest national policy.

MATTER 5 – SETTLEMENT HIERARCHY, SPATIAL DISTRIBUTION OF DEVELOPMENT AND SUB-AREA POLICIES

Key issue – Are the proposed Settlement Hierarchy, Spatial Distribution of Development and the Sub-Area Policies soundly based, effective, appropriate, deliverable, locally distinctive and justified by robust, proportionate and credible evidence, positively prepared and consistent with national policy, particularly in delivering the proposed amount of housing, employment and other development?

131. The proposed settlement hierarchy, spatial distribution of development and the policies for the individual sub-areas are probably the most contentious elements of the Plan. Although these aspects are dealt with under separate policies and sections of the Plan, they raise similar issues and concerns, and it is appropriate to deal with these matters comprehensively, in order to avoid duplication and repetition. The issues and concerns principally relate to Policies SC4, HO3, BD1-BD2, AD1-AD2, WD1-WD2 and PN1-PN2.

General context

Settlement Hierarchy

132. Core Policy SC4 sets out the proposed hierarchy of settlements, including the Regional City of Bradford (with Shipley & Lower Baildon), Principal Towns (Keighley, Bingley & Ilkley), Local Growth Centres (Queensbury, Thornton, Steeton with Eastburn & Silsden) and Local Service Centres, along with a framework for making planning and investment decisions. Following the work undertaken on the updated HRA [PS/G004h], CBMDC proposes to reclassify Burley-in-Wharfedale and Menston as Local Growth Centres, rather than Local Service Centres; this amendment was subject to the Main Modifications consultation and discussed at the resumed hearings.
133. The settlement hierarchy stems from work on the revoked YHRSS, but is now based on the 2011 Settlement Study [EB/040-042] and later Growth Study [EB/037]. It aims to direct growth to the most sustainable and accessible towns and settlements in the district; the ability of settlements to accommodate growth is based on potential housing land availability identified in the SHLAA [EB/049; PS/G004i]. CBMDC tested 4 options with a range of different development strategies and settlement hierarchies, supported by SA work, and the selected hierarchy broadly reflects the approach in the adopted RUDP; the Local Infrastructure Plan (LIP) [EB/044; PS/M005] identifies the critical infrastructure requirements associated with the proposed settlement hierarchy. Although some services and facilities in the towns and settlements may come and go, CBMDC confirms that there have been no material changes to the position when the Settlement Study and Growth Study were produced. Moreover, the latest land supply position in the updated SHLAA [PS/G004i] confirms the potential of the designated settlements to accommodate the proposed levels of growth.
134. From considering all the evidence and discussions at the hearings, it is clear that the original settlement hierarchy set out in the submitted Plan was unduly influenced by the flawed HRA work, particularly in terms of Burley-in-Wharfedale and Menston. However, and subject to my conclusions later in this section of my report, the approach of the revised settlement hierarchy seems to be more appropriate, properly justified by the updated HRA work and soundly based.

Spatial Distribution of Development

135. Policy HO3 sets out the broad distribution of housing development to the Regional City of Bradford, the Principal Towns, Local Growth Centres and Local Service Centres, including the various settlements within each of the sub-areas. Having considered all the evidence and discussions, it is clear that the spatial distribution originally set out in the submitted BCS was not fully justified; in some cases it was unduly influenced by a flawed HRA, with insufficient justification for reducing the apportionment to some settlements, and in other cases, there are doubts over delivering the proposed amounts of development in terms of the latest housing land supply assessment and potential impact on heritage assets.
136. Following discussions at the first round of hearings, and as a result of the revised HRA [PS/G004h; PS/F019], CBMDC set out a revised spatial distribution of development, which was the subject of Proposed Modifications and public consultation. Since this revised apportionment of development represents the Council’s latest position, it is this spatial distribution which needs to be assessed in terms of soundness. Both the original and revised spatial distributions of development are contentious locally, and need careful examination.

137. There are four general principles guiding the spatial distribution of development: alignment with the BCS’ vision and objectives; and with the settlement hierarchy; maximising the benefits of development and growth; and minimising the impact on critical environmental assets. The process started with a baseline distribution of housing based on the existing population of each sub-area and settlement. This was adjusted through a process of reality checking, taking account of land supply, the Growth Study [EB/037], Viability Assessments [EB/045-046], HRA and habitat surveys, flood risk and the sequential approach to the distribution of housing growth, transport modelling, infrastructure and environmental constraints; other factors included deliverability, key drivers of population and housing growth, including housing need and demand, maximising the use of brownfield land, minimising the loss of Green Belt, delivering affordable housing and regeneration priorities [SD/016-018; PS/E004b-c; PS/E005; PS/F018; PS/K002; PS/L001-009]. The amended distribution largely results from the revised HRA work, an updated land supply assessment [PS/G004i] and a further assessment of the need to reduce potential impacts on areas of historic interest [PS/K002].
138. Not surprisingly, the majority of new development is to be focused on the Regional City of Bradford, which has the most population. Under the revised spatial distribution, it is expected to take some 66% of the housing growth and the majority of employment development (100ha). This reflects its regional importance and its role, function and position in the settlement hierarchy of Bradford district, as well as the presence of brownfield land, regeneration opportunities and the potential supply of housing and employment land, including releases from the Green Belt.
139. The Principal Towns of *Keighley, Bingley & Ilkley* are now expected to take 17% (6,900 dwellings) of the housing growth. The individual targets are slightly above or below the baseline population proportion, reflecting Green Belt constraints and the potential supply of housing land. The increased target proposed for *Ilkley* is largely due to the less precautionary approach of the updated HRA work and the updated assessment of potential housing land.
140. The Local Growth Centres (LGC) (*Queensbury, Thornton, Silsden, Steeton with Eastburn* and now including *Burley-in-Wharfedale* and *Menston*) are now expected to take just over 11% of overall housing growth (4,900 dwellings). These apportionments are generally above the baseline population proportion, recognising the LGC’s role and function, as well as their accessibility along main transport corridors, potential to accommodate some growth, and the latest assessment of housing land supply. The increased amount of development now proposed at Silsden, Burley & Menston is largely due to the less precautionary approach of the revised HRA work and the updated assessment of potential housing land.
141. The Local Service Centres (LSC) are now expected to take about 6% of overall housing growth (2,550 dwellings); the individual targets are mainly slightly below the baseline population proportion, recognising available land supply and physical/policy constraints. These settlements tend to be smaller and less sustainable than the LGCs, with fewer facilities and less potential to accommodate growth; the focus is on meeting local needs and supporting existing services. The revised apportionments for *Baildon* and *Haworth* are due to concerns about the potential impact of development on the setting of the Saltaire World Heritage Site (WHS) or on the character and setting of Haworth Conservation Area.

142. Policies EC1-EC4 (see earlier in my report) deal with the amount and spatial distribution of new employment land, confirming that of the total 135ha, at least 100ha will be allocated to the Regional City of Bradford, 30ha to the Airedale corridor and 5ha to Wharfedale. This will involve selective Green Belt deletions in North Bradford, South-East Bradford and Keighley.
143. Before dealing with the detailed distribution of development, there are some common issues and concerns that need to be addressed, the first of which is the loss of Green Belt. Bradford city and most towns and settlements within the district are tightly constrained by a long-established Green Belt; there is little undeveloped or uncommitted land within or on the periphery of the built-up areas and, even maximising the use of brownfield land, some additional greenfield development is needed to fully meet the overall housing requirement, including sustainable locations within the existing Green Belt. The Growth Study [EB/037] assessed the impact of growth on the purposes of the Green Belt and identified broad locations where its purposes and functions would not be seriously undermined; a subsequent selective detailed Green Belt review will examine this matter further and inform the selection of specific sites in the SADPD. National policy (NPPF; ¶ 83) allows Green Belt boundaries to be reviewed as part of the local plan process, and CBMDC has demonstrated that exceptional circumstances exist to justify some development in the Green Belt (see earlier in my report).
144. Secondly, there are concerns about the ability of existing infrastructure and facilities to accommodate the proposed amount of housing envisaged at the various settlements, including traffic, transport and education. The district-wide Transport Study [EB/039] assessed the strategic position and identifies constraints and issues, reflecting the Local Transport Plan [PS/B001b(xxiv)]; further work will be undertaken at the site selection and allocation stage [PS/M011]. The Local Infrastructure Plan (LIP) [EB/044; PS/M005] identifies the critical infrastructure and improvements necessary to accommodate the scale of proposed development in each sub-area and settlement. CBMDC regularly liaises with transport, health and education authorities to ensure sufficient capacity is provided to accommodate the needs of new development, and most service providers are under a statutory obligation to ensure that capacity is available to serve new developments. In some cases, new development can enhance or improve existing facilities and services, as well as providing new facilities.
145. Flooding is a particular issue in many areas of Bradford district, not only in parts of the city centre and Shipley, but also along the Aire & Wharfe river valleys, as demonstrated in recent flooding events; groundwater flooding is also an issue in places on the edge of the moors like Menston. CBMDC has prepared a Stage 1 Strategic Flood Risk Assessment (SFRA) [EB/048], agreed with the Environment Agency (EA); this considers all types of flooding using the most up-to-date information available at the time, and CBMDC is currently preparing its own Flood Risk Management Strategy. Further work has been undertaken on the sequential testing of potential development sites [PS/F060; PS/L011; PS/M007; PS/M010] and more detailed work will be undertaken during the site selection and allocation stage. Much will depend on the selection and allocation of specific sites, but at this strategic stage, it is important to note that the latest sequential testing work [PS/M010] confirms that very few potential sites lie within Flood Risk 2 or 3a zones, and in places like Menston, Burley & Ilkley, the proposed scale of development can easily be accommodated on land outside these zones. More detailed guidance on the assessment of flood risk is provided by Policy EN7.

146. As for the likely proportion of development on brownfield and greenfield land, much will depend on the selection of specific sites, but the latest land supply assessment identifies potential brownfield and greenfield sites, and CBMDC aims to maximise the amount of development on brownfield sites. Policy HO6 sets an overall target of 50% of new housing on brownfield land, ranging from 55% within Bradford city to 15% in Local Growth Centres, reflecting the availability of brownfield land within these settlements. However, not all the required development can be accommodated on brownfield sites, due to issues of suitability, availability, viability and deliverability, and some development will have to take place on greenfield sites, including Green Belt land, in order to fully meet the overall housing requirement figure; this is shown in the comprehensive land supply assessment in the earlier and latest SHLAAs [EB/049; PS/G004i].
147. The revised spatial distribution of development is somewhat different to that set out in the earlier BCS FED. However, that previous apportionment was based on earlier evidence and on a higher overall level of housing development for the district; work undertaken on the original HRA and SHLAA also affected the revised distribution in the submitted BCS, and further HRA & SHLAA work during this examination has influenced the latest revised spatial distribution.
148. In general terms, the underlying strategy of concentrating most new development at key settlements within the district represents an appropriate, effective, deliverable and soundly based strategy, resulting in a sustainable pattern of development, in line with national policy. Subject to my conclusions later in this section, the general approach to the revised spatial distribution of development proposed for the main towns and settlements seems to be reasonable and proportionate in terms of their existing size, form, role and accessibility, the proportion of population, and their potential capacity to accommodate growth.

Sub-area policies

149. The sub-area policies set out the spatial development framework for each of the sub-areas of Bradford district, confirming the strategic pattern of development, including the broad distribution of housing and other development, along with the priorities for each sub-area, the nature and broad locations of the proposed growth, and policies for economic development, the environment and transport, highlighting the outcomes by the end of the plan period and investment priorities.

Regional City of Bradford, including Shipley and Lower Baildon

150. Policy BD1 sets out the strategic pattern of development for Bradford City, including urban regeneration and renewal priorities, and levels of growth in the various areas of the city, and outlines the detailed strategy for growth, economic development, the environment and transport in this sub-area [PS/E006a]. In terms of the settlement hierarchy, there can be little dispute that the *City of Bradford* (with Shipley & Lower Baildon) should lie at the top of the hierarchy, as the largest urban area with the most population, regional services, housing, employment, retail, health, leisure and cultural facilities, and good accessibility to neighbouring towns; this would also accord with its current and future role, and with the LEP’s SEP [PS/B001b(xv)]. The latest SHLAA [PS/G004i] confirms the ability of Bradford city to accommodate most of the proposed housing growth.
151. As regards the proposed spatial distribution of development, this focuses most new development on the Regional City of Bradford. As revised, Bradford City is expected to provide 27,750 dwellings, divided between the city centre, Canal

Road, Shipley and the four quadrants of the city, along with at least 100ha of employment land. The proposed reduction in housing for Bradford city, compared with the submitted BCS, (-900 dwellings) results from the revised apportionments proposed for Canal Road (3,100 dwellings; -100), Bradford NE (4,400 dwellings; -300) and Shipley (750 dwellings; -500).

152. In *Bradford city centre* (3,500 dwellings), development is likely to be focused on brownfield and redevelopment sites, including new sites and re-use of existing sites, with major growth, including employment. The latest SHLAA confirms that sufficient sites can be identified to meet this target and specific site allocations will be made in the emerging Bradford City Centre AAP.
153. The deliverability of the amount and type of proposed development in *Bradford city centre* is a key issue, with its focus on regeneration, redevelopment and use of brownfield land. The Viability Assessments [EB/045-046] show that delivery and viability are likely to be challenging in some cases, but CBMDC envisages a range of public and private interventions and initiatives to encourage and stimulate development, particularly for housing and employment; with continued improvement in market conditions and some flexibility in site allocations, viability issues can be addressed, in line with Policy ID2. I also understand that the apportionment to the city centre has been reduced from the total potential capacity identified in the latest SHLAA to reflect deliverability and viability factors.
154. The city centre is the focus of the district, rightly taking a good proportion of the overall development, and it is entirely appropriate that development is focused on this area, including a wide range of associated commercial, retail, cultural and leisure facilities. Extensive work has been undertaken in the City Centre Masterplan and neighbourhood design frameworks, carried forward in the emerging AAP, which examines key issues in more detail, with the aim of delivering the BCS’ strategy. CBMDC has drawn a reasonable balance between the need to focus new development in the city centre and recognising the challenges and realistic opportunities, for which there is a reasonable prospect of success and delivery within the plan period.
155. The revised apportionments for *Canal Road* and *Shipley* are largely based on a re-assessment of land supply and detailed work undertaken for the Shipley & Canal Road Corridor AAP. Proposals for development in the *Shipley & Canal Road Corridor* are well advanced, with the New Bolton Woods Masterplan, Strategic Development Framework, design work, technical studies and various planning applications, addressed in detail in the emerging AAP; the AAP will also address the need for the Shipley Eastern Link Road, referred to in the LIP [EB/044; PS/M005].
156. For *Shipley*, the lower figure is also due to boundary adjustments and concerns from Historic England (HE) about the potential impact of some development sites on the Saltaire WHS; the updated SHLAA confirms that sufficient land can be identified to meet the revised apportionment without having an adverse impact on this important heritage site. Until site-specific heritage impact assessments have been undertaken, it is appropriate to adopt a more precautionary approach which reflects the possible impact of some potential sites on the WHS. It is also worth noting that much of Shipley is already included in the Shipley & Canal Road Corridor AAP area, where a further 700 dwellings are proposed. However, in view of the reduction in the amount of new housing at Shipley, and to address HE’s concerns, clarification is needed about the nature of such development and the need to conserve those elements which contribute to the Saltaire WHS **[MM42]**.

157. *Bradford SE* is a sustainable area of the city, with regeneration priorities, and with the potential to accommodate a significant amount of new development, both on brownfield and greenfield sites, as confirmed in the latest SHLAA [PS/G004i]. The proposed apportionment for this area (6,000 dwellings) will require development and remodelling within the urban area, including a new Sustainable Urban Extension (SUE) at Holme Wood, currently in the Green Belt, which many local residents seek to remove from the BCS. Much of the justification for this project is provided in the Holme Wood & Tong Neighbourhood Development Plan (HWTNDP) [PS/B001b(iii)], which examined options for the long-term sustainable regeneration of the wider area, particularly the Holme Wood housing estate, including a SUE involving a change to Green Belt boundaries.
158. The submitted evidence (including the Growth Study [EB/037]) endorses the general principle of a SUE in this broad location and confirms that the area around Holme Wood could be allocated without undermining the key functions of the Green Belt, including the break between Leeds and Bradford; CBMDC has also demonstrated legitimate exceptional circumstances to justify amending Green Belt boundaries in this locality. Further work, including the detailed scale, extent and boundaries of the SUE and associated infrastructure and facilities, along with the impact on the local landscape of the Tong and Fulneck Valley and the nearby Conservation Area, will be undertaken in the forthcoming SADP.
159. The SUE will also facilitate the regeneration of Holme Wood housing estate, with cross-investment and improved linkages with the existing community, as well as providing new facilities and greenspaces. The proposed SE Bradford access route (included in the LTP and funded by the WYCA) could form a defensible long-term boundary to the SUE, as well as providing a strategic highway link between the M62 and Leeds-Bradford airport. Improvements to the A650 will also help to facilitate development and alleviate existing traffic congestion; key infrastructure requirements are set out in the LIP [EB/044; PS/M005].
160. The scale of the proposed development and associated infrastructure mean that it will probably not come forward until 2021. However, it is an active proposal, supported by development partners, which would help to produce a sustainable and integrated community. CBMDC has consulted and engaged with LCC about the project as part of the DTC, and has addressed issues raised by Historic England about its possible impact on Adwalton Moor Registered Battlefield, including undertaking a heritage impact assessment. Moreover, with many potential sites, delivery of the proposed level of development at SE Bradford does not solely depend on the Holme Wood SUE. Consequently, at this strategic level, the proposed amount of development, including the general principle of a SUE in this broad location, is justified and soundly based.
161. At *Bradford NW* (4,500 dwellings) and *Bradford SW* (5,500 dwellings), development is likely to be delivered by a mix of sites, including redevelopment and intensification within the urban area, along with a substantial contribution from sustainable Green Belt locations; the latest SHLAA confirms that sufficient land can be identified to meet these housing targets, including both brownfield and greenfield sites. However, for consistency and to clarify that the level of provision at Bradford SW is not a ceiling, an amendment to Criterion C4 of Policy BD1 is needed **[MM41]**.
162. For *Bradford NE*, the revised apportionment (4,400 dwellings) is based on an updated assessment of suitable, deliverable and developable housing land in the latest SHLAA [PS/G004i]; delivery of this level of development will require some

changes to Green Belt in sustainable locations, and details of improvements to roads and infrastructure are set out in the LIP [EB/044; PS/M005]. However, to increase the target to the previously proposed level would undoubtedly require further Green Belt releases and, based on current land availability, may not be deliverable. The Key Diagram confirms that North-East Bradford is proposed for economic development, including designation as an Economic Growth Area. However, clarification is needed about the nature of the Apperley Bridge/Esholt employment opportunity as a new high quality scheme, including research and development, rather than being led by such development **[MM40]**. CBMDC is also considering re-positioning the relevant symbol on the sub-area diagram, but any changes would be made as an Additional Modification [PS/M016].

163. Policy BD1 also sets out the strategic framework for economic development in the Regional City, including the amount, type and broad location of new employment development and associated facilities, reinforcing the role of the city centre and supported by economic evidence [SD/018; EB/027; PS/B001b(xiv-xv)]; with the amendment to Policy EC3 (see earlier), it also provides the flexibility to provide more employment land, if necessary. Key environmental issues are identified, including the role of the Green Belt between Leeds and Bradford, green infrastructure and recreation provision, and heritage assets; however, clarification of Criterion E5 of Policy BD1 is needed to include all of the key heritage assets in Bradford city centre **[MM43]**. The Policy also identifies the key transport improvements needed to accommodate the amount of proposed development, including changes to modal shift and key road and public transport projects, supported by transport evidence [EB/039; PS/B001b (xxxii-xxvi)] and identified in the LIP [EB/044; PS/M005]. The key outcomes of the policy are aspirational, but are realistic, capable of being delivered and supported by evidence.
164. Policy BD2 sets out the public and private sector investment priorities for Bradford City, in order to deliver transformation and change through economic development, housing renewal and growth, improved green infrastructure, community facilities and accessibility. The submitted evidence confirms that there is a realistic prospect of delivering these outcomes.
165. Consequently, I conclude that the settlement hierarchy, spatial distribution of development and sub-area policies for the Regional City of Bradford are appropriate, fully justified, effective and soundly based. However, to reflect changes to the spatial distribution, amendments are needed to Policies HO3 & BD1, for consistency and soundness **[MM38-43; 76-80; 86-87]**. With these and the other recommended changes, the amended policies set out a soundly based strategic framework for the future development of the Regional City of Bradford to guide development decisions and allocate specific sites in the AAPs and SADP.

Airedale

166. Policy AD1 sets out the strategic pattern of development in Airedale, including urban regeneration, renewal and new housing provision, levels of growth in Keighley and the other settlements, and the detailed strategy for economic development, the environment and transport; the expected outcomes are set out in the accompanying text [PS/E006b]. The strategy is informed by the earlier Airedale Masterplan, which identifies key issues and potential development sites, and the LEP’s SEP continues to advocate growth in this corridor [PS/B001b(xv-xvii)]. Airedale benefits from being located along the key transport corridor of the main A650 and Skipton-Leeds/Bradford railway line, and is now proposed to accommodate 8,450 new dwellings and at least 30ha of new employment land.

167. In terms of the settlement hierarchy, *Keighley* and *Bingley* are appropriately designated as Principal Towns, as the main focus for housing, employment, shopping, leisure, education, health and cultural facilities. *Keighley* is the largest town in Airedale, with a wide range of retail, employment, leisure and other services and facilities, good road and rail links to Bradford, and with the potential for regeneration and growth. *Bingley* has a focal role within Airedale, with a good range of facilities, shops and employment, and good rail and road accessibility to Bradford; its designation in the BCS reflects its similar status in the RUDP and recognises its role and opportunities for regeneration and growth.
168. The targets for *Keighley* (4,500 dwellings) and *Bingley* (1,400 dwellings) are slightly above or below the baseline population proportion, reflecting Green Belt constraints and the potential supply of housing land, and the latest SHLAA [PS/G004i] confirms that sufficient land can be identified to meet the proposed levels of development; both *Keighley* and *Bingley* are also key regeneration priorities, with a range of services, facilities and employment. There are issues relating to drainage and sewerage infrastructure, which may affect the phasing of development, but these are being addressed under Policy AD2 [PS/M005].
169. *Silsden* and *Steeton with Eastburn* are designated as Local Growth Centres. The proposed apportionments are slightly above the baseline population proportion, recognising their role, function, accessibility, sustainable location along main transport corridors, potential to accommodate growth and the latest assessment of housing land supply. The increased amount of development now proposed at *Silsden* (+200 dwellings) is largely due to the less precautionary approach of the revised HRA work and an updated assessment of potential housing land.
170. Some concerns have been raised about the ability of *Silsden* to deliver the amount of expected growth, particularly in terms of flood risk and infrastructure, including schools. However, these factors do not detract from its proposed position in the settlement hierarchy. *Silsden* is a hub for the upper Airedale/ Wharfedale communities, and the updated HRA work indicates that the increased amount of development could be accommodated without having an adverse impact on the integrity of the South Pennine Moors SAC. The latest SHLAA [PS/G004i] identifies sufficient potential land to meet the increased figure without using any land in the Green Belt or within Flood Risk Zones 2a or 3. CBMDC has identified no infrastructure issues which cannot be addressed by the relevant service providers when the detailed location and size of development sites has been established in the SADPD; critical infrastructure is identified in the LIP [EB/044; PS/M005]. No service providers have raised objections to the original or revised target figure, and issues relating to drainage, flood risk, school capacity, traffic and transport investment (including the Eastern Relief Road) will be addressed in more detail at the site allocations stage.
171. Some participants sought higher apportionments for *Steeton* and *Thornton*, since these are sustainable and accessible settlements, which might have the capacity to accommodate more growth. However, the latest SHLAA confirms that, whilst there are sufficient potential housing sites to meet the proposed apportionments, higher levels of development would probably involve greater loss of Green Belt land and/or development in flood risk areas. Some compare *Steeton* with *Silsden*, but these settlements have different characteristics, with the latter having more facilities, more potential land available without using Green Belt, and easy access to the railway station at *Steeton*.

172. *Baildon* and *Cottingley* are designated as Local Service Centres. The proposed apportionment to *Baildon* has been reduced, due to Historic England’s concerns about the potential impact of some development sites on the Saltaire WHS. No site-specific assessments have been undertaken, and no sites have been ruled out; but until detailed heritage impact assessments have been undertaken, a more precautionary approach needs to be taken towards the development potential of *Baildon*. These concerns affect only a small number of potential sites, and the latest SHLAA confirms that sufficient sites can be identified to meet the revised apportionment without using sites which might affect the Saltaire WHS. Much will depend on the selection of specific sites, as part of the SADPD process, but *Baildon* lies at the lowest tier of the settlement hierarchy and is tightly constrained by the Green Belt; there is also some doubt about whether the original targets can be met. Since there are alternative options for the spatial distribution of development, a small reduction to its apportionment is appropriate.
173. Some participants suggested that *Cottingley* should be designated as a LGC, pressing the case for more development. However, it is a relatively small settlement with a limited range of facilities and is tightly surrounded by the Green Belt, with land at risk of flooding on its northern edge; increased development here could compromise both these areas of land. Similar Green Belt constraints apply at *East Morton*. However, clarification is needed about the nature of new housing at *Cottingley* and *East Morton* to remove any requirement for local housing need assessments and the reference to local need [PS/F032] **[MM46]**.
174. Policy AD1 also sets out the strategic framework for economic development, including the amount, type and broad location of new employment development and associated facilities at *Keighley*, *Bingley* and *Silsden*, supported by specific evidence [SD/018; EB/027; PS/B001b (xiv-xv)]. Key environmental issues are identified, including the need to protect the integrity of the South Pennine Moors SAC/SPA, improvements to green infrastructure, river and canals, woodland, heritage assets and renewable energy. However, to reflect changes to the approach to the South Pennine Moors SAC/SPA in amended Policy SC8, amendments are needed to criterion E2 of Policy AD1, as agreed with NE **[MM48]**. A further amendment is needed to criterion D6 to cover all the elements which make a significant contribution to the character of this sub-area **[MM49]**. The Policy also identifies the key transport improvements needed to accommodate the amount of proposed development, including changes to modal shift and key road and public transport projects, supported by specific evidence [EB/039; PS/B001b (xxiv-xxvi)] and highlighted in the LIP [EB/044; PS/M005].
175. Policy AD2 sets out the public and private sector investment priorities for *Airedale*, in order to deliver transformation and change through economic development, housing renewal and growth, green infrastructure, community facilities and accessibility. A constraint to development in this sub-area is the capacity of the *Aire Valley Trunk Sewer*, and a specific reference is required in Policy AD2 to the need to work with *Yorkshire Water* and the EA to examine the water/waste water infrastructure needed to support growth and ensure that any development is aligned with investment in asset management and catchment management plans, in the interests of effectiveness and soundness **[MM50]**.
176. Consequently, I conclude that the settlement hierarchy, spatial distribution of development and sub-area policies for *Airedale* are appropriate, fully justified, effective and soundly based. However, to reflect the changes to the spatial distribution (including *Keighley*, *Bingley* and *Silsden*), Policies HO3 & AD1 need amending, for consistency and accuracy **[MM44-45; 47; 81-85 & 88]**. With

these and the other recommended modifications, the amended policies set out a soundly based strategic framework for the future development of Airedale to guide development decisions and identify and allocate specific sites in the SADP.

Wharfedale

177. Policy WD1 sets out the strategic framework to guide new housing provision in Wharfedale, including affordable housing. Wharfedale is now proposed to accommodate 2,500 new dwellings (6% of the total) and at least 5ha of new employment land. Increases to the apportionments are now proposed for *Ilkley*, *Burley-in-Wharfedale* and *Menston*, largely as a result of the revised designation of Burley and Menston as Local Growth Centres, due to the updated HRA work and an updated assessment of housing land availability in the latest SHLAA.
178. In terms of the settlement hierarchy, *Ilkley* is the main town in this part of Wharfedale, with Roman origins, developed as a Victorian spa town, and now a popular tourist destination; it has a good range of shops, leisure and local services, with some employment and good accessibility by road and rail to Leeds and Bradford. It is tightly contained by the Green Belt, and at times experiences road congestion and flooding in the lower parts of the valley, but these constraints do not undermine its established role as the Principal Town in this part of Wharfedale.
179. *Ilkley* now has a target of 1,000 dwellings (increased by 200), recognising that the original apportionment was significantly less than the baseline population proportion, and reflecting the less precautionary approach of the updated HRA work [PS/G004h]. The latest SHLAA confirms that sufficient potential housing sites can be identified to meet this revised level of development without having to utilise land within Flood Zones 2 or 3a. Given the tightly constrained Green Belt boundary around Ilkley and the lack of brownfield sites within the built-up area, a significant contribution from Green Belt land will be needed to meet the development target, as recognised in Policy WD1. Much will depend on the detailed selection and allocation of specific sites, but the Growth Study [EB/037] assessed the implications of development around Ilkley on the Green Belt and confirms that the proposed scale of development could be accommodated without seriously undermining its purposes or functions. Detailed impact on the local landscape and environment would be assessed at the site allocations stage.
180. As regards traffic and transport, further transport studies are to be undertaken at the site allocations stage, including the A65 corridor, and the capacity, frequency and quality of the rail service is likely to be improved over the period of this Plan; key infrastructure requirements are also addressed in the LIP [PS/M005]. New development of the size and scale anticipated may enhance and improve the provision of existing facilities, including the possibility of a new secondary school; further employment opportunities are also likely to be provided, including a new business park, along with affordable housing and parkland. There seems to be some scope for a carefully designed and controlled expansion of the town to the west and/or east without seriously affecting the form or setting of the town, causing coalescence or undermining the purposes and functions of the Green Belt. On this basis, the revised apportionment to Ilkley is appropriate, proportionate, justified, deliverable and soundly based.
181. Both *Burley-in-Wharfedale* and *Menston* were designated as LGCs in the BCS FED, but were downgraded in the submitted BCS because of the unduly precautionary approach taken in the original HRA work [SD/021]. They have now been re-designated as LGCs, largely on the basis of the less precautionary approach of

the revised HRA work [PS/G004h], supported by the latest land supply assessment [PS/GF004i]. The revised apportionments envisage 700 new dwellings at Burley (+ 500) and 600 dwellings at Menston (+ 200).

182. These are smaller settlements than some other LGCs, but have a good range of local facilities and services, including shops, health, education and community facilities. They are sustainable settlements, are popular places to live in, have grown in the past and have a strong demand for new housing. There are few employment opportunities, but they have good accessibility by road and rail to jobs in Leeds, Bradford and elsewhere. They are tightly constrained by the Green Belt and, given the lack of existing brownfield and greenfield sites within the built-up areas, significant areas of Green Belt land would be needed to meet these targets. However, the Growth Study [EB/037] assessed the impact of the proposed levels of development on the purposes of the Green Belt and concludes that there is the potential to accommodate some growth without coalescence or undermining Green Belt purposes. Nevertheless, the policy should confirm that a significant contribution from the Green Belt will be needed at Burley to meet the amended scale of development proposed and delete reference to local needs; for Menston, the policy should confirm that some local Green Belt changes will be needed to meet the amended development targets **[MM8; 52]**.
183. At times, parts of these settlements and their surroundings can be affected by flooding, and the main A65 can become congested at peak times, but these constraints do not adversely affect their current or future role and function or their ability to accommodate some future growth in a sustainable manner. There are concerns that insufficient information is available about flooding, including groundwater flooding at Menston, but CBMDC and the service providers are well aware of the situation and are progressing further work to identify and provide a solution to current problems [PC/M007]. Moreover, the latest SHLAA confirms that more than sufficient land can be identified in both settlements to meet these increased targets, none of which would be in Flood Risk Zones 2a or 3. There are concerns about the potential impact on the South Pennine Moors SAC/SPA, but the updated HRA work confirms that the increased targets are highly likely to be capable of being accommodated without adversely affecting the integrity of the South Pennine Moors SAC. Detailed assessments of flood risk (including groundwater flooding) [PS/M007], impact on the landscape, heritage and environment and infrastructure would largely depend on the selection of specific sites, to be addressed at the site allocation stage.
184. These settlements are close to the border with Leeds, but cross-boundary issues (including High Royds, education and traffic/transport) have been addressed through the DTC. More traffic would be generated, but CBMDC intends to further examine the A65 transport corridor at the SADPD stage [PS/M011]. The capacity of existing facilities would be reassessed at the site allocations stage; at Burley, the provision of a new primary school is likely as part of the proposed development. CBMDC is also liaising with the education and transport authorities about particular cross-boundary issues. There are no outstanding DTC issues raised by the proposed designation or levels of development at these settlements.
185. The proposed apportionments would represent a significant increase in the number of dwellings at these settlements, but both have grown in the past and these proposals would continue past trends at a relatively modest rate over the period of the Plan. Consequently, the revised apportionments for Burley and Menston are appropriate, reasonable and proportionate to the size, form and role of the

settlements, given their sustainable location along the main A65 transport corridor and their potential to accommodate further growth.

186. Some participants sought more development at *Addingham*, but this is not supported by local residents. The BCS FED allocated more housing to this settlement, but this was reduced in the submitted Plan due to the original HRA work; it was not increased as a result of the updated HRA work. The latest SHLAA confirms that sufficient potential land can be identified to meet the proposed apportionment without using Green Belt or sites in flood risk areas. However, an increased amount of development or identification of “reserve” sites would not be justified, since it would probably require the use of sites in the Green Belt and/or within flood risk areas, and could raise issues about potential impact on the South Pennine Moors SAC; Addingham is also lower in the hierarchy, less well located and less accessible than the other larger towns and settlements in Wharfedale. However, clarification is needed to delete reference to local needs and confirm that a smaller scale of housing and provision of local facilities is proposed at LSCs like Addingham, without the need to change Green Belt boundaries **[MM8; 10 & 55]**.
187. Policy WD1 also sets out the strategic framework for economic development, including the role of Ilkley, Burley, Addingham and Menston, and the nature of associated employment, retail and leisure development; this is supported by specific evidence [EB/027; PS/B001 (xiv)], and the amendment to Policy EC3 (see earlier) provides the flexibility to provide more employment land if required. Key environmental issues are identified, including the need to protect the integrity of the South Pennine Moors SAC/SPA and the role of the River Wharfe, green infrastructure, field patterns, tree cover and the wider river and moorland context. However, Policy WD1 needs amending to reflect the changes to the approach to the South Pennine Moors SAC/SPA in amended Policy SC8, including mitigation and the loss of foraging land, as agreed with NE **[MM53]**. Criterion D5 also needs amending to cover all the key heritage assets which need to be conserved and enhanced in Wharfedale **[MM54]**.
188. Policy WD1 also identifies the main transport improvements needed to accommodate the amount of proposed development, including changes to modal shift and key road and public transport projects. CBMDC is fully aware of traffic issues relating to the A65, on which further work will be undertaken at the SADPD stage, and key infrastructure requirements, including transport schemes and new/expanded facilities, are set out in the latest LIP [PS/M005].
189. Policy WD2 sets out the public and private sector investment priorities for Wharfedale, in order to deliver transformation and change through economic development, housing growth, improved green infrastructure, community facilities and accessibility. The submitted evidence confirms that there is a realistic prospect of delivering these outcomes.
190. Consequently, I conclude that the settlement hierarchy, spatial distribution of development and sub-area policies for Wharfedale are appropriate, fully justified, effective and soundly based. However, to reflect the changes to the settlement hierarchy and spatial distribution (including Ilkley, Burley-in-Wharfedale and Menston), Policies SC4, HO3 & WD1 need amending, for consistency and accuracy **[MM7-12; 44-45; 47; 75; 81-85 & 88]**. With these and the other recommended modifications, the amended policies set out a soundly based strategic framework for the future development of Wharfedale to guide development decisions and identify and allocate specific sites in the SADPD.

South Pennine Towns & Villages

191. Policy PN1 sets out the strategic pattern of development for the South Pennine Towns and Villages, including focusing new housing and economic growth at the main Local Growth and Service Centres in the sub-area, and sets out the detailed strategy for economic development, the environment and transport; the expected outcomes are set out in the accompanying text. The South Pennine towns and villages are now proposed to accommodate 3,400 new dwellings.
192. *Queensbury* and *Thornton* are appropriately designated as sustainable Local Growth Centres in the settlement hierarchy, with good accessibility to Bradford city and with the potential to accommodate some growth, as confirmed in the latest SHLAA. The remaining settlements are designated as LSCs.
193. The lower apportionment now proposed for *Haworth* (400 dwellings; -100) is largely due to Historic England’s concerns about the potential impact that some development sites could have on the character and setting of Haworth Conservation Area. No site-specific assessments have yet been undertaken and no sites have been ruled out, but until detailed heritage impact assessments have been undertaken, it is appropriate to take a more precautionary approach towards development capacity at Haworth, particularly for potential sites which may affect the character and setting of the Conservation Area. These concerns affect only a small number of the potential sites, and the latest SHLAA confirms that sufficient suitable sites can be identified to meet the revised apportionment without using sites which might affect the Conservation Area or involve Green Belt land.
194. Much will depend on the selection and allocation of specific sites, as part of the SADPD process, but Haworth lies at the lowest tier of the settlement hierarchy and is tightly constrained by the Green Belt; there is also some uncertainty about whether the original targets can be met, and there are alternative options for the spatial distribution of development, so it is entirely appropriate to make a modest reduction to its apportionment. However, for consistency, reference to meeting local needs should be deleted from the accompanying text covering Haworth, with a similar amendment in the text covering other Pennine villages **[MM60-62]**.
195. Some participants were concerned that there may be difficulties in delivering the expected amount of development in places like *Wilsden*. However, the proposed apportionment is relatively modest, much of which can be met from existing commitments, with little use of Green Belt land; the latest SHLAA identifies much more potential land than is needed to meet the proposed apportionment.
196. Policy PN1 also sets out the strategic framework for economic development in this sub-area, supporting rural diversification, retaining existing employment opportunities, and managing tourism pressures in these rural settlements. Key environmental issues are identified, including the need to protect the integrity of the South Pennine Moors SAC/SPA, historic networks and proximity of open moorland. However, amendments are needed to reflect the changes in the approach to the South Pennine Moors SAC/SPA in amended Policy SC8, including mitigation and the loss of foraging land, as agreed with NE **[MM58]**. Criterion E4 also needs amending to cover all the key heritage assets which should be conserved and enhanced in this sub-area **[MM59]**. The Policy also identifies the key transport improvements needed, including changes to modal shift and improved public transport links.

197. Policy PN2 sets out the public and private sector investment priorities for the South Pennine Towns & Villages, in order to manage change on a scale that meets local needs for housing, employment and renewal, enhances green infrastructure, heritage assets and community facilities and improves sustainable transport. The submitted evidence confirms that there is a realistic prospect of achieving these outcomes.
198. Consequently, I conclude that the settlement hierarchy, spatial distribution of development and sub-area policies for the South Pennine Towns and Villages are appropriate, fully justified, effective and soundly based. However, to reflect the changes to the spatial distribution of development (including Haworth) Policies HO3 & PN1 need amending, for consistency and accuracy **[MM56-57; 85 & 88]**. With these and the other recommended modifications, the amended policies set out a soundly based strategic framework for the future development of the South Pennine towns and villages to guide development decisions and identify and allocate specific sites in the SADPD.
199. With the recommended modifications, the Plan sets out a clear, justified and soundly based settlement hierarchy, spatial distribution of development and strategic framework for the Sub-Areas of the Regional City of Bradford, Airedale, Wharfedale and the South Pennine Towns and Villages, which is appropriate, locally distinctive, effective, positively prepared, deliverable and consistent with national policy.

MATTER 6 – OTHER POLICIES

Key issue – Does the Plan provide a clear, effective and soundly based framework for promoting sustainable transportation, protecting, maintaining and enhancing the high quality environment within Bradford, ensuring an adequate supply of sustainable minerals and waste management, and achieving good design, which is fully justified with evidence, positively prepared and consistent with the latest national policy?

Transport and Movement

200. Section 5.2 of the Plan sets out policies to provide an efficient and effective transport system supporting the key principles of connectivity, accessibility and sustainability. It reflects the key objectives of the West Yorkshire Local Transport Plan (LTP) [PS/B001b(xxiv)] to improve connectivity in the sub-region, make substantial progress towards a low-carbon sustainable transport system and enhance the quality of life for people living and working in and visiting the area. These policies aim to reduce travel and influence travel behaviour and modal shift, as well as setting out the approach to parking, public transport, cycling and walking, transport and tourism, improving connectivity and accessibility, freight transport and aircraft safety, along with priorities for transport investment and management. CBMDC confirms that Highways England (HE) and West Yorkshire Transport/Combined Authority (WYCA) are content with the approach of these policies. The policies are also supported by a district-wide Transport Study, which aims to establish the strategic impacts of the Plan’s proposals on the highway and public transport networks, including an assessment of specific measures needed to mitigate the key impacts of such proposals [EB/039].
201. Addressing travel growth and congestion is a major issue in Bradford district, particularly given the levels of housing and jobs growth proposed. Policy TR1 aims to reduce the demand for travel and influence modal shift, setting out measures to encourage and facilitate sustainable travel modes, limit travel growth, reduce

congestion and improve journey times. It is justified by evidence in the LTP [PS/B001b(xxiii)] and reflects key priorities of the West Yorkshire Plus Transport Fund [PS/B001b(xxv-xxvi)], WYCA and the LCR Transport Strategy [PS/B001b(xxiii)]. It also reflects key factors set out in the NPPF (¶ 29-38) & PPG [ID-42/54] relating to sustainable transport, patterns of development and evidence bases. It addresses the relationship between the location of development, accessibility and travel by applying accessibility standards and requiring new developments to provide transport assessments and travel plans. The viability and deliverability of the necessary transport infrastructure, including local “pressure points”, are set out in the Local Infrastructure Plan (LIP) [EB/044; PS/M005] and have also been assessed in the Viability Assessments [EB/045-046].

202. The scale of change needed to modal shift is significant, requiring an increased proportion of trips to be made by sustainable modes; there are concerns that it will be too great and impractical, given the capacity constraints of existing public transport routes, including bus and rail transport. However, although there may be challenges in some areas, application of the accessibility standards will help to ensure that new developments are sustainable and accessible, supported by transport assessments, travel plans, corridor studies and CBMDC’s district-wide Transport Study and Cycling Strategy [EB/039; PS/B001b(xxvii)]; improvements to local train and bus services are also possible and, in the longer term, changes to bus and rail franchises can take these factors on board. More detailed transport assessments will be undertaken for the AAPs & SADPD, including updating the district-wide Transport Study, key transport corridor studies and detailed site-by-site assessment of local transport impacts [PS/M0011]. On this basis, Policy TR1 is justified, effective, deliverable, soundly based and consistent with national guidance, and needs no amendments in terms of soundness.
203. The parking standards required by Policy TR2 and set out in Appendix 4 are indicative, consistent with those of neighbouring authorities; they also reflect local circumstances and allow for flexibility, without being unduly prescriptive. However, amendments to the detailed requirements in Appendix 4 are needed to clarify the definition of *Minimal Operational Requirement*, bring the parking standards for city/town centre development in line with CBMDC’s Parking Strategy, and to reflect national guidance in the NPPF (¶ 39-40) **[MM150-151]**.
204. Policies TR3 & TR5 aim to improve accessibility to public transport, a key element of sustainable transport. The Accessibility Standards set out in Appendix 3 were developed in co-operation with the forerunner of the WYCA after detailed analysis and reflecting the LTP, without being unduly prescriptive or onerous; most potential sites already meet these standards. The approach to cycling in Policy TR3 reflects CBMDC’s Cycling Strategy [PS/B001b(xxvii)]. Tourist and leisure destinations can be large trip generators, so it is important that the traffic and transport impact of such developments are properly considered, as set out in Policy TR4; this is consistent with NPPF (¶ 32). The approach to improving connectivity and accessibility set out in Policy TR5 provides a clear and effective strategy to promote sustainable transport, with existing transport “pressure points” and congestion areas identified in CBMDC’s Transport Study [EB/039] in the context of Policy TR7. Policies TR6 & TR8 deal adequately with freight transport and aircraft safety.
205. Several participants were concerned about the traffic and transport consequences of proposed developments in the BCS, including potential road congestion and the need to strengthen local public transport services, particularly at Holme Wood and in the Airedale and Wharfedale corridors. However, CBMDC’s Transport Study

[EB/039] addresses these matters at a strategic level and further detailed work will be undertaken on assessing transport and traffic impact when new developments come forward, including along the main A65/A650 corridors, additional mitigation measures and the issue of park-and-ride facilities and capacity [PS/M011]; Travel Plans will also be required for all major developments. In some cases, there will be challenges, but further more detailed work at the appropriate time will identify the issues and the mitigation and improvements needed.

206. Consequently, with the recommended modifications [**MM150-151**], the policies for transport and movement provide a clear, effective and strategic framework for promoting sustainable transportation, which is fully justified with evidence, positively prepared, soundly based and consistent with the latest national policy.

Environment

207. Core Policy SC6 seeks to support and encourage the maintenance, enhancement and extension of Green Infrastructure (GI). It reflects work undertaken with NE, EA and the LCR authorities in establishing a Green Infrastructure Strategy, and is consistent with national policy in NPPF (¶ 69-78) & PPG [ID-37]. It will help to raise the profile of GI and ensure that more high quality GI is provided as part of new developments. However, amendments are needed to the policy wording and accompanying text to reflect the need to provide natural greenspace to assist in mitigating any adverse effects of increased recreation on the South Pennine Moors SPA/SAC, as recommended in the latest HRA update [**MM15-16**]; this will ensure that the policy is effective and addresses the concerns of NE.
208. Section 5.4 of the BCS provides a set of policies to protect, maintain and enhance the high quality environment within Bradford district. Policy EN1 sets out the approach to protecting and improving the provision of open space and recreation facilities. It is underpinned by evidence, including the Health Impact Assessment and Open Space, Sport & Recreation Study, along with more recent work on the playing pitch strategy and allotments strategy. It is consistent with the NPPF (¶ 69-78) & PPG [ID-37] and has the support of Sport England. The open space standards (Appx 9) identify broad parameters, without being unduly onerous, whilst the green infrastructure element is supported by the latest HRA in terms of the provision and retention of greenspace. However, some amendments are needed to the wording of the policy and the accompanying text to reflect the latest HRA, including references to mitigating recreational pressure on the South Pennine Moors SPA and the associated SPD, and ensure that the policy is effective and sound [**MM113-114**].
209. Policy EN2 sets out the approach to biodiversity and geodiversity, covering the North & South Pennine Moors, locally designated sites, other habitats and species, and enhancement. It is justified with evidence on biodiversity, the ecological network and protected sites, prepared in association with NE, EA and local ecological groups, and is linked to further work on Biodiversity Action Plans. It will be delivered through a variety of policies, programmes and measures, working with key organisations, and is consistent with the NPPF (¶ 109-119) & PPG [ID-8] and natural environment legislation. However, some amendments are needed to the policy criteria and the accompanying text to better align with the NPPF, address the concerns of NE and reflect the latest HRA, particularly relating to the North & South Pennine Moors SPA/SAC, SSSIs, locally designated sites, habitats and species outside designated sites and ecological networks; this will ensure that the policy is clear, effective and consistent with national policy [**MM115-120**].

210. Policy EN3 seeks to preserve, protect and enhance the character, appearance and value of Bradford’s historic environment. It is supported by evidence on the historic environment, with further work having been undertaken on Adwalton Moor registered battlefield at the request of HE. However, an amendment to the accompanying text is needed to clarify the approach to the impact of unauthorised/unsympathetic development on heritage assets at the request of HE **[MM121]**. With this change, the policy would be effective and consistent with the NPPF (¶ 126-141).
211. Policies EN4 & EN5 indicate how development proposals should make a positive contribution to the conservation, management and enhancement of the diversity of the landscapes in the district and the preservation and enhancement of trees and woodland. They are supported by specific evidence, including that produced by NE on Natural Landscape Character Areas, the adopted Landscape Character SPD and CBMDC’s Woodland Strategy. They are consistent with the NPPF (¶ 109-125) & PPG [ID-8] and require no amendments in terms of soundness; minor changes will correct the references to Esholt and Tong landscape areas.
212. Core Policy SC2 sets out the strategic approach to climate change and the use of resources. It is supported by regional and district evidence and reflects other work being undertaken at national level and by the EA and other bodies. It encompasses flood risk, water management, climate change and housing standards, and is supported by CBMDC’s Low Emission Strategy. It identifies general principles of sustainability, rather than setting specific targets, and should be flexible enough to accommodate any future changes to housing standards at national level, without being unduly onerous for developers. It broadly reflects latest national policy in the NPPF (¶ 93-99) and PPG [ID-6], and is justified, effective, deliverable and soundly based.
213. Policy EN6 seeks to encourage the provision of low-carbon and renewable energy. It is linked to the approach to climate change in Core Policy SC2 and underpinned by a 2011 regional study, which assessed the potential resource for low-carbon and renewable energy generation and identified a wide range of opportunities for such development in this district. It identifies broad principles, rather than specific targets, with the flexibility to assess viability and other delivery implications on a site-by-site basis; further work, including local requirements and targets for renewable/decentralised energy, will be undertaken in subsequent plans. Although the general approach of the policy is consistent with guidance in the NPPF (¶ 93-99) & PPG [ID-5/6], the accompanying text needs to be updated to incorporate recent national guidance and ministerial statements about wind turbine developments **[MM122-MM126]**. With these recommended modifications, the policy would be effective and up-to-date.
214. Flooding is an important issue in many parts of the district, particularly Bradford city, Shipley, Airedale and Wharfedale, including Menston and Addingham, as shown in specific evidence and during previous and recent flooding events. Policy EN7 addresses flood risk, setting out the criteria to be used when assessing development proposals; CBMDC confirms that it covers all forms of flooding, including fluvial, surface and rising groundwater flooding [PS/F060; PS/F086q]. The policy is underpinned by evidence in the Level 1 SFRA [EB/048], endorsed by EA, which provides the framework for the overall appraisal and management of flood risk, as well as allowing the identification of land with the lowest probability of flooding; a more detailed Level 2 SFRA covers areas within the AAPs.

215. There is some criticism of the Level 1 SFRA, but it provides an accurate assessment of the strategic flood risk situation using the best information available at the time. As more information becomes available, the SFRA will be updated, with more detailed flood risk assessments being undertaken at the site selection stage. CBMDC has undertaken further work on the sequential testing approach, which will be an important element in site selection in subsequent plans, and has provided further evidence on its approach to flood risk and the strategic flood risk management plans [PS/E007d; PS/F060; PS/F086q; PS/L011; PS/M010]. This confirms that, with a few exceptions in Bradford city centre and Shipley, sufficient potential housing land can be identified without using land within Flood Risk 2a and 3. The key test is that new development does not increase the risk of flooding elsewhere, although in some cases, it may help to alleviate current flooding problems. The policy also addresses the concerns about Sustainable Drainage (SuDS), the effectiveness of which will be reviewed at national level³.
216. Some participants are concerned that the policy does not specifically address groundwater flooding, particularly at Menston. However, this is a more localised problem, rather than being a matter of strategic concern. CBMDC confirms that the policy covers all forms of flooding (including groundwater flooding), and that this factor will be addressed when applying the principles of sequential testing to the selection of sites at the SADPD stage [**MM127-129**]; these amendments would also reflect the outstanding concerns of EA and other participants and address more recent amendments to the PPG [ID-7]. With these recommended amendments, the policy would fully address flood risk issues, ensuring that these matters are properly assessed at the detailed site allocations stage, aligning with the NPPF (¶ 99-104) & PPG, and be effective and sound.
217. Within Bradford district there are many areas within transport corridors and land formerly used for manufacturing, engineering and industrial processes, where issues of land, air and water quality and the impact of new development can affect the quality of life, health and amenity. Policy EN8 sets out the approach to protecting public health and the environment, addressing these specific issues. It is supported by detailed evidence on air quality, low emissions, water pollution and contaminated land, and is generally consistent with national guidance (NPPF; ¶ 120-125) & PPG [ID-6; 30-33; 45]. However, the accompanying text needs to reflect the latest HRA and issues raised by NE about air quality at designated European sites [**MM130**]. With this amendment, the policy would reflect national guidance in the NPPF & PPG, ensure that air quality issues are properly considered in terms of designated European sites, and make the policy effective and sound.
218. Consequently, with the recommended amendments [**MM15-16 & 113-130**], the BCS would provide a clear, effective and soundly based framework for protecting, maintaining and enhancing the environment within Bradford district, which is justified, positively prepared and consistent with the latest national policy.

Minerals

219. Section 5.5 of the BCS sets out policies for extracting and safeguarding minerals, including new and extended sites, sandstone, sand and gravel, fireclay, coal and other hydrocarbons, to ensure a steady and adequate supply of minerals. Mineral resources in the district are mainly suited to the production of construction materials, including building and paving stones, building sand, crushed rock aggregates and clays [PS/B001b(xxx); PS/E007e]. Cross-boundary minerals issues,

³ Housing & Planning Act 2016 (Section 171)

including the import and supply of aggregates and cut stone, have been addressed in the DTC evidence [SD/006] and in the West Yorkshire Local Aggregates Assessment (LAA) [PS/B002b].

220. Policy EN9 sets out criteria and requirements for new and extended mineral extraction sites, aiming to strike a balance between investment in new minerals development and protecting the district’s natural resources, whilst supporting sustainable minerals development which meets key environmental criteria. It is supported by accompanying evidence [PS/B001b(xxx)], reflects national policy (NPPF; ¶ 143), and takes account of previous responses made by the minerals industry, environmental bodies and NE & HE/EH. However, amendments to the policy are needed to reflect the revised HRA work about the need to address any adverse effects on the South Pennine Moors SAC/SPA or associated foraging land, including mitigation, as agreed with NE **[MM131-132]**; with these additions, the policy would be clear, effective, deliverable and soundly based.
221. Policy EN10 sets out the approach to the supply of sandstone, including the criteria and requirements for future extraction, ancillary production of aggregates at other quarries, and areas of search for future quarries. Bradford is a major consumer of aggregates, but currently has no active aggregates extraction sites and only 4 active quarries producing sandstone [PS/E007e]. However, although there is a clear commitment to maintaining a supply of sandstone and aggregates and contributing to the landbanks, there is no indication of the required scale of minerals provision over the plan period, or information on the existing situation in terms of minerals provision or landbanks.
222. The West Yorkshire LAA [PS/B002b] is the key piece of evidence underlying the policy, along with other evidence about the need for building stone [PS/B001b(xxx); PS/F048]. Figures are available for West Yorkshire (which itself largely depends on imports of crushed rock from Derbyshire and North Yorkshire), but these have not been apportioned to the constituent authorities. However, in order for the policy to be clear, effective, justified and consistent with national policy (NPPF; ¶ 143-147 & 163) & PPG [ID-27], it should provide some more detailed information about the current position on the managed supply of aggregates in terms of the scale of future provision of crushed rock aggregates in West Yorkshire and the role of Bradford, referring to the latest LAA **[MM133]**.
223. Policy EN11 sets out the approach to the supply of sand, gravel, fireclay and hydrocarbons, including criteria and requirements for future extraction of sand and gravel, clay, coal, oil and gas, and the identification of areas of search for sand and gravel extraction sites. The policy is supported by regional research and the latest LAA, and the general approach is consistent with national policy in the NPPF (¶ 145-149). Although sandstone and clay are extracted within Bradford, coal, clay and sand and gravel were an important source of construction and energy minerals in the past and may become so in the future. I also understand that both Derbyshire and North Yorkshire mineral planning authorities are aware of the cross-boundary minerals provision issues relating to both aggregates and sand and gravel as part of the DTC discussions, including the fact that West Yorkshire is not capable of meeting its own needs for many of these minerals, including concreting aggregates.
224. However, although there is a clear commitment to contribute to a 7-year sand and gravel landbank, there is no indication of the required scale of minerals provision over the plan period, or any information about the existing situation in terms of minerals provision or landbanks. As with Policy EN10, sub-regional sand and

gravel production is not apportioned to the constituent authorities and, although there are no sand and gravel reserves within Bradford district, some potentially viable sand and gravel resources may exist as river terrace deposits; there may also be longer term supply constraints, including diminishing sand and gravel imports from North Yorkshire. Consequently, further information is needed in the accompanying text about the regional/sub-regional context and scale of provision identified in the West Yorkshire LAA, the approach to maintaining the landbank required and the role of Bradford in contributing to the supply of sand and gravel [PS/F048] **[MM134]**. In addition, the policy needs to confirm that it covers both coal and hydrocarbons such as oil and gas, as well as deleting the requirement to demonstrate the quality and suitability of any coal resources to be extracted **[MM135-136]**. With these amendments, the policy would be clear, effective, deliverable, positively prepared and consistent with national policy (NPPF; ¶ 145-149 & 163) & PPG [ID-27].

225. Policy EN12 sets out the approach to minerals within the safeguarding areas for sandstone, coal and sand and gravel, in order to avoid sterilising economically significant mineral resources. This is a protective policy which is designed to ensure that due consideration is given to the prior extraction of economically significant minerals in appropriate situations, having regard to the need for housing and economic growth in the district; this is generally in line with national policy (NPPF; ¶ 143) & PPG [ID-27]. Minerals Safeguarding Areas are identified in Appendix 13 of the BCS, informed by technical information on mineral resources from the British Geological Survey [PS/B001b(xxx)], and the policy is based on consultations with the minerals industry. However, an amendment to the policy is needed to clarify the scope where sandstone safeguarding would apply in terms of ground level/engineering issues **[MM137]**, to ensure that the policy is clear, effective, deliverable and consistent with national policy.
226. Consequently, with the recommended modifications **[MM131-137]**, the policies would provide an appropriate, effective, positively prepared and deliverable approach to the supply and safeguarding of sustainable minerals in Bradford, which is justified, soundly based and consistent with national policy.

Waste Management

227. Section 5.6 of the BCS sets out concise policies for waste management, to provide the strategic planning framework to minimise the negative effects of waste generation and management, encouraging a reduced use of resources and application of the waste hierarchy, and supporting the delivery of waste management facilities as critical infrastructure to support sustainable growth. It will be supplemented by a subsequent Waste Management DPD (WMDPD). Various options for waste management were considered during the preparation of the BCS, and the DTC statement [SD/06] highlights the need to address cross-boundary movements of waste into and out of Bradford.
228. The latest national guidance on waste management [PPG: ID-28] confirms that local plans should contain evidence about the waste management capacity in the area, with an understanding of capacity gaps and forecasts of future waste management capacity to deal with forecast waste arisings. This part of the BCS is devoid of any information about waste generation, capacity and future

requirements, and so amendments are needed to the policies and accompanying text to reflect the latest national policy⁴.

229. CBMDC has therefore redrafted this section of the BCS to include information about the current and future position on waste arisings, cross-boundary issues (including the import/export of waste to and from neighbouring authorities). It also sets out the strategic framework and spatial direction for waste management (including application of the national waste hierarchy), and the policy and principles for identifying waste management sites (including the current waste management capacity and gaps, and identifying an area of search for future provision of waste management facilities) [PS/F049a/b]. This information is based on up-to-date evidence in CBMDC’s Waste Data Forecasting Model, Municipal Waste Management Strategy, Waste Needs Assessment, Capacity Gap Analysis and Requirement Study [PS/B001b(xxxi-xxxii)] and EA Waste Data information; this will be reviewed and updated in the WMDPD, which will also identify suitable new waste management sites in appropriate locations within the area of search (Appendix 7), having regard to the priorities and criteria in amended Policy WM2 and recognising the need for sustainability and proximity to the main urban areas and major settlements. Waste recycling and recovery targets are listed as indicators in the monitoring framework.
230. With these recommended additions and amendments [**MM138-146**], the BCS would provide sufficient strategic guidance and spatial direction for the subsequent Waste Management DPD, and provide a sound, effective and deliverable waste management strategy which is justified with evidence, positively prepared and consistent with the CBMDC’s own Municipal Waste Management Strategy and the latest national policy (NPPW) & PPG [ID-28].

Achieving Good Design

231. Core Policy SC9 indicates how plans, proposals and decisions should contribute to creating high quality places and effective, cohesive and sustainable settlements. It reflects the importance of good design, sense of place and local distinctiveness, set out in the NPPG (¶ 56-68) & PPG [ID-26], and provides the strategic context for Policies DS1-DS5. It is supported by national and local evidence [EB/038] and is unlikely to have any direct implications on viability. The policy itself is not specific about particular standards or requirements, but uses general indicators to ensure its effectiveness.
232. Policies DS1-DS5 set out more detailed criteria for achieving good design, working with the landscape, addressing the urban character of Bradford district, the design and layout of streets, and creating safe and inclusive places, which are directly related to Core Policy SC9 & Policy HO9. They reflect many of the key design themes in NPPF (¶ 56-68) and PPG [ID-26], and the strategic objectives of the BCS. The supporting evidence [EB/038; EB/046; PS/E007g] shows that the specific policy requirements are unlikely to have any direct impact on the economic viability of development. As drafted, they are soundly based, justified, positively prepared, effective, deliverable and consistent with the latest national policy.

⁴ National Planning Policy for Waste (2014) (NPPW), Waste Management Plan for England (2013)) and PPG [ID-28].

MATTER 7 – IMPLEMENTATION AND DELIVERY

Key issue – Are the arrangements for monitoring the policies of the Plan adequate, effective, comprehensive and soundly based?

233. Section 6 of the BCS sets out policies to support the implementation and delivery of the BCS. These cover the key planning documents which will deliver the BCS, outline the approach to considering viability and developer contributions, explain how infrastructure will be delivered, and cover simplified planning, community involvement and regeneration, along with a framework for monitoring and implementation. They are related to Core Policy SC3, which sets out how effective collaboration between CBMDC, adjoining local authorities, Town & Parish Councils and other partners and communities will take place, including the DTC and the supportive measures necessary to make great places. The general approach of Policy SC3 is positively prepared, effective and consistent with national guidance, but some clarification is needed to include other stakeholders in the list of parties and clarify the reference to climate change **[MM5-6]**.
234. The viability of new development is a key consideration, and Policy ID2 requires developers to submit viability appraisals where a variation in policy requirements or planning obligations is sought. However, the Viability Assessments [EB/045-046] fully assessed the viability implications of all the policy requirements of the BCS and highlight the current uncertainty in predicting future market conditions; they underlined the need for a flexible and pragmatic approach towards assessing viability, and recommended that viability should be tested through the development management process. Policy ID2 reflects this approach, which is broadly in line with national policy in NPPF (¶ 173-174) & PPG [ID-10], and will ensure that development is not unnecessarily delayed or prevented by onerous requirements. The policies covering developer contributions and the delivery of infrastructure are directly related to the LIP [EB/044; PS/M005] and provide an effective way of delivering the required infrastructure at the appropriate time, identifying the bodies responsible for implementation.
235. Policies ID1 & ID2 provide an appropriate, effective, comprehensive and soundly based framework to monitor the implementation and delivery of the BCS. However, some amendments to the accompanying text are needed to reflect the recommendations in the latest HRA update relating to delivering mitigation measures for impacts on the South Pennine Moors SPA/SAC and ensure that the implementation of these policies is effective **[MM147-148]**.
236. The monitoring and implementation framework provides a comprehensive basis for monitoring the implementation of the BCS, including specific indicators and targets. Each policy has its own outcomes, indicators and targets, with lead roles and delivery mechanisms, aligned to the Plan’s strategic objectives; the LIP [EB/044; PS/M005] sets out the key elements of infrastructure needed to implement the Plan, with phasing, timescales, funding, bodies responsible and delivery mechanisms. However, various amendments to the appendices of the Plan are needed, including parking standards, the housing trajectory, previously developed land scenarios and housing targets, for consistency, clarity and to reflect updates and changes to other policies in the Plan **[MM149-156]**. With the recommended amendments, this section of the Plan provides an appropriate, effective and soundly based framework for monitoring and delivering the infrastructure, which is fully justified and consistent with national policy.

Other matters

237. Other matters were raised in the representations and at the hearings which do not go to the heart of the soundness of the BCS or relate to more detailed matters about specific proposals or planning applications. In many cases, “improvements” to the Plan are suggested, particularly in terms of the clarity and coherence of the strategy and policies. In response, CBMDC proposes several minor changes to the wording of the policies and accompanying text as “Additional Modifications”, but these do not directly affect the overall soundness of the Plan and need no endorsement from me. Having considered all the other points made in the representations and at the hearing sessions, including those relating to the Proposed Main Modifications, there are no further changes needed to ensure that the Plan is sound in terms of the NPPF and associated guidance.

Overall Conclusion and Recommendation

238. The submitted Plan has a number of deficiencies in relation to soundness for the reasons set out above, which mean that I recommend that it is not adopted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
239. The Council has requested me to recommend Main Modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the attached Appendix, the Local Plan for the Bradford District Core Strategy Development Plan Document satisfies the requirements of Section 20(5) of the 2004 Act, meets the criteria for soundness in the National Planning Policy Framework, and is capable of adoption.

Stephen J Pratt

Inspector

Appendix: Main Modifications required to make the plan sound and capable of adoption

Proposed Main Modifications Composite June 2016

The following main modifications are changes that have arisen through the Examination Process and are required to ensure that a Local Plan is sound and capable of adoption. The source of the changes incorporate Main Modifications as published as well as the changes proposed following the further hearings held in May 2016

In terms of presentation, the deletion of text is denoted with a bold 'strike through' (~~strike through~~), with inserted new text as bold underlined (**new text**).

Page and paragraph numbers relate to the Publication Draft Core Strategy as submitted: Submission Document reference SD001

Section 3 Vision, Objectives and Core Policies

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification New text: <u>underlined</u> Deleted text strike through |
|------------------|----------|--------------------|---|
| MM1 | Page 27 | Objective 2 | Amend objective 2, as follows: 2. To ensure that the district's needs for housing, business and commerce are met <u>in full</u> in sustainable locations that reduce the need to travel and are well served by public and services, whilst prioritising, the use of deliverable and developable previously developed land. In so doing overcrowding within the existing housing stock should be reduced. |
| MM2 | Page 31 | Policy SC1 Part B5 | Amend the wording as follows: '5. Support, protect and enhance the roles of the Principal Towns of Ilkley, Keighley and Bingley and the Local Growth Centres of <u>Burley in Wharfedale, Menston,</u> Queensbury, Thornton, Silsden and Steeton with Eastburn as hubs for the local economy, housing and community and social infrastructure and encourage diversification of the rural economy of the district.' |
| MM3 | Page 31 | Policy SC1 Part B6 | Amend the wording as follows: |

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| | | | '6. Support the Local Service Centres as defined in Policy SC4 in providing to meet local needs for homes and local services. |
| MM4 | Page 32 | Paragraph 3.20 in support of Policy SC1 | Add following text at end of paragraph 3.20: <u>'Criterion B (5), refers to supporting key hubs, these comprise a series of networks or convergence of functions of the individual towns and local centres where the growth of the local economy, an increase in the supply of housing and the development of the social structure of the community are all interrelated. The various components of the settlement when considered and addressed as a whole, can lead to a more balanced and sustainable centre. These locations, through their connected activity, will provide an important focal point for services, facilities and employment and cultural activity, improving their performance, management and attractiveness.'</u> |
| MM5 | Page 38 | Policy SC3 Working Together | Amend introductory text under criterion A as follows: 'A. Effective collaboration between the Council, adjoining local planning authorities, the District's Town and Parish Councils, partners, <u>stakeholders</u> and communities within the District, Leeds City Region and beyond, particularly to:' |
| MM6 | Page 38 | Policy SC3 Working Together | Amend criterion 6, as follows '6. Achieve effective environmental management and enhancement and in order to address climate change. |
| MM7 | Page 42 | Policy SC4 | Amend parts A and B of the policy relating to the Local Growth Centres: 'Local Growth Centres A. <u>Burley in Wharfedale, Menston, Queensbury, and Thornton, Steeton with Eastburn and Silsden</u> are <u>the most</u> sustainable local centres and accessible <u>to higher order settlements such as Bradford, Keighley and Ilkley.</u> to the Regional City of Bradford and Steeton with Eastburn, and Silsden, are sustainable local centres within Airedale. All are located along key <u>road and</u> public transport corridors and should therefore make a |

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| | | | <p>significant contribution to meeting the districts needs for housing, employment and provide for supporting community facilities.</p> <p>B. The roles of Burley in Wharfedale, Menston, Steeton with Eastburn, Silsden, Queensbury and Thornton as accessible, attractive and vibrant places to live, work and invest should be enhanced.’</p> |
| MM8 | Page 43 | Policy SC4 | <p>Amend the first paragraph of the ‘Local Service Centres’ section of Policy SC4 as follows:</p> <p>Local Service Centres and Rural Areas</p> <p>Within the Local Service Centres of Addingham, Baildon, Burley In Wharfedale, Cottingley, Cullingworth, Denholme, East Morton, Harden, Haworth, Menston, Oakworth, Oxenhope, Wilsden the emphasis will be on a smaller scale of developments which meet local needs comprising both market and affordable housing together with the protection and enhancement of those centres as attractive and vibrant places and communities, providing quality of place and excellent environmental, economic and social conditions.</p> <p>Planning decisions and plans, strategies, investment decisions and programmes should seek to:</p> <ol style="list-style-type: none"> 1. Achieve a high standard of design that protects and enhances settlement and landscape diversity and character. 2. Support innovative means of accessing and delivering services and the reduction of isolation particularly through the development of high speed broadband access in rural areas. 3. Retain and improve local services and facilities, particularly in Local Service Centres. 4. Support economic diversification, including leisure and tourism offer, live work and home working. 5. Meet local needs for both market and affordable housing. 56. Create new and improve existing green areas, networks and corridors including the urban fringe to enhance biodiversity and recreation. 67. Improve public transport links between Local Service Centres and to the Regional City of Bradford, Principal Towns of Ilkley, Keighley and Bingley, the Regional City of Leeds, and the Principal Towns of Halifax and Skipton. |
| MM8 (continued) | | | |
| MM9 | Page 44 | Outcomes table for Policy SC4 | Amend the outcomes table linked to Policy SC4 as follows: |

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| | | | <p>Burley in Wharfedale, Menston, Steeton with Eastburn, Silsden, Queensbury and Thornton will have made a significant contribution to meeting the districts needs for housing, employment and associated community facilities.</p> <p>Addingham, Baildon, Burley in Wharfedale, Cottingley, Cullingworth, Denholme, East Morton, Harden, Haworth, Menston, Oakworth, Oxenhope, Wilsden and rural areas will have seen a smaller scale of development to meet local needs.'</p> |
| MM10 | Page 44-45 | Paragraph 3.62 | <p>Amend paragraph 3.62 as follows:</p> <p>Focusing development, investment and activity on the Regional City of Bradford, Shipley and Lower Baildon offers the greatest scope to: re-use land and buildings; make the most of existing infrastructure and investment; reduce greenhouse gas emissions and related impacts by reducing the need to travel; maximise accessibility between homes, services and jobs; foster wide-ranging inclusion and, encourage the use of public transport. Approximately 68% of the district's housing development is planned for the Regional City under the proposals of Policy HO3. While this reflects the fact that the Regional City is likely to see the greatest rate of increase in the need for housing, the Plan envisages that there will need to be a modest degree of dispersal of housing growth to other settlements to reflect the land supply limitations in the Regional City to ensure that growth and regeneration is also fostered in the Principal Towns and to ensure that appropriate sufficient provision of a smaller scale is made for market and affordable and local needs housing in the Local Growth and Local Service Centres.'</p> |
| MM11 | Page 47 | Paragraph 3.71 | <p>Amend paragraph 3.71 as follows:</p> <p>'The Local Growth Centres within the district are, Burley in Wharfedale, Menston, Steeton with Eastburn, Silsden, Queensbury and Thornton, as identified on the Core Strategy Key Diagram and in the Sub Areas in section 4). They are the most sustainable local centres and vary in size and function but fulfil a significant role as settlements along key public transport corridors providing attractive and vibrant places for their surrounding areas. These centres will provide an important focal point for affordable housing and market housing needs as well as employment and associated community facilities - complementing and supporting the roles of the Regional City of Bradford, Sub Regional Town of Halifax and the Principal Towns of Skipton, Ilkley, Keighley and Bingley. This focus supports a pattern of service centres to meet the needs of rural areas and support a balanced pattern of sustainable development across the District with high quality links to Halifax, Skipton and Leeds beyond</p> |

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| | | | the District boundary.' |
| MM12 | Pages 47 & 48 | Paragraphs 3.75 & 3.76 | <p>Paragraphs 3.75 and 3.76 be amended as follows:</p> <p>3.75 A much slower pace and scale of growth, compared to urban areas, forms the overall approach in the settlements these parts of the district, with development being focussed on meeting local needs of Addingham, Baildon, Burley In Wharfedale, Cottingley, Cullingworth, Denholme, East Morton, Harden, Haworth, Menston, Oakworth, Oxenhope, Wilsden. Local Service Centres are the villages that provide services and facilities that serve the needs of, and are accessible to, people living in the surrounding rural areas. Local Service Centres include a range of settlement types and sizes.</p> <p>3.76 The Plan seeks to prevent the unnecessary dispersal of development to smaller settlements and open countryside while <u>allowing for meeting local needs and appropriate</u> limited types of development in the open countryside countryside in line with NPPF.'</p> |
| MM13 | Page 49 | Paragraph 3.80 | <p>Amend the paragraph as follows:</p> <p>It is a policy which should be applied both to the production of the site allocating DPD's. and also to the consideration of larger windfall proposals which have the potential to frustrate the strategic objectives of this document and or set undesirable precedents for future proposals which individually or cumulatively may do likewise.</p> |
| MM14 | Page 49 | Policy SC5 | <p>Amend the second part of the policy as follows:</p> <p><u>Subject to above:</u></p> <p>B. In identifying and comparing sites for development, the Local Plan will adopt an accessibility orientated approach to ensure that development:</p> <ol style="list-style-type: none"> 1. Makes the best use of existing transport infrastructure and capacity. 2. Takes into account capacity constraints and deliverable improvements, particularly in |

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| | | | <p>relation to improving and development of the Strategic Road Network including junctions and schemes identified in the spatial vision.</p> <p>3. Complies with <u>Meets or can be mitigated in order to meet</u> the public transport accessibility criteria set out in Appendix 3 and maximises accessibility by walking and cycling.</p> <p>4. Maximises the use of rail and water for uses generating large freight movements.</p> |
| MM15 | Page 53 | Paragraph. 3.93 (supporting text to SC6) | <p>Amend paragraph 3.93 as follows:</p> <p>‘As a strategic core policy GI provides a common thread that links other important issues in the Core Strategy; local resilience to climate change (in relation to the provision of flood water storage, sustainable drainage and urban cooling), sustainable transport and housing, tourism, health and well-being and making space for water. Particular aspects of GI have been developed in the environment theme policies relating to biodiversity, recreation and open space, heritage, design and landscape. <u>Providing high quality areas of natural greenspace on a suitable scale will assist in mitigating the adverse effects of increased recreation on the South Pennine Moors SPA/SAC.</u>’</p> |
| MM16 | Page 53 | Policy SC6 Criterion B | <p>Add new sentence to criterion B, as follows:</p> <p>B. The River Corridors of the Aire and Wharfe and the South Pennine Moors are identified as strategic Green Infrastructure assets due to the opportunities offered to enhance the living landscape as a resource for people and wildlife and to address future needs for flood alleviation, water management, carbon capture and recreation. <u>Mitigating the adverse effects of increased recreation upon the South Pennine Moors SPA/ SAC will be a priority.</u></p> |
| MM17 | Page 57 | Policy SC7 Green Belt | <p>Amended criterion B:</p> <p>B. <u>Exceptional Circumstances require</u> Green belt releases <u>required in order</u> to deliver <u>in full the</u> longer term housing and jobs growth in the District as set out in Policy HO3 and Policy EC3. <u>These changes</u> will be delivered by a selective review of Green Belt boundaries</p> |

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| | | | in locations that would not undermine the strategic function of green belt within the Leeds City Region and that would accord with the Core policies and the strategic patterns of development set out in Policy Policies SC5 and SC4 . The Decisions on allocations on green belt land will be assessed against the purposes of including land in green belt as set out in national guidance. The selective review will be undertaken through the Allocations DPD in consultation with local communities and stakeholders. |
| MM18 | Page 57 | Paragraph 3.102 under Policy SC7 Green Belt | <p>Amend paragraph 3.102, and split to form new paragraph 3.103, as follows:</p> <p>3.102 The general extent of the Green Belt in the District is shown on the Key Diagram. In general the Districts Green Belt has helped to achieve the aims set out in NPPF. <u>However, The Council considers, having reviewed the evidence and all reasonable alternatives, that exceptional circumstances exist which justify and require a change to the green belt. in order to meet its development needs for housing in full and in order to support long term economic success of the district. It is clear based on the land supply in the SHLAA that in order to meet the Housing requirement under policy HO1 in full would necessitate change to green belt to accommodate around 11,000 dwellings, given land supply constraints in non green belt land. This is supported by evidence in the growth study that land is available in the green belt in sustainable locations which would also not prejudice the strategic function of green belt. The evidence from the Employment Land Review suggests a limited mix of land of the right size and locations to ensure a quality offer for the plan period with only around 50 Hectares considered still suitable. To this end the plan under Policy EC3 identifies a new land supply of at least 135 hectares needs to be allocated which includes at least 84 hectares of new land currently not within the known supply. To this end the policy identifies 3 strategic areas which reflect key market locations where land could be made available in order to ensure a suitable offer of deliverable large sites in good market locations which are not available within the land supply in non green belt locations.</u></p> <p><u>3.103 Therefore, the</u> implementation of the Core Strategy will require, a change to the general extent of the Green Belt through the Allocations DPD in order to fully meet its development needs within the plan period to 2030 as set out in policies HO1, HO3 and EC3, as well as ensuring a green belt which lasts beyond the plan period. Based upon the current evidence of need and land supply a selective review of the green belt is required to meet the unmet needs which cannot be accommodated in non green belt areas. Localised changes to the Green Belt will be made in sustainable locations to meet identifiable development needs for which locations within the</p> |

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| MM18 (Continued) | | | Regional City of Bradford, the Principal Towns, Local Growth Centres and Local Service Centres are not available. Any such changes will be considered in the context of policies SC1 – SC5, and is allowed for by policy SC7B. |
| MM19 | Page 58 | Protecting the South Pennine Moors and their zone of influence Paragraph 3.104 | Amend paragraph 3.104 as follows '3.104 <u>Assessment under the Habitats Regulations is an integral part of preparing a plan and is necessary to ensure that the plan in question does not lead to adverse effects on the integrity of any European site through impacts on any species, species assemblage and/or habitats for which the European site is designated.</u> The NPPF recognises the importance of the Habitat Regulations by stating in paragraph 119 that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. The Appropriate Assessment of the Further Engagement Draft Core Strategy, required under the Habitat Regulations, assessed the potential impacts of policies and proposals in the plan on four nature conservation sites of European importance, the North and South Pennine Moors SAC and SPA.' |
| MM20 | Page 58 | Paragraph 3.105 Supporting Policy SC8 Protecting the South Pennine Moors and their zone of influence | Amend paragraph 3.105 as follows 'Potential for adverse effects on European Sites was identified via the following impact pathways: The assessment identified a range of likely significant effects that could result from the Core Strategy: <ul style="list-style-type: none"> • Loss of supporting habitats <u>(directly or indirectly)</u> • Increased emissions to air from road traffic • Collision mortality risk and/ or displacement from wind turbine developments • Recreational impacts, <u>including walkers, dogs, trampling and erosion and</u> • Urban edge effects, including fly-tipping, invasive species, wildfire and increased cat predation. ' |
| MM21 | Page 58 | Paragraph 3.106 | Amend paragraph 3.106 as follows |

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| | | | <u>‘Following recommendations, data was gathered to allow further assessment of loss of supporting habitat and recreational impacts on the South Pennine Moors.</u> The distribution and magnitude of impacts differs between the four designated areas. <u>Evidence is presented in HRA Reports to indicate that, if left unmitigated,</u> impacts are likely to be of a greater magnitude in relation to South Pennine Moors sites due to their relative proximity and accessibility to development proposed within the district. ‘ |
| MM22 | Page 58/59 | Paragraph 3.107 | Delete paragraph 3.107 and renumber subsequent paragraphs: ‘The Draft HRA Report identified a range of actions that could help to avoid or mitigate the adverse effects of the Core Strategy. It recommended adjusting the scale and spatial distribution of development in order to achieve a position where adverse impacts on the South Pennine Moors SAC and SPA were capable of being avoided, managed and mitigated. It focused attention on the combined total of new dwellings over the plan period for the settlements of Addingham, Ilkley, Burley in Wharfedale, Menston, Bingley, East Morton, Silsden, Keighley and Worth Valley, that all fall within approximately 2.5km of the South Pennine Moors SPA and SAC.’ |
| MM23 | Page 59 | Paragraph 3.108 | Amend paragraph 3.108 (and renumber) as follows: ‘The zone lying within 2.5km of the South Pennine Moors SPA and SAC was identified in the HRA Report as the area most frequently utilised by SPA qualifying species. and where supporting high quality habitat of particular importance was to be found. To improve understanding of the use of the moorland fringe by birds of the SPA, surveys were undertaken to record bird activity. And the distribution of potentially important supporting habitats. <u>While caution needs to be applied to the baseline survey and assessment work that has been carried out to date in relation to definitively identifying areas of importance for foraging birds, it is considered to be adequate for the purposes of a strategic plan. Sites have been identified which may be of importance and further assessment can take place at the allocations stage.</u>’ |
| MM24 | Page 59 | Paragraph 3.109 | Delete paragraph 3.109: ‘The broad 2.5km zone of influence was mapped and attention focused on the extent to which this encompasses the entire outer edge of a settlement. Based on the findings |

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| | | | <p>of the bird and habitat surveys and on the need to achieve some reduction in the overall numbers of houses that need to be accommodated within areas of greatest sensitivity, adjustments have been made to the overall distribution of development.</p> <p>Replace with the following renumbered paragraph</p> <p><u>'The hierarchy of Habitats Regulations Assessment of plans and policies means that proposals can be subject to further and more detailed assessment when more information is available in a lower tier plan. In the context of the Bradford Core Strategy, based on the information available, sufficient flexibility over the exact location, scale or nature of development needs to be retained to enable adverse effects on site integrity, in relation to the impact pathways identified, to be avoided. The level of mitigation that could be needed, in-combination impacts and the risks associated with having limited data available need to be considered.'</u></p> |
| MM25 | Page 59 | Paragraph 3.110 | <p>Delete paragraph 3.110</p> <p>While significant progress has been made in adjusting the scale and distribution of development, a strategic policy needed to be formulated that was capable of addressing outstanding adverse impacts, including elements of both avoidance and management and mitigation measures. The zone adjacent to the South Pennine Moors is evidently an area where change needs to be sensitively managed.</p> <p>Replace with the following renumbered paragraph</p> <p><u>'Appropriate assessment of the Allocations DPD will need to be able to demonstrate that, in relation to the impact pathways identified, the level of development proposed, including in-combination impacts, will not have an adverse effect on the integrity of the SPA/SAC.'</u></p> |
| MM26 | Page 59 | Paragraph 3.111 | <p>Amend paragraph 3.111 (and renumber) as follows:</p> <p>'The information in the HRA Report justifies setting out a broad zone of influence policy and the identification of precautionary parameters in relation to the carrying capacity of zones around the site and avoidance and mitigation measures. The purpose of the policy set out below and the overall approach is to avoid potential adverse impacts on the South</p> |

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| | | | Pennine Moors SPA and SAC, yet to allow development to take place in locations and on a scale where potential impacts are at such a level that there is confidence they can be avoided and managed. <u>that avoidance and mitigation measures can be effective.</u> |
| MM27 | Page 59 | Paragraph 3.112 | Amend paragraph 3.112 (and renumber) as follows: ‘A wide range of policies contribute towards an overall approach of avoidance of impacts and management and mitigation measures; Strategic Core Policy 2 Climate Change and Resource Use, Strategic Core Policy 6 Green Infrastructure, Policies EN 1 and 2 relating to Open Space and Biodiversity and a number of policies in the Transport section. Where direct impact pathways were identified, such as HO3 Housing Distribution and Policy EN6 Energy then a link has been made and amendments. ’ |
| MM28 | Page 59 | SC8 Protecting the South Pennine Moors and their zone of influence | Delete Policy SC8 in full and replace with comprehensively redrafted policy as follows: ‘Strategic Core Policy (SC8): Protecting the South Pennine Moors <u>SPA and the South Pennine Moors SAC</u> and their zone of influence <u>In this Policy:</u> <u>Zone A is land up to 400m from the South Pennine Moors Special Protection Area (“SPA”) and South Pennine Moors Special Area of Conservation (“SAC”) boundary;</u> <u>Zone B is land up to 2.5km from the SPA and SAC boundary; and.</u> <u>Zone C is land up to 7km from the SPA and SAC boundary.</u> <u>Subject to the derogation tests of Article 6(4) of the Habitats Directive, in all Zones development will not be permitted where it would be likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects), which cannot be effectively mitigated, upon the integrity of the SPA or the SAC.</u> |

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| <p><u>In conducting the above assessment the following approach will apply:</u></p> <p><u>In Zone A no development involving a net increase in dwellings would be permitted unless, as an exception, the development and/or its use would not have an adverse effect upon the integrity of the SPA or SAC.</u></p> <p><u>In Zone B it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA.</u></p> <p><u>In Zone C, in respect of residential developments that result in a net increase of one or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated. The mitigation may be:</u></p> <p>(i) <u>such that the developer elects to offer, either on-site and / or deliverable outside the boundary of the development site, such as the provision of accessible natural greenspace and/or other appropriate measures; or</u></p> <p>(ii) <u>in the form of a financial contribution from the developer to:</u></p> <ol style="list-style-type: none"> 1. the provision of additional natural greenspace and appropriate measures to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace; 2. the implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors; 3. a programme of habitat management and manipulation and subsequent monitoring and review of measures. <p>To mitigate impacts on the SPA and SAC European sites due to the increase in population, an SPD will an approach will be adopted that sets out a mechanism for the calculation of the <u>financial Planning contributions, by reference to development types, the level of predicted recreational impact on the SPA or SAC, and the measures upon which such contributions will be spent.</u></p> |
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| MM29 | Page 60 | Outcomes under policy SC8 | <p>Outcomes under policy SC8 be amended as follows:</p> <p>'No sites have been identified that would have direct potential adverse impacts on European Sites.</p> <p><u>Sites where mitigation would be required have been identified.'</u></p> <p>A range of management and mitigation measures and a funding mechanism have been identified that will allow <u>direct and</u> indirect impacts to be managed and mitigated.'</p> |
| MM30 | Page 60 | Indicators under Policy SC8 | <p>Indicators under policy SC8 be amended, as follows:</p> <p>Area of upland fringe habitat protected and created.</p> <p><u>Further survey work has taken place and an approach to mitigation in relation to sites used for foraging by SPA qualifying bird species has been identified.</u></p> <p><u>An SPD relating to management and mitigation measures and funding has been produced and adopted.</u></p> <p>Areas of appropriate <u>alternative</u> natural greenspace protected <u>have been identified for protection.</u></p> <p><u>Additional</u> areas of appropriate <u>alternative</u> natural greenspace created and maintained <u>have been identified and created.</u></p> <p><u>A site improvement plan has been produced for the South Pennine Moors SPA/SAC by Natural England.</u></p> |
| MM31 | Page 61 | Paragraph 3.113 | <p>Amend paragraph 3.113 (and renumber) as follows:</p> <p>'The detailed review of available evidence presented in the HRA Report indicates that a precautionary spatial strategy would <u>the approach should</u> in the first instance seek to restrict residential development within 400m of the SAC/SPA boundary in order to avoid the risk of urban edge effects, <u>as set out in Zone A.</u> This is because, in most cases it will not be</p> |

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| | | | possible to be reasonably certain that such adverse effects could be avoided or alleviated at this distance.' |
| MM32 | Page 61 | Paragraph 3.115 | <p>Amend paragraph 3.115 (and renumber) as follows:</p> <p>'In relation to Zone Bi, the review of the literature relating to the behaviour of SPA <u>qualifying / typical</u> bird species <u>and survey data</u> presented in the HRA Report, suggests that many indicates that a number of species travel as far as 2.5km from the SPA boundary to forage (and in some cases further). The area up to 2.5km from the SPA boundary is referred to as the supporting habitat management zone in the HRA Report. Within this zone, the Report recommends that new development must avoid direct (eg land take) and indirect (eg increased disturbance) impacts on supporting habitats. This has led to a re-assessment of the distribution of development within this zone in order to avoid potential adverse impacts, particularly direct land take. It does not rule out future development, provided an adequate programme of management and mitigation measures have been identified and mechanisms set out to achieve implementation of these. Based on review of the literature, the Report recommendations and early analysis of bird and habitat survey data, a precautionary approach to carrying capacity is necessary within this zone.'</p> |
| MM33 | Page 61 | Paragraph 3.116 | <p>Amend paragraph 3.116 (and renumber) as follows:</p> <p>Early analysis of bird and habitat data has led to the identification of broad areas where development should be avoided. In circumstances where a need for local green belt releases has been identified and where a proportion of land adjoining the settlement lies within the 2.5km zone, the HRA Report recommends that areas of land will need to be identified that feature neither high numbers of birds nor good quality habitats. Consideration will be given to the benefits of identifying compensatory areas of land and <u>Within Zone B, consideration needs to be given to whether land being proposed for development affects the foraging habitat of qualifying bird species, which may involve the collection and assessment of additional data.</u> Further work will seek to ensure that <u>important</u> areas regularly used by these birds can be <u>appropriately</u> protected from development and its associated impacts. <u>Taking forward an approach to identify and deliver mitigation measures, where required within this zone, will form an important element in future planning.</u> '</p> |

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| MM34 | Page 61 | Paragraph 3.117 | <p>Delete paragraph 3.117 and replace with the following renumbered paragraph:</p> <p><u>Increased emissions to air were identified as an impact pathway in the HRA Report. However, linking pollution loads to core strategy proposals is not straightforward and at present proposals are not sufficiently specific and data is not available to fully assess the nature of impacts. The HRA Report therefore recommended that more detailed testing and traffic modelling should be undertaken to inform work on the Allocations DPD.</u></p> |
| MM35 | Page 61/62 | Paragraph 3.118 | <p>Delete paragraph 3.118 and replace with the following renumbered paragraph:</p> <p><u>Recreational impacts were identified as a key impact pathway and were subject to further investigation. Information presented in the HRA Report identified a range of issues including trampling and erosion, the effects of dogs and disturbance in relation to routes and access points.</u></p> |
| MM36 | Page 62 | Paragraph 3.119 | <p>Amend paragraph 3.119 (and renumber) as follows</p> <p><u>'Zone C in policy SC8 identifies a zone of visitor influence extending up to 7km from the boundary of the South Pennine Moors SPA/SAC based on visitor survey data, using postcode of origin and point of access to the SAC/SPA. Early analysis of data from visitor survey work carried out at a range of key access points to the South Pennine Moors within Bradford District during August and September 2013 has informed the outer limit of this zone. Respondents' postcode data from the 2013 visitor surveys has been geo-referenced using OS Code Point within GIS to generate projections of average distance travelled to site and establish a picture of the zone of influence of visits to the SAC/SPA. Research carried out on distances travelled to visit European Sites for recreation in other parts of the country and supported by Natural England has indicated an average distance travelled to reach the site of between 5 and 7km. The indicative zones are shown in Appendix 14.'</u></p> |
| MM37 | Page 62 | Paragraph 3.121 | <p>Amend paragraph as follows:</p> <p><u>The evidence base for the forthcoming SPD will inform the identification and delivery</u></p> |

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| | | | <p><u>of opportunities for additional greenspaces, improvements to existing areas and visitor access and management measures. These will be set out in a Strategic Access Management and Monitoring (SAMM) Strategy to better manage access arrangements within the SAC/SPA, in conjunction with the provision of alternative recreational spaces, which will allow appropriate, feasible and publicly acceptable means of mitigating residual impacts to be identified.</u> An approach will be adopted that sets out a mechanism for the calculation of the planning contribution towards the most beneficial mix of the management and mitigation measures identified in the policy. Where funding needs to be pooled from a number of development proposals, consideration will be given to include such measures in the Regulation 123 List of the Community Infrastructure Levy Regulations.</p> |
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Section 4 Sub Area Policies

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | New text: <u>underlined</u> Deleted text strike through | | | | | | | | | | | | | | | | | | | | | | | | |
| MM38 | Page 72 | Policy BD1 Criterion A | <p>Amend text under criterion A, as follows:</p> <p>A. Strategic Pattern of Development</p> <p>In accordance with Policies H03 and EC3, the Regional City of Bradford (including Shipley and lower Baildon) will accommodate 28,650 <u>27,750</u> dwellings and approximately <u>at least</u> 100Ha of new employment land in the period up to 2030. The broad distribution of housing development is shown as follows:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="2">Number of residential units</th> </tr> </thead> <tbody> <tr> <td>Bradford City Centre</td> <td>3,500</td> <td></td> </tr> <tr> <td>Shipley & Canal Road Corridor</td> <td>3,200</td> <td><u>3,100</u></td> </tr> <tr> <td>Shipley</td> <td>1,250</td> <td><u>750</u></td> </tr> <tr> <td>North East</td> <td>4,700</td> <td><u>4,400</u></td> </tr> <tr> <td>South East</td> <td>6,000</td> <td></td> </tr> <tr> <td>South West</td> <td>5,500</td> <td></td> </tr> <tr> <td>North West</td> <td>4,500</td> <td></td> </tr> </tbody> </table> <p>Affordable housing requirements are set out in Policy HO11.</p> | | Number of residential units | | Bradford City Centre | 3,500 | | Shipley & Canal Road Corridor | 3,200 | <u>3,100</u> | Shipley | 1,250 | <u>750</u> | North East | 4,700 | <u>4,400</u> | South East | 6,000 | | South West | 5,500 | | North West | 4,500 | |
| | Number of residential units | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bradford City Centre | 3,500 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shipley & Canal Road Corridor | 3,200 | <u>3,100</u> | | | | | | | | | | | | | | | | | | | | | | | | | |
| Shipley | 1,250 | <u>750</u> | | | | | | | | | | | | | | | | | | | | | | | | | |
| North East | 4,700 | <u>4,400</u> | | | | | | | | | | | | | | | | | | | | | | | | | |
| South East | 6,000 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| South West | 5,500 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| North West | 4,500 | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| MM39 | Page 72 | Policy BD1 Criterion B (2) | Amend wording of Criterion B (2) as follows: '2. The Shipley and Canal Road Corridor will see the creation of 3,200 <u>3,100</u> new homes by 2030. New homes will be provided in a range of locations in particular the centre section. As part of the Urban Eco Settlement ambitions the Corridor will deliver sustainable buildings with innovative and contemporary architecture, Bolton Woods wildlife area and a linear park and water features linking the town centre of Shipley to the City Centre of Bradford. This will all be supported by the creation of new cycleways and footways, and improvements to Frizinghall station and new road infrastructure including Canal Road Corridor Improvements and the Shipley Eastern Link Road. Opportunities to further improve public transport will be taken wherever possible.' |
| MM40 | Page 73 | Policy BD1 Criterion C (2) | Amend text under criterion C (2,) as follows: 2. North East Bradford, will see the creation of 4,700 <u>4,400</u> new homes with associated community facilities, in particular open space and recreation facilities. The new homes will be delivered by a mix of sites but will include some local green belt changes in sustainable locations. A new <u>high quality</u> employment opportunity comprising a high quality including research and development led technology park and commercial enterprise will be located at Apperley Bridge (complemented by a new railway station and improvements to the Harrogate Road / New Line Junction). Walking and cycling networks will be enhanced including the upgrading of the canal towpath between North Bradford and Leeds. |
| MM41 | Page 73 | Policy BD1 Criterion C (4) | Amend the first sentence as follows: South West Bradford will see the creation of up to 5,500 new homes. |
| MM42 | Page 73 | Policy BD1 Part C | Add new criterion and number as C (5). with the text to be added as follows: <u>5. Shipley will see the creation of 750 new homes by 2030 together</u> |

| | | | <u>with associated community facilities and new employment opportunities. The new homes will be delivered by a mix of sites but will include some local green belt changes in sustainable locations. The location and design of development will have regard to the requirement within Policy EN3 conserve those elements which contribute to the Outstanding Universal Value of Saltaire.</u> | | | | | | | | | | | | | | | | |
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| MM43 | Page 74 | Sub Area Policy BD1, Criterion E.5 | Amend criterion as follows: Conserve and enhance the <u>area's</u> designated and undesignated heritage assets, in particular those in <u>the Bradford City Centre, Little Germany, Goitside and the Registered Battlefield at Adwalton moor.</u> | | | | | | | | | | | | | | | | |
| MM44 | Page 82 | Policy AD1 Criterion A | Amend text under criterion A, as follows: A. Strategic Pattern of Development In accordance with Policies H03 and EC3, Airedale will accommodate 8,350 <u>8,450</u> dwellings in the period up to 2030 and an increase of new employment land of <u>at least</u> 30 Ha particularly in the digital technology sector. The broad distribution of housing development is shown as follows:- <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;">Number of residential units</th> </tr> </thead> <tbody> <tr> <td>Keighley</td> <td style="text-align: right;">4,500</td> </tr> <tr> <td>Bingley</td> <td style="text-align: right;">1,400</td> </tr> <tr> <td>Silsden</td> <td style="text-align: right;">1,000 <u>1,200</u></td> </tr> <tr> <td>Steeton with Eastburn</td> <td style="text-align: right;">700</td> </tr> <tr> <td>Baildon</td> <td style="text-align: right;">450 <u>350</u></td> </tr> <tr> <td>Cottingley</td> <td style="text-align: right;">200</td> </tr> <tr> <td>East Morton</td> <td style="text-align: right;">100</td> </tr> </tbody> </table> Affordable housing requirements are set out in Policy HO11. | Number of residential units | | Keighley | 4,500 | Bingley | 1,400 | Silsden | 1,000 <u>1,200</u> | Steeton with Eastburn | 700 | Baildon | 450 <u>350</u> | Cottingley | 200 | East Morton | 100 |
| Number of residential units | | | | | | | | | | | | | | | | | | | |
| Keighley | 4,500 | | | | | | | | | | | | | | | | | | |
| Bingley | 1,400 | | | | | | | | | | | | | | | | | | |
| Silsden | 1,000 <u>1,200</u> | | | | | | | | | | | | | | | | | | |
| Steeton with Eastburn | 700 | | | | | | | | | | | | | | | | | | |
| Baildon | 450 <u>350</u> | | | | | | | | | | | | | | | | | | |
| Cottingley | 200 | | | | | | | | | | | | | | | | | | |
| East Morton | 100 | | | | | | | | | | | | | | | | | | |
| MM45 | Page 82 | Policy AD1 Criterion B | Amend text under criterion B, fourth paragraph, as follows: | | | | | | | | | | | | | | | | |

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| | | Silsden | Silsden will see the creation of 1,000 1,200 new homes with associated community facilities and the creation of Silsden Rural Business Park. Supporting highway infrastructure will be provided together with good walking and cycling links to Silsden and Steeton railway and bus interchange station. |
| MM46 | Page 82 | Policy AD1 Criterion B Cottingley & East Morton | Amend text under criterion B, final paragraph, as follows: Cottingley and East Morton will see a smaller scale of housing development to meet local need including some local green belt changes in sustainable locations. |
| MM47 | Page 83 | Policy AD1 Criterion B Baildon | Amend text under criterion B, sixth paragraph, as follows: Baildon will see the creation of 450 350 new homes including from sites within the area together with some local green belt changes in sustainable locations and associated community facilities. |
| MM48 | Page 83 | Policy AD1 Criterion D (2) | Amend Criterion D (2) as follows: Protect and enhance the integrity of the South Pennine Moors SPA/SAC and identify measures to support valuable upland fringe habitats. and manage access to reduce the impact of increasing visitor number. <u>For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence, and mitigate the impact of increasing visitor numbers.</u> |
| MM49 | Page 84 | Sub Area Policy AD1, Criterion (D 6) | Amend criterion D (6) as follows: '6. Conserve and enhance the designated and undesignated heritage assets <u>of the Airedale Corridor</u> in particular those within the boundary of the Keighley Townscape Heritage Initiative and <u>elements which make a significant contribution to the distinct character of this area including: the mills, chimneys and associated housing of its textile heritage in particular</u> Saltaire World Heritage Site, <u>the buildings and</u> |

| | | | <u>structures associated with the Leeds and Liverpool Canal, and the prehistoric landscapes'</u> | | | | | | | | | | |
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| MM50 | Page 88 | Policy AD2 | <p>Add additional criterion, as follows:</p> <p><u>'G. To work with Yorkshire Water and the Environment Agency to understand fully the water and waste water infrastructure requirements needed to support growth and ensure that development proposals are aligned with investment in asset management and catchment management plans .'</u></p> | | | | | | | | | | |
| MM51 | Page 90 | Policy WD1 Criterion A | <p>Amend text under criterion A, as follows:</p> <p>A. Strategic Pattern of Development</p> <p>In accordance with Policies H03 and EC3, Wharfedale will accommodate 1,600 <u>2,500</u> dwellings and approximately <u>at least</u> 5 Ha of new employment land in the period up to 2030. The Council will work closely with partner organisations to ensure that this development is sensitively managed to create vibrant and sustainable communities.</p> <p>The broad distribution of housing development is shown as follows:</p> <table> <thead> <tr> <th></th> <th>Number of residential units</th> </tr> </thead> <tbody> <tr> <td>Ilkley</td> <td><u>800-1,000</u></td> </tr> <tr> <td>Burley In Wharfedale</td> <td><u>200-700</u></td> </tr> <tr> <td>Menston</td> <td><u>400-600</u></td> </tr> <tr> <td>Addingham</td> <td>200</td> </tr> </tbody> </table> <p>Affordable housing requirements are set out in Policy HO11</p> <p>Within the Principal Town of Ilkley, <u>the Local Growth Centres of Burley in Wharfedale and Menston</u> and the Local Service Centres of Addingham, Burley in Wharfedale and Menston there are opportunities for development through infill whilst retaining the character of these places.</p> | | Number of residential units | Ilkley | <u>800-1,000</u> | Burley In Wharfedale | <u>200-700</u> | Menston | <u>400-600</u> | Addingham | 200 |
| | Number of residential units | | | | | | | | | | | | |
| Ilkley | <u>800-1,000</u> | | | | | | | | | | | | |
| Burley In Wharfedale | <u>200-700</u> | | | | | | | | | | | | |
| Menston | <u>400-600</u> | | | | | | | | | | | | |
| Addingham | 200 | | | | | | | | | | | | |
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| MM52 | Page 90 | Policy WD1 Criterion B | <p>Amend text under criterion B, as follows:</p> <p>B. Development including new housing provision will be focused as follows:</p> <p>Ilkley will see the creation of 800 1,000 new homes focused on urban redevelopment opportunities together with a significant contribution from green belt changes in sustainable locations. Provision will be made for associated community facilities, in particular new schools as required and provision of recreation and open space to address current deficiencies.</p> <p>Addingham will see the creation of 200 new homes to meet local needs and associated community facilities.</p> <p>Burley in Wharfedale will see creation of 200 700 new homes to meet local need through redevelopment of sites within the settlement and <u>with a significant contribution from green belt changes, from some local green belt changes</u>, together with associated community facilities.</p> <p>Menston will see the creation of 400 600 new homes based on existing permissions and other opportunities within the settlement boundary <u>and from some local green belt changes</u> together with associated community facilities.</p> |
| MM53 | Page 91 | Policy WD1 Criterion D (2) | <p>Add new Criterion D (3) as follows:</p> <p><u>D(3) For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence, and mitigate the impact of increasing visitor numbers.</u></p> <p>Consequential amendment to renumber the existing criterion D(3) as D(4) and D(4) as D(5), and D(5) as D(6).</p> |
| MM54 | Page 91 | Sub Area Policy WD1, Criterion | Amend Criterion D (5) (now D6 – see above) as follows: |

| | | D.5 | Conserve and enhance the designated and undesignated heritage assets <u>of the Wharfe Valley especially those elements which make a significant contribution to the distinct character of this area including the distinctive Victorian and Edwardian heritage of Ilkley and the prehistoric landscapes and rock art of Rombald's Moor.</u> | | | | | | | | | | | | | | | | | | | | |
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| MM55 | Page 94 | Paragraph 4.3.4 | <p>Amend paragraph 4.3.4, as follows:</p> <p>The village of Addingham, on the edge of the Yorkshire Dales National Park, has retained its character and sense of place whilst <u>seeing a smaller scale of housing development and provision of meeting local needs for affordable housing and</u> local facilities. The village has also benefited from good bus connections to the principal town of Ilkley, the town of Silsden and neighbouring Skipton.</p> | | | | | | | | | | | | | | | | | | | | |
| MM56 | Page 96 | Policy PN1 Criterion A | <p>Amend text under criterion A, as follows:</p> <p>A. Strategic Pattern of Development</p> <p>In accordance with Policy H03, the South Pennine Towns and Villages will accommodate 3,500 <u>3,400</u> dwellings in the period up to 2030. The Council will work closely with partner organisations to ensure that this development creates vibrant and sustainable communities. The broad distribution of housing development is shown as follows:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Number of residential units</th> </tr> </thead> <tbody> <tr> <td>Queensbury</td> <td>1,000</td> </tr> <tr> <td>Thornton</td> <td>700</td> </tr> <tr> <td>Cullingworth</td> <td>350</td> </tr> <tr> <td>Denholme</td> <td>350</td> </tr> <tr> <td>Harden</td> <td>100</td> </tr> <tr> <td>Haworth</td> <td>500 <u>400</u></td> </tr> <tr> <td>Oakworth</td> <td>200</td> </tr> <tr> <td>Oxenhope</td> <td>100</td> </tr> <tr> <td>Wilsden</td> <td>200</td> </tr> </tbody> </table> | | Number of residential units | Queensbury | 1,000 | Thornton | 700 | Cullingworth | 350 | Denholme | 350 | Harden | 100 | Haworth | 500 <u>400</u> | Oakworth | 200 | Oxenhope | 100 | Wilsden | 200 |
| | Number of residential units | | | | | | | | | | | | | | | | | | | | | | |
| Queensbury | 1,000 | | | | | | | | | | | | | | | | | | | | | | |
| Thornton | 700 | | | | | | | | | | | | | | | | | | | | | | |
| Cullingworth | 350 | | | | | | | | | | | | | | | | | | | | | | |
| Denholme | 350 | | | | | | | | | | | | | | | | | | | | | | |
| Harden | 100 | | | | | | | | | | | | | | | | | | | | | | |
| Haworth | 500 <u>400</u> | | | | | | | | | | | | | | | | | | | | | | |
| Oakworth | 200 | | | | | | | | | | | | | | | | | | | | | | |
| Oxenhope | 100 | | | | | | | | | | | | | | | | | | | | | | |
| Wilsden | 200 | | | | | | | | | | | | | | | | | | | | | | |

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| | | | Affordable housing requirements are set out in Policy HO11 |
| MM57 | Page 96 | Policy PN1 Criterion B | Amend text under criterion B Third paragraph, as follows: The Local Service Centres of Cullingworth, Denholme and Haworth will between them see the creation of 1200 1100 new homes principally from sites within the existing settlement boundaries together with some local green belt changes. Provision will be made for associated community facilities in particular, health care facilities at Denholme, a community centre at Cullingworth and recreational facilities in Haworth. |
| MM58 | Page 97 | Policy PN1 Criterion E (2) | Amend criterion E and F to D and E respectively. Amend 'new' D (2) as follows: Protect the ecological integrity, the wilderness appeal and wide open skylines of the South Pennine Moors from adverse impacts, <u>and</u> , enhance the value and connectivity of upland fringe habitats. and seek to manage pressure from visitors and <u>For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence, and mitigate the impact of increasing visitor numbers.</u> |
| MM59 | Page 97 | Sub Area Policy PN1, Criterion E (4) | Amend criterion E (4) (proposed now D (4)), as follows: 'Conserve and enhance the designated and undesignated heritage assets in particular those in Haworth conservation area of the Pennine towns and villages especially those elements which make a significant contribution to the distinct character of this area including: the mills, chimneys and associated housing of its textile heritage; and the buildings and landscapes associated with the Brontes. |
| MM60 | Page 99 | Paragraph 4.4.3 | Amend text as follows: Haworth continues to function as a widely recognised asset to the District with |

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| | | | its Bronte Country heritage, the Bronte Parsonage Museum and the Keighley and Worth Valley Steam Railway. The traditional economy of the town has been diversified by providing accommodation for visitors, specialist shopping and dining experience as well as a popular location for film and television productions. Housing development in Haworth has continued to cater for local demand. |
| MM61 | Page 99 | Paragraph 4.4.5 | Amend text as follows: The Pennine Villages of Oakworth, Oxenhope, Harden, Wilsden, Cullingworth and Denholme have retained their individual characters and sense of place whilst <u>seeing a smaller scale of housing development and the provision of meeting local needs for housing and</u> amenities served by improved bus and rail links to Keighley town centre, Bradford city centre, Bingley, Queensbury and neighbouring Halifax. |
| MM62 | Page 100 | Policy PN2 | The first paragraph of Policy PN2 is modified as follows: To manage change in the Pennine Towns and Villages on a scale that meets local needs for housing, employment and renewal, enhances green infrastructure, heritage assets, community facilities and improves sustainable means of transport Partnership working between the public and private sectors, key stakeholder bodies and local communities should focus on: |

Section 5.1 Economy and Jobs

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification New text: <u>underlined</u> Deleted text strike through |
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| MM63 | Page 105 | Policy EC1 paragraph 5.1.4 | <p><u>Amend paragraph 5.1.4. as follows:</u></p> <p>5.1.4 In supporting Strategic Core Policy 1, the overall approach and key spatial priorities, Policy EC1 will help transform economic conditions across the District and manage and spread the benefits of economic growth as part of the wider Leeds City Region. It will enhance the role of Bradford as an important business location, with the principal towns and growth centres as hubs for the local economy. It will also help encourage diversification of the rural economy. The Policy will help support the renewal and regeneration of urban and rural areas thus contributing to the aims of Strategic Core Policy 3 – Working Together to Make Great Places together with Strategic Core Policy 4 which determines the hierarchy of settlements and their role in the economic development of the District. <u>The principal areas for future economic growth will be located in the Airedale corridor, in Bradford City Centre and the principal towns, in the M606 corridor and in the North East and South East Bradford-Leeds interface. These Economic Growth Areas will provide a range of sites for new high quality employment opportunities and commercial enterprise.</u></p> |
| MM64 | Page 106 | Policy EC1 Criterion K | <p>Amend Criterion K, as follows:</p> <p>‘K. Opportunities for business relating to the Districts unique environmental assets and challenges, including <u>extraction industries</u>, sustainable construction, renewable energy, resource and waste efficiency and environmental technologies and the ‘low carbon economy’.’</p> |
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| MM65 | Page 110 | Policy EC2 | Amend introductory text in Policy EC2, as follows: “The Council will support the delivery of at least 2897 1600 new jobs annually in the District in the period to 2030 through.” |
| MM66 | Page 110 | Policy EC2 - Targets | Amend target in third column of table below policy EC2 as follows: ‘Annual delivery of 2897 1600 jobs’ |
| MM67 | Page 111 | Policy EC2 paragraph 5.1.14 | Amend paragraph 5.1.14, as follows: ‘The 2011 Regional Econometric Model projection produced a forecast of 26,726 new jobs by the year 2028, an average of approximately 1572 jobs annually. Employment was anticipated to be driven by growth in the business, professional, finance, service and health sectors with manufacturing experiencing an overall decline. It has been calculated that this job growth equates to 146 hectares of employment land in the B Use Class across the District. However, the projections produced by the Employment Land Review and its update are based largely on trend based modelling of how the economy might perform in future years. In this respect they are not wholly complete assessments of jobs growth and related land requirement. Whilst the current economic trend indicates a growth of approximately 1352 1600 jobs per annum (excluding retail and Wholesale – REM March June 2013-2014), the theoretical actual need is potentially much greater. It is estimated that by 2030, a total of 55,298 (15.7%) of the working population will be claiming ‘Out of Work’ benefits. In order to attain full levels of employment in the District (providing jobs for everyone), the target number of jobs that would need to be created by 2030 is 4424 jobs per annum which is in reality, an unattainable aspiration. The strategy for a prosperous economy is to create the right conditions and opportunities for significant jobs growth across the District. It is not sustainable to accept the District’s high level of unemployment and economic inactivity and it is through policy EC2 an attempt is made to mitigate these circumstances. Since the number of claimants obtaining Job Seekers Allowance is estimated to reach 21,464 by 2030 and in addition, the growth in the working age population in full employment will increase by 27.800, there is a |

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| | | | requirement for an average of a further 2897 new jobs annually to provide for this demand.' |
| MM68 | Page 111 | Policy EC2 Paragraph 5.1.15 | <p>Insert new paragraph in support of Policy EC2 to follow existing paragraph 5.1.15 (and renumber subsequent paragraphs) as follows:</p> <p><u>The Employment Land Reviews incorporated an assessment of the deliverability and potential market demand of the employment land within the Council's employment land portfolio. This included remaining allocated employment sites from the Replacement Unitary Development Plan together with other sites which had planning backing such as an extant planning permission. The current employment land portfolio as determined at 1st April 2014 amounted to 116.03 hectares in total. This comprises of 106.68 hectares of land allocated in the Replacement Unitary Development Plan together with 9.35 hectares of land with other forms of planning backing such as planning permission. The assessment of this land indicates that, for the purposes of providing a new portfolio of employment land that will endure for the plan period and will secure opportunities for new investment and sustained economic growth, only 51.57 hectares are considered potentially suitable. Within the Bradford area, where the proposed allocation is at least 100 hectares, the current supply of potential good employment sites is 33.39 hectares, a shortfall 66.61. In Airedale, the supply is 18.18 hectares giving a shortfall of 11.82 hectares. There are no sites allocated in Wharfedale of reasonable market demand giving a requirement of 5 hectares. However, these figures will be re evaluated at Allocations stage when the details of all sites will be considered against a broad range of factors including competing demands for other land uses such as housing, infrastructure requirements, environmental impacts, and physical characteristics such as access.'</u></p> |
| MM69 | Page 113 | Policy EC3 Criterion A | <p>Amend criterion A, as follows:</p> <p>'A. The planned requirement for at least 135 hectares of employment land within the district will be distributed between the different parts of the LDF District as follows:</p> |

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| | | | <ol style="list-style-type: none"> 1. 100 ha within City of Bradford 2. 30 ha in the Airedale Corridor 3. 5 ha in the Wharfedale corridor' |
| MM70 | Page 116 | Paragraph 5.1.25 new text in support of Policy EC4 Criterion D | <p>Insert new paragraph to follow existing paragraph 5.1.25 in support of Policy EC4 Criterion 4, as follows:</p> <p><u>'5.1.27 Criterion D recognises that there are key locations within the main urban areas where existing industrial and business uses predominate. It is considered that these zones provide a range of sites of varying quality and rental supply which can be of particular advantage to the development of young or lower level economic enterprises. Such concentrations of employment activity can also provide the impetus for new business innovation and growth. The traditional employment activities of these areas will continue to play an important role in providing jobs for their surrounding communities.'</u></p> |
| MM71 | Page 116 | Policy EC4 Criterion D | <p>Amend Criterion D as follows:</p> <p><u>'D. Identifying Strategic Employment Zones within the Allocations DPD and Area Action Plan DPD's</u> where development proposals for non employment uses will not be permitted unless it can be demonstrated that the proposal relates to a use which supports the function of the function of the employment zone as a predominantly industrial area.'</p> |

MM72
(Continued)

Government and the Office For National Statistics are trend based and therefore highly sensitive to the trend period on which they are based. They are updated on a regular cyclical basis approximately every two years. The initial Housing Requirements Study **was** issued in February 2013 and **was** based on the then current 2008 based household projections. **It was then has recently been** supplemented by an addendum report which re-**ran runs** the modelling to incorporate the interim 2011 based household projections issued by the CLG in April 2013. **A further report was issued in September 2014. This update was commissioned as a result of work with neighbouring authorities within the Leeds City Region aimed at deriving a consistent approach to assessing housing need. The new work updated the core demographic and economic based scenarios of the earlier reports using recently released 2011 census data, updated jobs growth projections and the newly issued 2012 based population projections.**

5.3.13 ~~14~~ Full details of the Housing Requirements Study **and the different iterations of the work** are available on the Council's website. **In line with Government guidance, in each case the work generated a baseline demographic scenario. However one of** but the key conclusions of the work **is are** that the district is expected to see rapid and sustained population growth over the period and that the housing requirement should be aligned to a level of household growth consistent with the expected expansion in the district's economy as indicated by the Regional Econometric Model. **The result is an increase or uplift in the assessment of housing need to a level well above the basic demographic scenario. The rate of household formation which will occur within this growing population is more difficult to predict because it is more sensitive to changes in the economy and the housing market. The Addendum Report therefore recommended that the housing requirement be set at the mid point of a range of 1807 to 2565 dwellings per annum.**

5.3.15 **In line with the NPPG the Council has also taken account of a range of market signals in its objective assessment of housing need. It has reflected on the information and analysis contained**

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| | | | <p><u>both within the Housing Requirement Study and the SHMA. The Government identifies a number potentially relevant market signals but in Bradford’s case the most significant are considered to be past rates of development and overcrowding. Past rates of development have been significantly below both planned supply and below the average rate of household growth over the period. Levels of overcrowding within parts of the urban areas are high and have worsened in recent years. The Council considers that this indicates a level of unmet need which it has addressed via the addition of a further uplift to the housing need assessment.</u></p> <p><u>5.3.16 Having determined its objective assessment of need the Council has given careful consideration to whether that need can and should be met within Bradford District. Having regard to evidence such as the SHLAA the Council considers that the level of need can be accommodated and delivered. It has also used a range of evidence including the Bradford Growth Assessment and the Sustainability Appraisal to consider the implications of planning for this level of growth. In particular it has given careful consideration to the need for and implications of green belt changes. It considers that the district’s housing needs can be met in full in a sustainable way and in accordance with the NPPF.’</u></p> |
| MM73 | Page 157 | Paragraph 5.3.14 & 5.3.15 | <p>Re-number and amend paragraphs 5.3.14 and 5.3.15, as follows:</p> <p><u>5.3.14 17</u> As set out in Policy HO1 and Table HO1 there are a number of key variables which combine to produce the housing requirement for the district.</p> <p><u>5.3.15 18</u> The Housing Requirement Study’s base date is 2011 and <u>sets out its analysis of household growth and housing need up to 2030. The Core Strategy therefore indicates an the estimated annual need over from</u> that period <u>of is taken to be</u> 2200 dwellings in line with the report’s recommendations. <u>The NPPF requires that the Local Plan makes provision for a period of 15 years from the expected date of adoption of the plan. Since the expected date of adoption of the Core Strategy has slipped to early 2015 the Housing Requirement</u></p> |

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| | | | must cover the period to 2030 rather than 2028 as envisaged when the study was commissioned. The Council has therefore simply applied the study's findings for an additional 2 years.' |
| MM74 | Page 158 | Paragraph 5.3.23 | <p>Delete paragraph 5.3.23 and replace with a new paragraph as follows:</p> <p>The main sources of supply to meet the housing requirement as set out within Policy HO2, in addition to those houses already completed, are now explained in more detail.</p> <p><u>The housing requirement set out within Policy HO1 has already taken account of housing completions up to April 2013. In addition to any further completions after this date on sites with a capacity of 5 or more dwellings or above 0.2ha in size, the main sources of supply to meet the housing requirement are now explained in more detail.</u></p> |
| MM75 | Page 166 | Table HO3 | <p>Baseline distribution of housing requirement relating to population:</p> <p>Within Table HO3 delete the following from the Local Service Centres section and then insert the same text within the Local Growth Centres section:</p> <p>"Burley In Wharfedale 518" "Menston 362"</p> <p>Amend the first line of the Local Growth Centres section of the table as flows:</p> <p>Local Growth Centres 2,196 <u>3,076</u></p> <p>Amend the first line of the Local service Centres section of the table as follows:</p> <p>Local Service Centres 4,850 <u>3,970</u></p> |
| MM76 | Page 167 | Paragraph 5.3.56 | Reflecting earlier modifications paragraph 5.3.56 and re-number. Within the paragraph the third, fourth and fifth sentences are deleted and replaced with new text as follows: |

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| | | | <p>The only exceptions are Bradford City Centre and the Shipley Canal Road Corridor. Within the City Centre the housing targets to an extent reflect permissions already granted together with further ongoing viability work to suggest the levels of new homes that could reasonably be accommodated in the 2 key regeneration areas. With significant areas of the district effectively ruled out for accommodating significant additional development due to the impacts on the internationally important S Pennine Moors SAC / SPA, the only remaining alternative would be to allocate additional development to other parts of the regional city. With all urban in settlement land options utilised fully this would mean further increasing the take on green belt. The Council considers that this would be an inherently unsustainable approach when compared to the benefits of locating development within the city.</p> <p><u>The Council has also taken account of the balance in sustainability terms of locating development within the Regional City with its access to services, infrastructure and public transport compared to increasing further the levels of development in lower order settlements. The presence of environmental constraints such as possible impacts on the S Pennine Moors SAC / SPA has also been taken into account.</u> Moreover the accommodation of development within the Canal Road Corridor and the City Centre will have significant investment and regeneration benefits. The two relevant AAP's for these areas are already assessing in more detail how flood risk can be minimised or mitigated and will bring forward policies and proposals to this end. Overall it is therefore considered that the wider sustainability benefits of an approach which meets some of the housing need of the Regional City in these two areas significantly outweighs the flood risk issue.</p> |
| MM77 | Page 168 | Table HO4 | <p>Within table HO4 amend the numbers and percentages as follows:</p> <p>The Regional City of Bradford 28,650 27,750 68.1% 65.9% +326 -574</p> <p>Shipley & Canal Rd Corridor 3200 3100 7.6% 7.4% +3085 +2985</p> <p>Shipley</p> |

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| | | | <p>1250 750 3.0% 1.8% -235 -735</p> <p>Bradford NE 4700 4400 11.2% 10.5% -2736 -3036</p> |
| MM78 | Page 168 | Paragraph 5.3.59 | <p>Amend paragraph 5.3.59 as follows:</p> <p>Overall the proposed level of growth the Regional City closely matches lies just below the suggested baseline target and represents an increased concentration in this area as compared to that within the CSFED. This has been made possible by the updated and larger land supply within the area in the updated SHLAA and by the results of the Growth Study Bradford Growth Assessment which has identified additional potential areas of search for development around the city additional to those already contained within the SHLAA. The HRA relating to the S Pennine Moors SPA / SAC has also necessitated a re-adjustment away from certain settlements and consequent increase in the Regional City.</p> |
| MM79 | Page 168 | Paragraph 5.3.60 | <p>Amend paragraph 5.3.60 as follows:</p> <p>There are however significant differences between the different parts of the Regional City. Shipley, Bradford NE, SW and NW have all been assigned lower numbers than would be the case if the baseline targets were followed, largely due to land supply constraints in these areas.</p> |
| MM80 | Page 169 | Paragraph 5.3.61 | <p>Amend paragraph 5.3.61 as follows:</p> <p>Conversely the Bradford SE figure lies well above the baseline target and this reflects the potential land supply in the area and the proposals for development both within and adjoining Holme Wood based upon the approved Neighbourhood Plan. It also reflects the results of the Growth Study Bradford Growth Assessment which recommended the SE area as a particular focus for growth.</p> |
| MM81 | Page 169 | Table HO5 | <p>Within table HO5 amend the numbers and percentages as follows:</p> |

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| | | | <p>The Principal Towns 6,700 6,900 15.9% 16.4% -30 +170</p> <p>Ilkley 800 1000 1.9% 2.4% -394 -194</p> |
| MM82 | Page 169 | Paragraph 5.3.62 | <p>Amend paragraph 5.3.62 as follows:</p> <p>'The proposed overall target for the Principal Towns is also close to that indicated within the baseline distribution. However the housing target for Ilkley lies well-slightly below both the baseline target and the target proposed within the CSFED.'</p> |
| MM83 | Page 170 | Table HO6 | <p>Amend the second line of the table as follows:</p> <p>Local Growth Centres 3400 4900 8.1% 11.6% +1204 +1824</p> <p>Amend the entry for Silsden as follows:</p> <p>Silsden 700 1200 1.7% 2.9% +367 +567</p> <p>Amend the entry for Thornton as follows:</p> <p>Thornton 4000 700 2.4% 1.7%</p> <p>Add the following to the table</p> <p>Burley In Wharfedale 700 1.7% +182</p> <p>Menston 600 1.4% +238</p> |
| MM84 | Page 170 | Paragraph 5.2.63 | <p>Amend the paragraph as follows:</p> <p>'The Local Growth Centres are all locations which have been promoted to the third tier of the settlement hierarchy by virtue of their status as sustainable</p> |

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| | | | <p><u>local centres and their</u> role, function and accessibility to the larger settlements of such as Bradford, or Keighley <u>or to Ilkley</u>. They have a role in taking some of the development which would otherwise be allocated to either the Regional City, or to Keighley <u>or to Ilkley</u>. <u>The proposed targets for the Local Growth Centres reflect a balance between recognising their potential to accommodate some growth, the contribution that development can make to meeting housing need but also the need to reflect a number of environmental constraints. These include landscape and topography in the case of Queensbury and potential direct and indirect impacts on the South Pennine Moors SPA / SAC, and the 2.5km buffer zone around it, in the case of Silsden, Burley In Wharfedale and Menston. In the case of Queensbury, Thornton, and Steeton with Eastburn they are also assisting with the redistribution of development away from the SPA 2.5 km buffer zone. The growth assigned to Silsden has been significantly reduced as compared to the CSFED again as a result of the need to direct development away from the 2.5km buffer zone which overlaps a number of potential development sites on the eastern side of the settlement. The target for Queensbury has also been reduced since the CSFED in this case in order to reduce the need for green belt and maintain its separation from other areas and to reduce impacts on landscape and topography.</u></p> |
| MM85 | Pages 170 -171 | Table HO7 | <p>Amend the second line of the table as follows:</p> <p>Local Service Centres 3350 <u>2550</u> 8.0% <u>6.1%</u> -1501 <u>-1419</u></p> <p>Delete the following from the table Burley In Wharfedale 200 0.5% -318 Menston 400 1.0% +38</p> <p>Amend the entries for Baildon and Haworth as follows:</p> <p>Baildon 450 <u>350</u> 1.1% <u>0.8%</u> -904 <u>-1001</u> Haworth 500 <u>400</u> 1.2% <u>1.0%</u> 17 <u>-83</u></p> |
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| MM86 | Pages 171 to 172 | Policy HO3 | <p>The following modifications are made to Policy HO3:</p> <p>Policy HO3: Distribution of Housing Development</p> <p>A. In accordance with the vision and spatial principles set out in this Plan, the forthcoming Allocations, Bradford City Centre and Shipley & Canal Road DPD's will allocate sufficient land to meet the residual housing requirement of at least 42,100 for the district between April 2013 and April 2030. This requirement will be apportioned as follows:</p> <p>3,500 (8% 8.3% of the district total) within the Bradford City Centre Area AAP; 3,200 3,100 (8% 7.4% of the district total) within the Shipley & Canal Road Corridor AAP; 35,400 35,500 (84% 84.3% of the district total) within the Allocations DPD.</p> | | | | | | | | | | | | | | | | |
| MM87 | Pages 171-172 | Policy HO3 | <p>The following modifications are made to Policy HO3:</p> <p>B. The Apportionments between the different settlements of the district will be as follows:</p> <p>The Regional City of Bradford (28,650 27,750) Divided as follows:</p> <table data-bbox="878 912 1612 1050"> <tr> <td>Bradford City Centre</td> <td>3,500</td> <td>Bradford NE</td> <td>4,700 4,400</td> </tr> <tr> <td>Canal Road</td> <td>3,200 3,100</td> <td>Bradford SW</td> <td>5,500</td> </tr> <tr> <td>Shipley</td> <td>4,250 750</td> <td>Bradford NW</td> <td>4,500</td> </tr> <tr> <td>Bradford SE</td> <td>6,000</td> <td></td> <td></td> </tr> </table> | Bradford City Centre | 3,500 | Bradford NE | 4,700 4,400 | Canal Road | 3,200 3,100 | Bradford SW | 5,500 | Shipley | 4,250 750 | Bradford NW | 4,500 | Bradford SE | 6,000 | | |
| Bradford City Centre | 3,500 | Bradford NE | 4,700 4,400 | | | | | | | | | | | | | | | | |
| Canal Road | 3,200 3,100 | Bradford SW | 5,500 | | | | | | | | | | | | | | | | |
| Shipley | 4,250 750 | Bradford NW | 4,500 | | | | | | | | | | | | | | | | |
| Bradford SE | 6,000 | | | | | | | | | | | | | | | | | | |
| MM88 | Pages 171-172 | Policy HO3 | <p>The following modifications are made to Policy HO3:</p> <p>B. The Apportionments between the different settlements of the district will be as follows:</p> <p>The Principal Towns (6,700 6,900) Divided as follows:</p> <table data-bbox="878 1353 1456 1385"> <tr> <td>Ilkley</td> <td>800 1,000</td> <td>Bingley</td> <td>1,400</td> </tr> </table> | Ilkley | 800 1,000 | Bingley | 1,400 | | | | | | | | | | | | |
| Ilkley | 800 1,000 | Bingley | 1,400 | | | | | | | | | | | | | | | | |

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| | | | <p>Keighley 4,500</p> <p>Local Growth Centres (3,400 4,900) Divided as follows:</p> <p><u>Burley in Wharfedale 700</u> <u>Menston 600</u> Queensbury 1,000 Steeton with Eastburn 700 Silsden 1,000 <u>1,200</u> Thornton 700</p> <p>Local Service Centres (3,350 2,550) Divided as follows:</p> <p>Addingham 200 East Morton 100 Baildon 450 <u>350</u> Harden 100 Burley in Wharfedale 200 Haworth <u>500</u> <u>400</u> Cottingley 200 <u>Menston 400</u> Cullingworth 350 Oakworth 200 Denholme 350 Oxenhope 100 Wilsden 200</p> |
| MM89 | Page 173 | Policy HO4 | <p>Modifications are made to part B and C of the policy as follows:</p> <p>B. The plan period will be split into 2 phases with phase 1 covering the first 8 years and the second phase the final 7 years of the plan period to 2030. The <u>Allocations</u> DPD's will therefore need to allocate sufficient land to meet 8/15 of its their housing requirement as specified in Policy HO3 within the first phase <u>and 7/15 of its housing requirement within the second phase.</u></p> <p>C. Detailed proposals for the allocation of sites within these phases and the trigger mechanisms for releasing land will be set out within the Allocations, Bradford City Centre and Shipley & Canal Road DPD's but will be based on the following principles:</p> |
| MM90 | Page 173 | Policy HO4 | <p>Criteria 7 of Policy HO4 is amended as follows:</p> <p>7. The need to ensure an even delivery pattern within smaller settlements and rural areas where sites are aimed at meeting local and affordable housing need over the whole period of the <u>LDF Local Plan.</u></p> |

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| MM91 | Page 173 | Policy HO4 | <p>Additional criteria D and E are inserted as follows:</p> <p><u>D. Consideration will be given to bringing forward large or complex sites within the first phase where this would aid delivery in full in the plan period or where it would help to secure required investment and infrastructure;</u></p> <p><u>E. The Council will maintain a five year supply (plus NPPF buffer) of deliverable housing sites through considering release of the subsequent phase of sites to help address any persistent shortfall.</u></p> |
| MM92 | Page 173 - 174 | | <p>Paragraph 5.3.69 is amended as follows: To reflect the changes to Policy HO4, paragraphs 5.3.69 to 5.3.73 are amended and new text added as follows:</p> <p>5.3.69 The use of a phasing policies policy within the 3-site allocating DPD's will effectively mean that some sites are held back from being developed until the second half of the plan period. It is important therefore that both details of the phasing approach and the selection of sites for the phases, as set out in the forthcoming Allocations DPD, Bradford City Centre and Shipley & Canal Road AAP's are designed to meet the housing delivery goals and targets of this document as well as those relating to co-ordinated infrastructure delivery and meeting previously developed land targets.</p> <p><u>5.3.70 The Council will ensure that Policy HO4 supports housing delivery and regeneration in a number of ways – by being selective in where the phasing policy will apply, by ensuring that that the range of criteria for the actual placement of sites within a phase are designed to be broad and supportive of maintaining housing delivery, and by emphasising the importance of maintaining a 5 year land supply of deliverable sites. It is important to stress therefore that the range of criteria for the actual placement of sites within a phase are designed to be broad and supportive of maintaining housing delivery.</u></p> |

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| | | | <p>5.3.71 <u>Policy HO4 will therefore apply to the assessment and allocation of sites within the Allocations DPD. However within the Shipley & Canal Road Corridor and Bradford City Centre AAP's all housing allocations will be released at the start of the plan period. There are several reasons for this.</u></p> <ul style="list-style-type: none"> • <u>Firstly this will ensure that a greater supply of sites is released in the early stages of the Local Plan period thereby enhancing delivery in the areas of the district where there is the most pressing need for new homes and for regeneration;</u> • <u>Secondly it reflects the fact that the preparation of the AAP's is now at an advanced stage.</u> • <u>In the case of the Shipley and Canal Road Corridor AAP the achievement of the proposed 3,100 homes is dependent on a small number of large and complex sites all of which have been assessed as potentially benefiting from the certainty that early release would provide.</u> • <u>In the case of the City Centre AAP there is very little differentiation between sites with all being previously developed land and all being highly accessible to public transport services. The advanced nature of the work on the AAP has also given assurance that there are no significant infrastructure based reasons for a phased land release in this area. The Council also considers that in most cases these sites would have the potential to further establish and accelerate the emerging pattern of investment and regeneration in the City Centre that is now underway. The market within the City centre is changing at a rapid rate and it is considered important that the AAP takes a flexible approach which supports delivery on sites as and when proposals for development and investment arise.</u> <p>5.3.72 <u>As a result of allocation of 8/15 of the supply within phase 1 of the Allocations DPD and the allocation of all housing land within phase 1 within the two AAP's, the total land supply released at the start of the Local Plan period will amount to at least 25,533 units or 61% of supply.</u></p> <p>5.3.73 <u>With regards to the detail of the phasing policy,</u> the decision to identify two phases and to make the first phase of a longer period than</p> |
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| <p>MM92 (Continued)</p> | | | <p>the second has been taken to ensure flexibility within the land supply and support delivery. An eight year first phase will also ensure that the use of a phasing policy will not undermine the ongoing existence of a 5 year land supply of deliverable sites. Based on the LDS programme and the expectation of achieving an adopted Core Strategy by February 2015 it is envisaged that the first phase will run from February 2015 to February 2023.</p> <p>5.3.74 Within strategic planning sub areas, careful consideration will need to be given to assigning within each phase a variety of site types and site locations to meet the needs for different types, sizes and tenures of housing and this will mean that although there will be a focus on brownfield sites, some greenfield sites will need to be assigned to the first part of the plan period. The results of the SHLAA will also be used to ensure the potential timing of delivery on sites is also taken into account. The Local Infrastructure Plan will also be a key input into the phasing process. To be clear, although the Council wishes to encourage the take up and delivery of previously developed land, there will be no bar on a particular type of site being placed within the first phase.</p> <p>5.3.75 While each of the 3 DPD's which will be allocating housing sites <u>the Allocations DPD as a whole</u> will need to allocate sufficient land in the first phase to meet 8/15 of its plan wide housing requirement, it will not be a requirement <u>for each settlement to release land to precisely the same proportions. In some settlements more than 8/15 may be released within the first phase and in some slightly less. This reflects the varying circumstances</u> to phase sites on a settlement by settlement basis and the fact that –This would not be practical since some settlements will face more significant infrastructure issues while immediately deliverable land supply will also vary. <u>However unless there are sound planning reasons not to do so all settlement and sub areas should make a contribution to and release some land within phase 1.</u></p> |
| <p>MM92 (Continued)</p> | | | <p>5.3.76 <u>The Council recognises that in some cases there will be relatively long lead in times and technical issues associated with bringing forward larger or more complex sites for residential development.</u></p> |

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| | | | <p><u>In such cases early release and phasing may assist infrastructure planning and the securing of funding, and will also ensure that such larger sites are capable of delivering their completions in full within the plan period. Consideration will be given to opportunities to bring such sites forward for development, as part of the first phase, where this is appropriate and consistent with the overall strategy.</u></p> <p>5.3.77 The overall principles for the phasing approach within the Local Plan are therefore set out in this document within Policy HO4. The Housing Implementation Framework included in Appendix 6 also sets out how the Council will monitor delivery and this includes the implications of under achievement of on housing completions and brownfield development targets for the phasing approach. <u>The Council will also consider the early release of phase 2 sites in the unlikely event of a persistent shortfall (defined as being over 2 successive monitoring year periods) in 5 year land supply.</u> Appendix 6 also includes the expected housing delivery trajectory. This in turn reflects the Council’s approach to maintaining a 5 year land supply which includes allowing for a 20% buffer in additional supply brought forward from the later part of the plan period and resolving the backlog in previous provision over the full plan period (the ‘Liverpool approach’). This reflects the need to boost delivery to meet the backlog but at a rate which would be practicable and deliverable.</p> <p>5.3.78 <u>Finally, to be clear, Policy HO4 is aimed at the process of allocating and phasing the release of sites in a managed and sustainable way in the subsequent Allocations DPD. It is not the intention that Policy HO4 be applied to prevent other future sustainable housing development proposals (which would be considered windfall development) from coming forward.</u></p> |
| MM93 | Page 175 | Policy HO5 Paragraph 5.3.77 | <p>Amend paragraph 5.3.77 as follows:</p> <p>The Government’s NPPF therefore recognises that it is a legitimate role of the local plan to set density targets which reflect local circumstances. The local</p> |

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| | | | <p>circumstances which warrant such targets in this plan include the massive scale of development which is needed to meet the district's growing population and the relatively constrained supply of deliverable land to meet that need, particularly within the main urban areas.</p> <p>In this context and in having regard to the need to promote urban regeneration and avoid the dispersal of development and increased journeys by car, the Council considers that all most developments should achieve a minimum density of 30 dwellings per hectare.</p> |
| MM94 | Page 175 | Policy HO5 | <p>Make the following minor amendment to criteria C</p> <p>C. Detailed density targets applying to specific sub areas will be set out within the Allocations, Bradford City Centre and Shipley & Canal Road Corridor DPD's. This will include those areas where local character of the area would warrant lower densities or areas well served by public transport where higher densities may be required.</p> |
| MM95 | Page 177 | Paragraph 5.3.81 | <p>After paragraph 5.3.81 add a new paragraph as follows:</p> <p><u>For the purposes of clarity, the targets set out within Policy HO5 relate to net densities. Net density is usually determined by measuring the number of dwellings against the net developable area of the site. The net developable area would include only those site areas which will be developed for housing and directly associated uses, including local access roads within the site, private garden space, car parking areas, incidental open space and children's play areas, where these are provided.</u></p> |
| MM96 | 178 | Policy HO6 | <p>Amend Policy HO6 as follows:</p> <p>'A. In order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way, the plans, programmes and strategies of the Council will give priority to the development of previously developed land and buildings.</p> |

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| | | | <p>This will mean achieving the maximum possible overall proportion of housing development on previously developed land consistent with:</p> <ol style="list-style-type: none"> 1. the deliverable and developable land supply; 2. the need to maintain a 5 year land supply of deliverable sites; 3. the need to coordinate development with infrastructure provision; and 4. the need to maintain delivery of the scale and type of homes required throughout the plan period; <p>B. District wide, a minimum of 50% of total new housing development over the Local Plan period will be on previously developed land.</p> <p>C. In order to achieve the district wide target of 50%, the Allocations, Bradford City Centre and Shipley and Canal Road DPD's should bring forward land and manage its release so as to deliver at least the following proportions of housing development on previously developed land:</p> <ul style="list-style-type: none"> • In the Regional City of Bradford a minimum of 55% • In the Principal Towns a minimum of 50% • In the Local Growth Centres a minimum of 15% • In the Local Service Centres a minimum of 35% <p>D. The Council will monitor performance against these targets and will take action if performance slips outside of the defined acceptable ranges as set out in the housing implementation framework.'</p> |
| MM97 | Page 177 | Paragraph 5.3.84 | <p>Amend paragraph 5.3.84 , as follows:</p> <p>'Policy HO6, together with the implementation strategy included in Appendix 6 therefore sets out the priority that the Council will give to maximising the contribution which previously developed land makes to the provision of new homes, and indicates minimum targets for the proportion of housing completions which should be on previously developed land which reflects the evidence base, in particular the SHLAA. The policy therefore supports both the Core Strategy's place specific vision for Bradford and strategic objective 2.'</p> |
| MM98 | Page 179 | Paragraph 5.3.88 | Amend paragraph 5.3.88, as follows: |

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| | | | <p>' The district wide target of 50% of new housing on brownfield land is a realistic one based on the land supply data within the SHLAA. The targets <u>though challenging are considered achievable. have also been expressed as minima as the Council believes that there may be limited scope to further increase the proportion of brownfield delivery. For example</u> The SHLAA has taken a cautious view of development potential within the City Centre and there are a range of schemes not currently within the trajectory which may well come forward once the economy recovers albeit at lower densities than was the case when permissions were originally granted. Further brownfield supply may also materialise via the recycling of land in the urban areas, particularly within the Bradford and Keighley, and as a result of recent Government changes to allow the conversion of offices to residential use.'</p> |
| MM99 | Page 186 | Policy HO8 Paragraph 5.3.116. | <p>Amend paragraph 5.3.116. as follows:</p> <p>'When an appropriate mix of housing on site is being negotiated, decisions should take account of local market demand, the balance between general market supply and demand and evidence of local need to ensure the site contributes to the overall mix of housing in the locality. <u>The viability of achieving an appropriate housing mix should also be considered.</u> The SHMA, and any more detailed and localised evidence of housing need and demand, such as local or village needs surveys, will form the main basis on which the creation of an appropriate and sustainable mix of house types within larger sites will be judged both at the level of plan making and in considering planning applications.'</p> |
| MM100 (Continued) | Page 189 | Policy HO9 | <p>Amend Policy HO9 as follows:</p> <p>'A. New housing development should be high quality and achieve good design.</p> <p>B. The Council will encourage <u>and support all-new housing residential</u> developments to meet <u>achieve the highest possible</u> sustainable design and construction standards. Subject to feasibility and / or viability, The minimum acceptable <u>sustainable housing</u> standards <u>are set out in the building regulations with reference to the Code For Sustainable Homes or any national equivalent will be:</u></p> |

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| | | | <ul style="list-style-type: none"> • Code Level 4 from the date of adoption, and • Zero Carbon Housing (or any national equivalent) from 1st April 2016 <p>C. <u>Larger housing sites should include a proportion of</u> new homes <u>which are should be</u> designed to be accessible and easily adaptable to support the changing needs of families and individuals over their lifetime, including <u>older people</u> and people with disabilities.</p> <p>D. New development should provide private outdoor space for homes, unless site constraints make this clearly unfeasible and/or unviable.</p> <p>E. New homes should be well laid out internally and should provide suitable space standards appropriate to the type of home. Rooms should receive adequate levels of daylight.</p> <p>F. New development should provide adequate storage for bins, recycling and cycles. These should be located or designed in a way which is both convenient for residents and supports the quality of the street scene.</p> <p>G. Specific guidance on housing quality and design on an area or site basis will be set out as necessary in the Allocations DPD, Bradford City Centre and Shipley & Canal Road AAPs and Neighbourhood Plans. Higher standards of sustainable design and construction may be required for certain sites or areas where it is feasible and viable to do so.'</p> |
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| MM101 | Page 190 | Policy HO9 | Amend targets table in support of policy HO9, as follows: | | |
| | | | OUTCOMES | INDICATORS | TARGETS |
| | | | Housing that is high quality and achieves good design | % of major housing schemes achieving no reds in Building for Life 12 Assessments IND23(EV) | No planning permissions for a major housing scheme should achieve a 'red' rating against Building for Life 12 assessment |
| | | | Housing that meets high standards of environmental performance as set out by Government | % of new dwellings achieving Code Level 4 Operational | |
| | | | Housing that is accessible and easily adaptable which caters for the needs of the district's growing population | % of new dwellings achieving Lifetime Homes Standard or any national equivalent <u>optional technical standards for accessible and adaptable dwellings and wheelchair user dwellings</u> Operational | |
| MM102 | Page 191 | Paragraph 5.3.138 | Amend paragraph 5.3.138 as follows: 'Under Criterion B the council will encourage developers to bring forward proposals which meet the highest possible standards of sustainable <u>design and</u> construction, <u>which should meet at least</u> All new development should | | |

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| | | | <p>attain a high standard of sustainable construction in line with the prescribed national standards at the time of application. <u>New housing should achieve the zero carbon housing standard (or any national equivalent) in line with the timescales set out in the national zero carbon housing policy.</u> The council will encourage and support developments which exceed the national minimum standards. All new housing developments of 10 or more dwellings will be expected to meet the Code for Sustainable Homes Level 4, and from 1st April 2016 all new housing must meet the Zero Carbon Homes standard or any national equivalent. If the proposed standards are below those set out in Policy HO9 then the onus will be on applicant to justify why development to these standards cannot be achieved.</p> |
| MM103 | Page 191 | Paragraph 5.3.139 | <p>Amend paragraph 5.3.139 as follows:</p> <p>‘This requirement will be assessed through evidence provided by the applicant that the scheme will achieve the standards set out in the policy (or any subsequent revised national standards). The evidence submitted by the applicant should enable easy assessment and applicants are encouraged to undertake a Design Stage Assessment of performance against the Code for Sustainable Homes. A post construction stage certificate confirming that the development has met the required standard will be required prior to occupation. The council will encourage and support developments which exceed the national minimum sustainable housing standards, particularly efficiency standards. The council will also support the use of on site renewable or low carbon energy generation, where appropriate and feasible, to help meet the energy requirements of the development and reduce carbon emissions.’</p> |
| MM104 | Page 191 | Paragraph 5.3.140 | <p>Amend paragraph 5.3.140 as follows:</p> <p>‘<u>Under Criterion C The council will encourage and support all new homes should be which are designed to provide enhanced accessibility or adaptability designed to be accessible and easily adaptable. This includes accessible and adaptable dwellings and wheelchair user dwellings, as set out in the national optional technical standards for</u></p> |

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| | | | housing. Where feasible and viable the council will encourage new housing to achieve In addition the council will support the Lifetime Homes Standard <u>as a model for building accessible and adaptable homes.</u> |
| MM105 | Page 191 | Paragraphs 5.3.141. & 5.3.142 | <p>Amend paragraph 5.3.141 as follows:</p> <p>‘ Under Criteria C larger sites of 10 dwellings or more will be expected to <u>should</u> include a proportion of accessible homes as part of the overall housing mix. This will be assessed through evidence provided by the applicant that <u>a proportion of new homes on a site housing will achieves Lifetime Homes standards, the British Standards for Accessible Housing or any subsequent revised exceed the</u> national <u>minimum requirement for access.</u> accessible housing standard. If these standards are not met, this should be clearly justified and the applicant should demonstrate how the development meets the requirements of Criterion C. <u>In considering Criteria C regard will be had to local need and the viability and feasibility of delivering accessible homes on a particular site. Site specific factors such as vulnerability to flooding, the topography of the site or other circumstances which may make a site less suitable for accessible dwellings will also be taken into account, particularly where step free access cannot be achieved or is not viable.</u></p> <p>Insert new paragraph to follow:</p> <p><u>The council intends to undertake further detailed work in regards to the requirement for accessible, adaptable and wheelchair user dwellings in accordance with the latest National Planning Practice Guidance. The Housing Design Guide will take account of this work and provide further guidance in relation to the proportion of accessible, adaptable and wheelchair user dwellings required in advance of any adopted policy in the Local Plan.</u></p> |
| MM106 | 191 | Paragraph 5.3.143 | <p>Before paragraph 5.3.143 insert new paragraph as follows:</p> <p><u>5.3.144. The provision of sufficient living space within new homes is an important element of good housing design. Building to suitable space</u></p> |

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| | | | <p><u>standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances.</u></p> <p>Amend paragraph 5.3.143, as follows:</p> <p><u>'Under Criterion E new homes should provide suitable space standards encourages suitable space standards which will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances. Subject to viability and /or feasibility the council will expect all new housing to meet at least the following minimum internal floor areas (or any subsequent national space standards) as follows:</u></p> <p><u>1 Bed / 2 person dwellings 51 m2</u> <u>n 2 Bed / 3 person dwellings 66m2</u> <u>n 2 Bed / 4 person dwellings 77 m2</u> <u>n 3 Bed / 5 person dwellings 93 m2</u> <u>n 4 Bed / 6 person dwellings 106 m2</u> <u>(Floor areas shall be measured in line with RICS Gross Internal Floor Area)</u></p> |
| MM107 | 192 | Paragraphs 5.3.144 | <p>Insert new paragraphs after paragraph 5.3.143, as follows:</p> <p><u>' The Government has developed a national space standard to offer a consistent set of requirements with regard to the size of new homes. The overall objective of this national space standard is to ensure that new homes are highly functional in terms of meeting typical day to day needs at a given level of occupation. The standard is intended to be a minimum standard which developers should exceed where possible.</u></p> <p><u>For residential developments the council will apply the national space standard as a benchmark for assessing the suitability of the proposed space standards of new homes. This will allow particularly small homes to be identified, and where necessary, the council will seek to understand the reasons for any significant variation from the national space standard.</u></p> |

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| | | | <p><u>Where feasible and / or viable new homes should meet at least the minimum internal floor areas as set out in the Nationally Described Space Standard (or any subsequent national space standards) ‘</u></p> <p>Amend Paragraph 5.3.144 as follows:</p> <p>‘If the proposed space standards are below those set out <u>in the nationally described space standard</u> above then the onus will be on applicant to justify why development to these standards cannot be achieved.’</p> <p>Insert new paragraph to follow:</p> <p><u>‘The council intend to undertake further detailed work in regards to adopting the national space standard in the District, in accordance with the latest National Planning Practice Guidance, in advance of any policy requirement in the Local Plan.’</u></p> |
| MM108 | Pages 196 to 197 | Policy HO11 | <p>Amend criterion C under Policy HO11 as follows:</p> <p>‘C. Affordable housing will be required on sites-developments of 15 dwelling units <u>or more and on sites over 0.4 hectares in size</u>. The site size threshold is lowered to <u>11 5 dwellings units or more</u> in Wharfedale, and the villages of Haworth, Oakworth, Oxenhope, Denholme, Cullingworth, Harden, Wilsden, and Cottingley.</p> |
| MM109 | Page 198 | Paragraphs 5.3.173 & 5.3.174 | <p>Amend paragraph 5.3.173 as follows:</p> <p>The council will seek affordable housing from residential developments in accordance with the stated thresholds and percentages as set out in Policy HO11. Figure HO2 shows the areas that the policy and the thresholds will apply to. This equates the following quotas:</p> <ul style="list-style-type: none"> • Wharfedale up to 30% • Towns, suburbs and villages up to 20% • Inner Bradford and Keighley up to 15% |

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| | | | <p><u>Within Wharfedale and the villages listed in Part C of Policy HO11 affordable housing contributions will be required on developments of 11 units or more or which have a maximum combined gross floorspace of more than 1000sqm, in accordance with the minimum threshold for affordable housing contributions as set out in the National Planning Practice Guidance.</u></p> <p>Amend paragraph 5.3.174 as follows:</p> <p>5.3.174. Irrespective of the thresholds, Policy HO11 will be applied to developments which have been manipulated in size (either in area or yield) in an attempt to avoid the provision of affordable housing, or which constitute piecemeal development. On smaller sites a commuted sum may be appropriate where this is justified by viability issues.</p> |
| MM110 MM110 (Continued) | Pages 200-202 | Paragraphs 5.3.179 to 5.3.189 | <p>Amend paragraphs 5.3.179 to 5.3.189 as follows:</p> <p>Gypsies, Travellers and Travelling Showpeople</p> <p>5.3.179 It is clearly established within the recently issued national Government guidance <u>contained within ‘Planning policy for traveller sites’</u> that the planning system has a crucial role and responsibility to ensure that adequate provision is made for the accommodation needs of travellers. Local planning authorities are required to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area.</p> <p>5.3.180 The Core Strategy therefore assesses both current supply and future need for accommodation by reference to the <u>recently completed Gypsy and Traveller Accommodation Assessment of July 2015, 2008 West Yorkshire Gypsy and Traveller Accommodation Assessment</u> and provides a framework to ensure that the sites which will be identified in forthcoming DPD’s meet <u>in full</u> the needs of the community and are in locations which are accessible to key services and facilities such as education thereby enhancing their quality of life.</p> |

MM110
(Continued)

~~5.3.181 The Council are currently in the process of commissioning an update to the Accommodation Assessment for Bradford and its conclusions where relevant will be used to update Policy HO12 below.~~

5.3.181 5.3.182 The Bradford Gypsy and Traveller Accommodation Assessment, West Yorkshire Accommodation Assessment, commissioned by the West Yorkshire Housing Partnership, was completed by consultants arc4, has utilised a variety of CRESR (the Centre for Regional Economic and Social Research at Sheffield University) in May 2008. The study is compliant with Government guidance on such studies and used both primary and secondary data and research to assess the scale and type of need including current unmet need, need from households who currently reside in bricks and mortar accommodation, and need resulting from future household growth which is linked to the age structure of current households and finally need for transit accommodation.

5.3.182 Based on the results of the Assessment it appears that there will be a need for a range of site types, tenures and locations including both private and public / social provided accommodation. The Council will therefore work closely with local communities in developing the site allocating elements of the Local Plan to ensure that sites and locations are both sustainable and best meet the needs of travellers and showpersons.

5.3.183 Government policy states that Local Planning Authorities should assess the need for transit site accommodation in addition to permanent accommodation. Such provision can support the community's lifestyle by providing temporary places to stop while travelling. Utilising data from past patterns of unauthorised encampments and information from stakeholder and household survey returns, the Gypsy and Traveller Accommodation Assessment has identified the need for 7 transit pitches with total capacity for 14 vehicles / homes. There are a number of models and options for providing for such transit need including that of Negotiated Stopping which is currently used in other parts of the region such as Leeds. The Council will work with local communities and neighbouring authorities to determine the best model and best locations

MM110
(Continued)

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| <p><u>for transit provision.</u></p> | <p>5.3.183 The study found that there was already a level of unmet need for accommodation across the sub region with consequent detrimental effects on access to key services. For example, just 41 per cent of Traveller children on the roadside attend school regularly compared to 80 per cent of those on sites and in bricks and mortar housing. While the size of the population has increased the level of authorised provision has not kept pace with this change. This has resulted in a myriad of responses – including rising unauthorised encampments, ‘doubling up’ on sites, forced movements into bricks and mortar housing and overcrowding within trailers and caravans. New provision is therefore essential to address the backlog of unmet need and also meet the needs of new forming households and an expanding population.</p> <p>5.3.184 Specifically regarding gypsy and traveller accommodation West Yorkshire has a much higher proportion of socially rented provision (81 per cent) compared to the regional (53 per cent) and national (40 per cent) pictures and contains only a small proportion of private provision (4%).</p> <p>5.3.185 By contrast Travelling Showpeople do not tend to reside on local authority sites. Indeed, virtually all of those households in the survey were resident on Showmen’s yards leased to, or owned by, the Showmen’s Guild or Guild members. Travelling Showpeople also differ from other travelling groups in the sense that their accommodation needs are heavily influenced by their employment practices. They need larger spaces for the storage of heavy machinery and equipment and often need to carry out testing, repairs and maintenance to equipment within their yards.</p> <p>5.3.186 The Assessment found that there was already an acute shortage of accommodation for the travelling showpeople community and stated that the accommodation that did exist was generally of poor quality.</p> <p>5.3.187 In addition to specifying the number of pitches which are required the Assessment also makes a number of important points which are relevant to the type of provision and mechanisms for delivery within the District. Firstly based on need generated by patterns of unauthorised</p> |
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MM110
(Continued)

~~encampments the study concludes that there is a sub regional requirement for 19 transit pitches. However there was a lack of support towards the idea of transit sites from both stakeholders and the community with concerns related to the management of such sites. The study suggests that a pragmatic approach to accommodating transient households appears more appropriate. This could include short-term pitches on residential sites, the use of appropriate stopping places and short-term ‘doubling up’ on the pitch of a relative.~~

~~5.3.188 Secondly with regards to the ability of communities to make their own provision for sites and facilities there were differing results. Around 45% of Travelling Showpeople who responded to the study questionnaire had some experience of purchasing or pooling land compared to only 6% for other communities. The report suggests that levels of deprivation are higher among gypsy and Irish traveller groups – for these groups the purchase of land is simply not an option. The clear implication is that the local authority and other social housing providers will need to provide or facilitate the majority of accommodation needed for the gypsy and traveller community.~~

~~5.3.184 5.3.189~~ Table HO8 sets out the requirement for accommodation in the district based on the results of the study Assessment. ~~The study compares current and planned supply with current unmet need and future need which will result from the growth in households. Similar methodologies were used for assessing the needs of both Travelling Showpeople and Gypsies and Travellers. As the study only covered the period to 2026 Policy HO12 adds further pitches on a pro rata basis equivalent to the 2016-26 rates of the study.~~

Table HO8: Pitch and Plot Requirements In Bradford District based on the Bradford Gypsy & Traveller West Yorkshire Accommodation Assessment 2015 2008

Delete existing table HO8 and replace with the following table:

| | | |
|-------------------------------|-----------------------|-------------------|
| <u>Gypsy’s and Travellers</u> | <u>Need (2014-19)</u> | <u>82 Pitches</u> |
| | <u>Supply of</u> | <u>52 pitches</u> |

| | | | | | |
|----------------------|---------------|-------------|--|--|--------------------------|
| MM110 (Continued) | | | | <u>authorised pitches</u> | |
| | | | | <u>Shortfall / additional supply needed 2014-19</u> | <u>30 pitches</u> |
| | | | | <u>Longer Term Need (to 2030)</u> | <u>9 Pitches</u> |
| | | | | <u>Total Additional Supply Needed</u> | <u>39 pitches</u> |
| | | | <u>Transit Provision</u> | <u>Total Additional Supply Needed</u> | <u>7 pitches</u> |
| | | | <u>Showpersons</u> | <u>Need (2014-19)</u> | <u>68 plots</u> |
| | | | | <u>Supply of authorised plots</u> | <u>36 plots</u> |
| | | | | <u>Shortfall / additional supply needed 2014-19</u> | <u>32 plots</u> |
| | | | | <u>Longer Term Need (to 2030)</u> | <u>13 plots</u> |
| | | | | <u>Total Additional Supply Needed</u> | <u>45 plots</u> |
| MM111 | Pages 202-203 | Policy HO12 | <p>Amend Policy HO12 as follows:</p> <p>Policy HO12: Sites For Travellers and Travelling Showpeople</p> <p>A. The Council will make provision via policies and site allocations to deliver <u>at least</u> the following number of additional pitches for Gypsies and Travellers <u>and plots</u> for Travelling Showpeople for the period <u>to 2030</u> 2008-30:</p> <ul style="list-style-type: none"> • <u>39</u> 74 pitches for the gypsy and traveller communities; and • <u>7 pitches for transit accommodation</u> • <u>45</u> 22 pitches for travelling showpeople <p>B. The Allocations DPD and Shipley & Canal Road AAP will <u>in combination</u></p> | | |

| | | | <p>allocate identify sufficient sites to deliver this requirement in sustainable and accessible locations which meet the needs of local communities;</p> <p><u>C. The Council will work closely and constructively with the neighbouring councils, the traveller and showperson’s communities and the settled community to identify the most appropriate sites which will offer locations and accommodation which are both sustainable and meet the needs of the travellers and showpeople;</u></p> <p><u>D</u> C. All sites which are developed or proposed for allocation for the gypsy and traveller and travelling showpeople communities should be assessed against criteria relating to:</p> <ul style="list-style-type: none"> • Safe and appropriate access to the highway network; • Whether they are or can be served by utilities or infrastructure; • Whether they are accessible to services, amenities and public transport; • The avoidance of significant adverse affects on the environment and adjacent land uses; and • Incorporating appropriate design and landscaping standards. • Avoiding areas at high risk of flooding; <p>D. Temporary planning permission may be granted for sites where they would help meet local need ahead of the development of permanent sites and where they would accord with the criteria above.</p> <p>E. Consideration will be given to allocating rural exception sites within specific rural settlements in the Allocations DPD and in Neighbourhood Plans where sufficient affordable sites to meet local need cannot otherwise be delivered.</p> <p>F. The criteria for assessing speculative proposals for rural exceptions via planning applications will be set out in the Allocations DPD and will give priority to protecting the most sensitive sites and those areas of land where development would significantly undermine the openness of the green belt.</p> | | | |
|----------|--------------|-----------------------------------|--|----------|------------|---------|
| MM112 | Page 203-204 | Table of outcomes, lead roles and | <p>Amend the paragraphs as follows:</p> <table border="1" data-bbox="878 1362 1644 1398"> <thead> <tr> <th data-bbox="878 1362 1137 1398">OUTCOMES</th> <th data-bbox="1137 1362 1391 1398">INDICATORS</th> <th data-bbox="1391 1362 1644 1398">TARGETS</th> </tr> </thead> </table> | OUTCOMES | INDICATORS | TARGETS |
| OUTCOMES | INDICATORS | TARGETS | | | | |

| MM112 (Continued) | paragraphs 5.3.90 and 5.3.91 | | | | | |
|---|---|---|--|---|---|---|
| | | Sufficient new accommodation for Gypsies and Travellers and Travelling Showpeople of the right size, type and tenure has been provided to meet the needs of local communities as set out in the <u>Bradford Gypsy and Traveller Accommodation Assessment West Yorkshire Accommodation Assessment.</u> | The land supply of sites for Travellers and Travelling Showpeople IND7(H) Annual gross pitch completions – district wide split between G&T pitches and pitches for Travelling Showpeople Operational | A deliverable five year land supply of sites for Travellers and Travelling Showpeople | | |
| | | <table border="1"> <tr> <th>LEAD ROLES</th> <th>DELIVERY MECHANISMS</th> </tr> <tr> <td>CBMDC Developers – market housing InCommunities Other RSL's – social housing HCA Government <u>Local Community Groups including Leeds GATE</u></td> <td>Strategic Policy via Core Strategy Local policy and allocations Householder SPD Development Management Decisions Gypsy & traveller Accommodation Assessment SHMA</td> </tr> </table> | LEAD ROLES | DELIVERY MECHANISMS | CBMDC Developers – market housing InCommunities Other RSL's – social housing HCA Government <u>Local Community Groups including Leeds GATE</u> | Strategic Policy via Core Strategy Local policy and allocations Householder SPD Development Management Decisions Gypsy & traveller Accommodation Assessment SHMA |
| LEAD ROLES | DELIVERY MECHANISMS | | | | | |
| CBMDC Developers – market housing InCommunities Other RSL's – social housing HCA Government <u>Local Community Groups including Leeds GATE</u> | Strategic Policy via Core Strategy Local policy and allocations Householder SPD Development Management Decisions Gypsy & traveller Accommodation Assessment SHMA | | | | | |

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|-----|--|--|---|-----|
| | | | <table border="1"><tr><td>AMR</td></tr></table> <p>5.3.185 5.3.190 The policy as proposed gives sufficient guidance to other site specific Local Plan documents and could be easily updated should new or updated evidence on accommodation needs be produced in the future. By identifying criteria which could be equally applied to applications for planning permission as for the Local Plan site selection and allocation process, the preferred policy would enable the Council to respond to any proposals for site developments which might come forward in the short term.</p> <p>5.3.186 5.3.191 The policy allows for the inclusion within the Local Plan, should the evidence justify it, of rural exception sites and policies.</p> | AMR |
| AMR | | | | |

Section 5.4 Environment

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification New text: <u>underlined</u> Deleted text strike through |
|------------------|----------|---|---|
| MM113 | Page 210 | Policy EN1 Paragraph 5.3.17 | <p>Amend paragraph as follows:</p> <p>Data has been collected from surveys about visits to areas of the South Pennine Moors that lie within Bradford. The visitor data relates to key factors such as frequency of visit, timing, access point, range of activities, mode of transport and distance travelled. Once this has been fully analysed, it will help to assess how potential impacts from an increasing number of visitors can be managed and the extent to which alternative areas of natural greenspace can divert pressure to less sensitive areas. <u>An SPD will be produced to identify contributions and secure mitigation measures, in relation to provision of natural greenspace, where this is required to mitigate the effects of increased recreation pressure upon the South Pennine Moors SPA/SAC</u></p> |
| MM114 | Page 211 | Amend text to policy EN1 Add section between section headed: Provision of Open Space and Recreation Facilities and Local Greenspace. | <p>Add new criterion, as follows:</p> <p><u>Mitigating Recreational Pressure on the South Pennine Moors SPA and SAC</u></p> <p><u>C. Residential developments which contribute to recreational pressure upon the South Pennine Moors SPA and SAC will be required to mitigate these effects through provision of new recreational natural greenspaces or improvements to existing open spaces.</u></p> |
| MM115 | Page 215 | Biodiversity and Geological Conservation – paragraph 5.4.32 | <p>Add new text to end of paragraph 5.4.32, as follows:</p> <p>‘Policy EN2 seeks to protect biodiversity and geodiversity within the District and to identify principles for enhancing the overall biodiversity resource and stemming losses. It identifies a range of factors that need to be taken into account in identifying potential land for development, in taking into account</p> |

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| | | | impacts on the districts biodiversity resource in decision-making and in making an assessment and managing proposals that come forward. <u>One of the most important principles in relation to conserving and enhancing biodiversity identified in the NPPF is that where ‘significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.’ It will therefore only be acceptable to consider compensation as a last resort and under circumstances where this can be carried out in accordance with best practice and guidance, such as that produced by the Chartered Institute of Ecology and Environmental Management.’</u> |
| MM116 | Page 220 | Policy EN2 Biodiversity and Geodiversity Criterion A North and South Pennine Moors | Amend criterion policy sub title and criterion A, as follows: <u>‘The North and South Pennine Moors SPAs and SACs</u> A. Any development that would be likely to have a significant effect on a European Site either alone or in combination with other plans or projects will be subject to assessment under the Habitat Regulations at project application stage. If it cannot be ascertained that there will be no adverse effects on site integrity then the project will have to be refused <u>unless the derogation tests of Article 6(4) Habitats Directive can be met.’</u> |
| MM117 | Page 220 | Policy EN2 Biodiversity and Geodiversity – insert new criterion B, after A and before Locally Designated Sites | Insert new criterion B and sub title as follows: <u>‘Sites of Special Scientific Interest</u> <u>B Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest.’</u> |

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| MM118 | Page 220 - 221 | EN2 Criterion B | <p>Amend criterion reference to reflect new Criterion B and amend text as follows:</p> <p>‘Locally Designated Sites</p> <p>BC. Development likely to have an direct or indirect adverse effect on a site of ecological/geological importance (SEGIs and RIGS) or a site of local nature conservation value (Bradford Wildlife Areas) will not be permitted unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the substantive nature conservation value of the site. Proposals that are likely to have an impact on such sites will be assessed according to the following criteria;</p> <ol style="list-style-type: none"> 1. Whether works are necessary for management of the site in the interests of conservation. 2. Whether adequate buffer strips and other <u>appropriate</u> mitigation measures, which could include adequate buffer strips, have has been incorporated into the proposals to protect species and habitats for which the Locally <u>Designated</u> Site has been designated. 3. The development would be expected to result in no overall loss of habitat, <u>through avoidance, adequate mitigation or, as a last resort, the provision of and mitigation could be expected to include</u> compensatory habitats adjacent to or within the vicinity of any losses proposed. Existing habitats and proposed mitigation <u>or compensatory measures</u> should be quantified.’ |
| MM119 | Page 221 | Policy EN2 Criterion C | <p>Amend criterion reference to reflect new Criterion B and amend text as follows:</p> <p>‘Habitats and Species outside Designated Sites</p> <p>C-D Proposals that may have an adverse impact on important habitats and species outside designated sites need to be assessed according to the following criteria:-</p> |

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| | | | <p>1. The potential for adverse impact on important/priority habitats that occur outside designated sites</p> <p>2. The potential for adverse impact on species of international, national and local importance</p> <p>3. The extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out.</p> <p><u>4 As a last resort, the extent to which appropriate measures to compensate any potentially harmful impacts can be identified and carried out.'</u></p> <p>The assessment needs to take account of:</p> <p>West Yorkshire Site Selection Criteria and Where relevant developers will be expected to submit (European) Protected Species surveys and other ecological assessment related information with their application.</p> <p>Development which would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity will be resisted'</p> |
| MM120 | Page 221 | Policy EN2 | <p>Amend criterion reference to reflect new Criterion B and amend text as follows</p> <p>'Enhancement</p> <p>D E Plans, policies and proposals should contribute positively towards the overall enhancement of the District's biodiversity resource.</p> <p>They should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species.</p> <p>The Council will seek to promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands. Opportunities for specific habitat creation within development proposals will be sought,</p> |

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| | | | <p>including provision for future management.</p> <p><u>The Council will seek to establish coherent ecological networks that are resilient to current and future pressures. Development which would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity will be resisted.</u></p> <p>Habitats of the moorland will be enhanced and landowners or occupiers will be actively encouraged to manage important areas for bird foraging to ensure continued provision of suitable habitat.</p> <p><u>Where supported by evidence</u> Tthe Council will recognise the importance of foraging/ commuting areas for protected and SPA/<u>SSSI species qualifying features</u> outside the statutory designated area as a material consideration in the preparation of development plans and in the determination of planning applications. Where <u>supported by evidence</u>, foraging sites, currently outside the SPA/SAC <u>and SSSI</u> will be considered for designation <u>as a Locally Designated Site.</u></p> |
| MM121 | Page 224 | Paragraph 5.4.66 | <p>Amend paragraph 5.4.66, as follows:</p> <p>The historic environment faces a number of challenges resulting from minor, incremental alterations to significant and damaging changes which can affect the nature and authenticity of the structure or space. In most cases these changes are controlled by the Council through planning consents; however, <u>some changes which occur are unauthorised and unsympathetic harm to the significance of heritage assets can also occur through neglect, lack of maintenance or small incremental changes which can, over time erode the character of these assets.</u></p> |
| MM122 | Page 238 | Policy EN6 Energy Paragraph 5.4.125 | <p>Amend paragraph 5.4.125 as follows:</p> <p>‘The regional study recognised commercial wind as having the potential to make a significant contribution to the renewable energy resource. There are a number of factors that influence a districts capacity to accommodate groups of</p> |

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| | | | commercial scale wind turbines; wind speeds, the extent of the urban area and outlying settlements and landscape, environmental and ecological constraints. Two strategic constraints that have an influence on the potential for wind energy in Bradford District were identified in previous work at a regional level; the South Pennine Moors Special Protection Area (also a Special Area of Conservation) and the consultation zone around Leeds/Bradford Airport. The study recognised that further work needed to be done at a district level. National planning guidance identifies in some detail particular planning considerations that relate to wind turbines.' |
| MM123 | Page 238 | Paragraph 5.4.126 | <p>Delete paragraph 5.4.126:</p> <p>'The findings of the latest regional study provides an evidence base to assist local authorities in developing a strategic approach to renewable and low carbon energy. The study recognised that further work needed to be done at a district level, particularly relating to evaluating the relationship between wind energy, landscape character and the natural environment. There is also a need to consider in association with the airport authority, whether advancements in technology would allow mitigation of the constraints associated with the airport.</p> <p>Replace Paragraph with the following:</p> <p><u>National planning guidance advises that in identifying suitable areas for renewable and low carbon energy 'local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts.'</u> The views of local communities likely to be affected are also considered to be important. <u>When identifying suitable areas it is important to set out the factors that will be taken into account when considering individual proposals in these areas, which may be dependent on investigatory work underpinning the identified area. Recent ministerial statements have emphasised the importance of addressing planning impacts identified by affected local communities and the benefits of identifying suitable areas through the plan-making process.</u></p> |
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| MM124 | Page 239 | Paragraph 5.4.127 | <p>Amend paragraph 5.4.127 as follows:</p> <p>‘Proposals will need to have an assessment of environmental, economic and social impacts. In relation to environmental impacts, some parts of the upland moorland areas are particularly unspoilt and are valued for tranquillity and wilderness appeal or are of historic importance because of their archaeology or other historic importance. <u>Landscape character areas are supported in national guidance as a tool for assessment.</u> Within Bradford open moorland provides the backdrop to the wide shallow valleys of the rivers Aire and Wharfe, where locations along the moorland edge offer long extensive views. Within such an open landscape, in areas where there are few other structures, vertical elements, such as wind turbines, can be prominent features, whereas smaller scale turbines are less intrusive when viewed in close conjunction with existing built and natural features. <u>West Yorkshire Ecology have produced guidance for ornithological information required to support small wind turbine developments.</u>’</p> |
| MM125 | Page 239 | Policy EN6 Criterion A (1) | <p>Amend criterion A (1)</p> <p>1. Identifying <u>suitable strategic areas and opportunities for</u> low carbon and renewable energy <u>opportunities.</u></p> |
| MM126 | Page 240 | Paragraph 5.4.130 | <p>Delete paragraph 5.4.130 and renumber subsequent paragraphs:</p> <p>It is recognised that further work still needs to be carried out in order to achieve an assessment of strategic opportunities to secure decentralised energy. This will use as a starting point the recent study of Low Carbon and Renewable Energy Capacity in Yorkshire and the Humber. It will investigate the potential for larger scale low carbon schemes to serve new development and existing communities.</p> |
| MM127 | Page 240 | EN7 Flood Risk paragraph 5.4.132 | <p>Add additional sentence at end of paragraph:</p> <p>‘The overall objectives are to appraise, manage and reduce the risk of flooding. Policy EN7, set out below, identifies principles to guide the process of</p> |

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| | | | identifying locations for future development while seeking to reduce flood risk, assess proposals that come forward and adopt a positive approach to water management. <u>The NPPF defines flood risk as: ‘a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.’</u> |
| MM128 | Page 242 | EN7 Flood Risk paragraph 5.4.143 | <p>Add additional sentence at end of paragraph:</p> <p>‘This approach reflects that in the NPPF, which requires Local Plans to take account of climate change over the longer term and plan new development to avoid increased vulnerability to the range of impacts arising from climate change. The sequential testing approach is supported and Technical Guidance has been produced setting out how this policy should be implemented. Key principles identified are; safeguarding land from development that is required for current and future flood management, using opportunities offered by new development to reduce the causes and impacts of flooding and developing policies to manage flood risk from all sources. <u>When applying sequential testing principles to the choice of sites for future development, where data exists, all sources of flood risk will be taken into account, including those associated with ground water flooding.</u>’</p> |
| MM129 | Page 249 | Policy EN8 Criterion B | <p>Amend criterion B, as follows:</p> <p>‘Proposals for development of land which may be contaminated or unstable must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety and the environment. Investigation of land quality must be carried out in accordance with the principles of best practice.’</p> |

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| MM130 | Page 251 | EN8 Insert new paragraph following existing paragraph 4.5.181 and before existing paragraph 4.5.182 | <p>Add new paragraph as follows:</p> <p><u>The Council will undertake a programme of modelling to assess the air quality effects of proposed allocations on areas where air quality is a matter of concern, including European Sites designated for nature conservation importance. The programme will assess air quality effects from local roads in the vicinity of proposed allocations on nearby European Sites (including those from increased traffic, construction of new roads and up[grading of existing roads), as recommended in work carried out on Habitats Regulations Assessment. The impacts on vulnerable locations from air quality effects of increased traffic on the wider road network will also be tested using traffic projections and distance criterion. This will be followed by local air quality modelling where required at the pre-allocations testing stage and the development of any mitigation measures required to ensure that there are no adverse effects on the European Sites.</u></p> |
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Section 5.5 Minerals

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification New text: <u>underlined</u> Deleted text strike through |
|-----------------------------------|-----------------|------------------------|---|
| MM131 | Page 255 | Policy EN9 Criterion A | <p>Add additional criteria to A to be numbered 1 and re-number the existing criteria 1, 2, 3 and 4 as 2, 3, 4 and 5. New Criterion 1 to read:</p> <p>1. <u>For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence.</u></p> |
| MM132 | Page 256 | Policy EN9 Criterion B | <p>Add additional criteria to B to be numbered 1 and re-number the existing criteria 1, 2, 3 and 4 as 2, 3, 4 and 5. New Criterion to read:</p> <p>1. <u>For the protection of the South Pennine Moors SPA, avoid and/or mitigate loss or deterioration of important foraging land within the SPA's zone of influence.</u></p> |
| MM133 MM133 (Continued) | Pages 258 – 259 | Paragraph 5.5.14 | <p>Insert four new paragraphs to follow paragraph 5.5.13, as follows:</p> <p><u>5.5.14 The Local Aggregates Assessment for West Yorkshire 2012 (WY LAA) confirms that the sub-region is heavily dependant upon higher specification crushed rock aggregate imports from neighbouring authorities, and in particular Derbyshire and North Yorkshire. Substantial crushed rock aggregate reserves exist within West Yorkshire; however the majority of these reserves do not comprise concreting or road stone grade materials and the quality of the sub-region's stone resources is such that any significant future reduction in the reliance of West Yorkshire on high specification aggregate imports from neighbouring authorities is considered to be unlikely.</u></p> |

Table: TABEN10

| <u>West Yorkshire Crushed Rock (CR) Aggregate Landbank Figures</u> | | | | |
|--|---|--|---|---------------------------------------|
| <u>Estimated CR Consumption 2009 (tonnes)</u> | <u>Estimated CR Imports from Neighbouring Authorities 2009 (tonnes)</u> | <u>Ten Year Average Annual CR Sales (2003-2012) (tonnes)</u> | <u>CR Reserves as of 31 Dec 2012 (tonnes)</u> | <u>Landbank (Reserves/ Avg Sales)</u> |
| <u>2,330,000</u> | <u>1,499,505</u> | <u>1,000,000</u> | <u>28,500,000</u> | <u>28.5 Years</u> |

Note: Above Figures are taken from The Local Aggregate Assessment for West Yorkshire 2012, wherein full details of how these figures have been derived can be found.

5.5.15 The landbank calculation set out in the LAA, as repeated in table TABEN10 above, represents a calculation of the length of time it would take to exhaust current permitted reserves of Crushed Rock within West Yorkshire if average annual sales continue at historic average levels. However the fact that this figure is in excess of the 10 year minimum recommended within the NPPF in no way implies that sufficient crushed rock reserves exist within West Yorkshire to meet West Yorkshire’s construction aggregate needs. In fact the figures set out in the WY LAA imply that the level of aggregate product within West Yorkshire could satisfy, at most, 40% of demand, with imports from neighbouring authorities estimated to be almost 50% higher than indigenous production.

5.5.16 In order to secure continuity of supply of crushed rock the West Yorkshire Authorities have engaged with neighbouring authorities, in particular Derbyshire and North Yorkshire, through the Aggregates Working Party and through the production of the WYLAA. This has resulted in the adoption of LAAs by those neighbouring authorities which provide for the continuation of levels of extraction which are sufficient to allow for the continued supply of aggregates into West Yorkshire.

5.5.17 Although Bradford is not a significant aggregate producer the small quantities of crushed sandstone aggregate by-product which are produced do contribute towards redressing the trade imbalance highlighted above and absorbing some local demand for lower specification bulk aggregates and building sand. Therefore, notwithstanding the fact that the West Yorkshire landbank calculated in the 2012 WYLAA (based upon historic average sales)

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| | | | <u>is substantially in excess of the 10 year minimum it is considered inappropriate to adopt a strongly negative policy position towards the extraction of crushed rock aggregates in the District.</u> |
| MM134 MM134 (Continued) | Pages 263 – 264 | Paragraph 5.5.20 | <p>Delete paragraph 5.5.20 and replace with four new paragraphs, as follows:</p> <p>5.5.20 Research undertaken at a regional level and the emerging Local Aggregates Assessments of neighbouring authorities have identified a potential future shortfall in meeting the demand for sand and gravel within West Yorkshire from local land-won extraction. Therefore policy EN11 confirms the Council's commitment to taking any appropriate opportunities to contribute towards the provision of a 7 year sand and gravel landbank level within West Yorkshire by supporting sand and gravel extraction within an area of search constrained by specified environmental criteria.</p> <p><u>5.5.20 The Local Aggregates Assessment for West Yorkshire 2012 (WYLAA) identifies that the sub-region is heavily dependant upon sand and gravel imports from neighbouring authorities, and in particular 18 March 2015 North Yorkshire. Very limited sand and gravel reserves exist within West Yorkshire, with only two relatively small sites reported in the WYLAA (located in Kirklees and Wakefield), possessing reserves totalling 1.6 million tonnes. No reserves of sand and gravel exist within the Bradford District. British Geological Survey (BGS) resource maps indicate that some potentially viable sand and gravel resources may remain within West Yorkshire, including river terrace deposits along the Wharfe and Aire Valleys in the Bradford District. However previous BGS research has identified minerals extraction industry scepticism that the remaining resource would be economically viable to exploit due to the constrained nature of the remaining deposits.</u></p> |

Table: TABEN11

| <u>West Yorkshire Sand and Gravel (S&G) Landbank Figures</u> | | | | |
|--|--|---|--|---------------------------------------|
| <u>Estimated S&G Consumption 2009 (tonnes)</u> | <u>Estimated S&G Imports from Neighbouring Authorities 2009 (tonnes)</u> | <u>Ten Year Average Annual S&G Sales (2003-2012) (tonnes)</u> | <u>S&G Reserves as of 31 Dec 2012 (tonnes)</u> | <u>Landbank (Reserves/ Avg Sales)</u> |
| 810,000 | 490,000 | 130,000 | 1,600,000 | 12.3 Years |

Note: Above Figures are taken from The Local Aggregate Assessment for West Yorkshire 2012, wherein full details of how these figures have been derived can be found.

5.5.21 The landbank calculation set out in the LAA, as repeated in table TABEN11 above, represents a calculation of the length of time it would take to exhaust current permitted reserves of Sand and Gravel within West Yorkshire if average annual sales continue at historic average levels. However the fact that this figure is in excess of the 7 year minimum recommended within the NPPF in no way implies that sufficient sand and gravel reserves exist within West Yorkshire to meet West Yorkshire's construction aggregate needs. In fact the figures set out in the WY LAA imply that West Yorkshire historic production could satisfy, at most, 16% of demand, with imports from neighbouring authorities estimated to be almost 4 times higher than indigenous production.

5.5.22 In order to secure continuity of supply of sand and gravel the West Yorkshire Authorities have engaged with neighbouring authorities, in particularly Derbyshire and North Yorkshire, through the Aggregates Working Party and through the production of the WYLAA. This has resulted in the adoption of LAAs by those neighbouring authorities which provide for the continuation of levels of extraction which are sufficient to allow for the continued supply of aggregates into West Yorkshire.

5.5.23 Notwithstanding the fact that the West Yorkshire landbank calculated in the 2012 LAA, based upon historic average sales, is in excess of the 7 year minimum, given West Yorkshire's reliance on 18 March 2015 imports from neighbouring authorities, it is considered inappropriate and unsustainable to adopt a policy position that would not be supportive of any environmentally acceptable proposals for the extraction of sand and gravel

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| | | | <u>resources within the District which may come forward within the plan period. Therefore policy EN11 is supportive in principle of proposals for sand and gravel extraction, within an area of search constrained by specified environmental criteria, except in the unlikely event that the LAA indicates that no additional permitted reserves of sand and gravel are required.</u> |
| MM135 | Pages 263 – 265 | Policy EN11 criterion D (1) and D (2) | <p>Amend section title as follows:</p> <p>‘Section Title: Sand, Gravel, Fireclay, <u>Coal</u> and Hydrocarbons <u>(oil & gas)</u>’</p> <p>Amend Policy Title as follows:</p> <p>‘Policy Title: Policy EN11: Sand, Gravel, Fireclay, <u>Coal</u> and Hydrocarbons <u>(oil & gas)</u>’</p> <p>Amend criterion D1 and D2 as follows:</p> <p>‘D.1. Proposals associated with the exploration and appraisal of <u>hydrocarbons (oil & gas)</u> resources will be supported in principle providing that the proposal accords with other policies within the Local Development Plan and all of the following criteria are met:</p> <p>D.2. Proposals for the commercial production of <u>hydrocarbons (oil & gas)</u> will be supported in principle providing that the proposal accords with other policies within the Local Development Plan and all of the following criteria are met:</p> |
| MM136 | Page 264 | Policy EN11 Criterion C | <p>Amend criterion C as follows:</p> <p>‘C. Proposals for coal extraction will not be permitted unless the coal resource would otherwise be sterilised by another form of development or all of the following criteria are met:</p> <p>1. Any viable fireclay resources will also be recovered, and;</p> <p>2. The applicant can demonstrate that the quality of the coal resource proposed to be extracted is such that it is suitable for use as an energy mineral, and;</p> <p>3. 2. One of the following circumstances applies:</p> |

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| | | | <p>i. The proposals are environmentally acceptable, or can be made so by planning conditions or obligations, or;</p> <p>ii. The proposal provides national, local or community benefits which clearly outweigh the likely impacts of the development'</p> |
| MM137 | Page 270 | Policy EN12 Criterion B (4) | <p>Amend criterion B (4) as follows:</p> <p>4. The applicant has demonstrated that non of the sandstone resource beneath the site could be extracted without prejudicing the development of the site <u>due to ground level or engineering issues, or;</u></p> |

Section 5.6 Waste

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification |
|------------------|----------|-------------------------------------|---|
| | | | New text: <u>underlined</u> Deleted text strike through |
| MM138 | Page 276 | Policy WM1 paragraphs 5.6.1 – 5.6.3 | <p>Amend paragraphs 5.6.1 to 5.6.3, as follows:</p> <p>Waste is often seen as a by-product of living, to be disposed of by the cheapest possible method. Bradford has traditionally been reliant upon sending waste to landfill sites outside the District and there is limited <u>waste management</u> infrastructure to deal with waste within the Bradford District to deal with certain types of waste, in particular Local Authority Collected Waste (LACW) and Commercial and Industrial Waste by any other means.</p> <p>However, the policy direction for waste management is changing <u>has changed over the years.</u> The European Waste Framework Directive 2008 requires appropriate measures to prevent or reduce of waste production and its harmfulness and secondly the recovery of waste by means of recycling, re-use or reclamation or any other process with a view to extracting secondary raw materials, or the use of waste as a source of energy.</p> <p>This European guidance is subsequently delegated to a national level through the Waste (England and Wales) Regulations 2011, <u>National Planning Policy for Waste (NPPW) Oct 2014</u></p> |

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| | | | <p>and the Waste Management Plan for England Dec 2013, and planning policy Statement 10, National Planning Policy for Waste (NPPW) Oct 2014 and the Waste Management Plan for England Dec 2013, which set out how England will meet the European directives on waste and deliver a shift towards a more sustainable management of waste at a local level.</p> <p>In an effort to achieve greater sustainability and <u>net</u> self sufficiency, the current approach to waste management is no longer acceptable <u>needs to improve and change further</u>. It is essential that greater emphasis is placed on avoiding waste production and managing waste produced in the most sustainable way, making use of waste as a resource and only disposing of the residue that has no value.</p> <p>And amend paragraph 5.6.7, as follows:</p> <p>Policy WM1 creates a strategic planning framework to minimise the negative effects of the generation and management of waste on human health and the environment. It further states that waste policy should encourage a reduced use of resources, and favours the practical application of the waste hierarchy. One of the primary mechanisms of applying this application is the delivery of an adequate range of waste management facilities to ensure waste is treated and disposed of in a sustainable and environmentally acceptable way, balancing the economic, social and environmental needs of the District. A range of new facilities shall be needed to deal with tonnages of Commercial and Industrial (C&I) and Solid Municipal Waste (MSW – Council collected waste) <u>Local Authority Collected Waste (LACW)</u> arisings.</p> |
| MM139 | Page 276 | Paragraph 5.6.8 – 5.6.14 | <p>Insert new text setting and sub section title to follow paragraph 5.6.9, as follows:</p> <p><u>Evidence</u></p> <p><u>5.6.9 Information relating to the specific details of this evidence base can be found within the Waste Management DPD and the supporting Waste Needs Assessment, Capacity Gap Analysis and Requirement Study (2014).</u></p> <p><u>WASTE ARISINGS - CURRENT POSITION</u></p> <p><u>5.6.10 The future scale of waste arisings and the waste management facilities which need to be planned for in Bradford District is critical. This section considers the need for new waste management facilities.</u></p> |
| MM139 (Continued) | | | |

MM139
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5.6.11 Analysis is based on the Council's Waste Data Forecasting Model. For a full explanation of the methodology and sources used to calculate waste arisings and forecasts please refer to Bradford Waste Needs Assessment, Capacity Gap Analysis and Requirement Study.

5.6.12 The majority of current waste arisings within Bradford District come from Commercial and Industrial Waste (C&I), Construction, Demolition and Excavation Waste (CDEW) and Local Authority Collected Waste (LACW) which combined equate to just under $\frac{3}{4}$ of the total arisings. Agricultural waste has increased significantly from previous figures, mainly due to the new legislation coming into force in 2010. Table 1 sets out the current waste arisings for Bradford.

Table WM1: Summary Total Waste Arisings in Bradford (2012)

| <u>Type of Waste Arising</u> | <u>Arisings (Tonnes)</u> | <u>%</u> |
|---|--------------------------|--------------|
| <u>Agricultural Waste</u> | <u>283,132</u> | <u>20.20</u> |
| <u>Commercial Waste</u> | <u>254,314</u> | <u>18.20</u> |
| <u>Industrial Waste</u> | <u>219,773</u> | <u>15.71</u> |
| <u>Construction Demolition and Excavation</u> | <u>350,000</u> | <u>25.02</u> |
| <u>Hazardous Waste</u> | <u>19,155</u> | <u>1.37</u> |
| <u>Local Authority (Including Calderdale)</u> | <u>272,668</u> | <u>19.50</u> |
| <u>Total***</u> | <u>1,399,042</u> | <u>100</u> |
| <u>Waste Water**</u> | <u>1,024,568</u> | |

Source: Environment Agency Waste Data Interrogator (WDI) 2012*. Yorkshire Water 2014.**

Total Being Planned for in the Waste Management DPD through either planning policy or site allocations or a combination of both***

5.6.13 The projected forecast waste arisings for Bradford District draws on the most reliable and robust data available for each waste stream. The Council are taking forward a 'Growth' based scenario, which follows a growth rate of 33% estimated Gross Value Added (GVA) for all the waste streams of Commercial, Industrial, Agricultural, CDEW and Hazardous. A separate growth rate has been applied to Local Authority Collected Waste to ensure alignment with the Municipal Waste Minimisation and Management Strategy, and zero static growth rate applied to

Agricultural waste.**Table WM2: Forecast Waste Arisings in Bradford (2013–30) using Bradford Waste Forecasting Model**

| <u>Waste Stream</u> | <u>2013</u> | <u>2018</u> | <u>2022</u> | <u>2026</u> | <u>2030</u> |
|---|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| <u>Agricultural Waste*</u> | <u>283,133</u> | <u>283,133</u> | <u>283,133</u> | <u>283,133</u> | <u>283,133</u> |
| <u>Commercial and Industrial Waste*</u> | <u>513,830</u> | <u>538,326</u> | <u>558,882</u> | <u>580,329</u> | <u>602,721</u> |
| <u>CDEW^f</u> | <u>447,604</u> | <u>461,194</u> | <u>472,360</u> | <u>483,800</u> | <u>495,515</u> |
| <u>Hazardous Waste*</u> | <u>19,153</u> | <u>19,764</u> | <u>20,267</u> | <u>20,782</u> | <u>21,311</u> |
| <u>Local Authority Collected Waste**</u> | <u>306,148</u> | <u>338,736</u> | <u>358,179</u> | <u>369,852</u> | <u>381,188</u> |
| <u>Total Tonnes</u> | <u>1,569,868</u> | <u>1,641,153</u> | <u>1,692,821</u> | <u>1,737,896</u> | <u>1,783,868</u> |

Source: *Bradford Council Waste Data Forecasting Model, **Bradford Council Waste Strategy Team

5.6.14 While these levels should be planned for in terms of the provision of expanded and new facilities, the Waste Management DPD policies will also ensure that opportunities to reduce, re-use and recycle waste will be maximised and that some flexibility and contingency in the levels of future waste management facilities

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| | | | <u>provision will be made on a, monitor and manage basis.</u> |
| MM140 | Page 276 | Paragraph 5.6.8 | <p>Insert new paragraphs to follow from new paragraph 5.6.14 above, as follows:</p> <p><u>CROSS-BOUNDARY WORKING</u></p> <p><u>5.6.15 The Local Plan must give consideration to cross-boundary issues when setting spatial policy and waste management allocations.</u></p> <p><u>5.6.16 Bradford Council will continue to work collaboratively with neighbouring local authorities and other local authorities where waste import / export relationships exist now and are recognised to likely continue in to the future recognising the importance of the duty to cooperate in achieving net self sufficiency for Bradford. This will ensure a collaborative cross-boundary approach to waste management is established and maintained. In addition to the continued active participation in the Yorkshire and Humber Waste Technical Advisory Body, the Council will:</u></p> <ul style="list-style-type: none"> • <u>Share with neighbouring authorities and statutory bodies all relevant information, data and its analysis relating to current and future waste arisings across all waste streams, technologies and performance in reducing, re-using, recycling and disposing of waste;</u> • <u>Work collaboratively on emerging Local Plans and their future updates where appropriate and practical;</u> • <u>Provide comment on waste related planning applications where appropriate to do so;</u> • <u>Support the commissioning of joint monitoring reviews, data updates and specific waste related studies to support regional and sub-regional waste management and future policy development where appropriate and practical.</u> <p><u>Attend and contribute to any groups, bodies or meetings to support cross boundary working on waste.'</u></p> |
| MM141 | Page 277 | Policy MW1 supporting text | Insert new paragraphs and section title to follow from new paragraph 5.6.16 above, as follows: |

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| | | | <p><u>'Policy WM1</u></p> <p><u>5.6.17 There is a need to consider how waste management policy developed within the Local Plan can deliver against the Core Strategy objectives and those within the Waste Management DPD. This includes the extent to which it is suitable to apply a waste management hierarchy within future policy.</u></p> <p><u>5.6.18 Policies WM1 and WM2 establish the strategic framework and spatial direction for managing waste in the Bradford District. The strategy will be implemented through more detailed policies and related documents as set out in the Waste Management DPD, which also shows specifically how sufficient capacity has been identified and assessed to meet the waste forecasts.'</u></p> |
| MM142 | Page 277 | Policy WM1 | <p>Amend Policy WM1 as follows:</p> <p>'Policy WM1: Waste Management</p> <p>A. The Council will work with its partners and neighbouring authorities to integrate strategies for waste management in Bradford and at the sub-regional and regional levels. All forms of waste will be managed in accordance with the <u>principles of the</u> waste management hierarchy <u>in the following order of priority</u> :</p> <ol style="list-style-type: none"> <u>1. Waste prevention: avoiding the creation of waste in the first instance; then</u> <u>2. Preparing for Re-use: making best use of existing and new facilities; then</u> <u>3. Recycling and composting: making best use of existing and new facilities; then</u> <u>4. Energy Other recovery: making use of technologies that recover energy from waste; then</u> <u>5. Disposal: including the use of landfill as a last alternative.</u> <p>B. The Council will plan to ensure that sufficient capacity is located within the District to accommodate <u>for the most sustainable and environmentally effective management of</u> forecast waste arisings of all types of waste ,reducing the reliance on other authority areas. In identifying waste management sites within the District the Council will give regard to cross boundary issues, including waste movement and location of facilities in adjacent areas; <u>working collaboratively with other waste planning authorities to provide a suitable network of facilities to deliver sustainable waste management and allow the District to become net</u></p> |

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| | | | <u>self-sufficient.'</u> |
| MM143 | Page 277 | Policy WM1 Supporting text | <p>Insert new paragraphs after policy MW1, as follows:</p> <p><u>5.6.19 The Council's primary delivery mechanism for Policy WM1 will be the allocation of land for an adequate range of waste management facilities through the Waste Management DPD. This should be provided to ensure that waste is treated and disposed of in a sustainable and environmentally acceptable way, balancing the economic, social and environmental needs of the District.</u></p> <p><u>5.6.20 The Waste Management DPD will also put forward a number of planning policies to support the delivery of allocated and unallocated waste management sites, and safe guard any existing waste management infrastructure vital to the delivery the waste hierarchy.</u></p> <p><u>5.6.21 The Municipal Waste Minimisation and Management Strategy (and subsequent updates) will also dictate how the Council will directly contribute towards moving waste up the hierarchy through future waste operations.</u></p> |
| MM144 | Page 277 | Policy MW1 Supporting text | <p>Add new sub section heading and paragraphs following new paragraph 5.5.21 above as follows:</p> <p><u>IDENTIFYING WASTE MANAGEMENT SITES</u></p> <p><u>5.6.22 European and national policy relating to forward planning for waste management requires Waste Planning Authorities to consider the most appropriate locations for waste facilities in the future. This should include the relationship of the site with the waste arisings, minimising the movement of waste, and also the consideration of the potential impact of waste management facilities on their surrounding environs. Consideration is given to the need to identify sites for the principal waste streams</u></p> <ul style="list-style-type: none"> • <u>LACW – sites will be identified for this waste stream, as the evidence base demonstrates a shortfall in a range of waste management facilities.</u> • <u>Commercial and Industrial – sites will be identified for this waste stream, as the evidence base demonstrates a shortfall in a range of waste management</u> |
| MM144 (Continued) | | | |

MM144
(Continued)

- facilities.
- CDEW - there are number of existing sites transferring and managing this waste stream. On site recycling upon demolition and development will be encouraged to move management of this waste up the hierarchy. Sites will not be specifically identified for this waste stream.
- Agricultural – the majority of this waste stream will be managed within farm holdings, small amounts of ‘specialised’ agricultural waste can be managed at C&I facilities. Future waste arisings are identified in the evidence base as being very small, therefore this stream will continue on farm holdings, existing sites and identified C&I sites.
- Hazardous & Low Level Radioactive waste – Both these waste streams generate very low levels of waste arisings. Such low levels do not quantify the allocation of further sites specifically for the management of these waste types, the economies of scale are such that the provision of sites within the Plan area for the very small quantities of arising’s would be unlikely to be viable.
- Residual Waste for Final Disposal (i.e. Landfill) - the existing sub-regional and regional capacity does not quantify the allocation of a site for a new landfill for the disposal of residual waste following treatment¹.

5.6.23 Bradford Council will only be seeking to allocate Waste Management Facilities for the treatment of Local Authority Collected Waste (LACW) and Commercial and Industrial Waste. This strategic approach is based on the following factors:

- LACW and C&I are consider priority waste streams;
- Need to reduce biodegradable waste not being managed;
- Sites will be large scale and of strategic importance;
- Waste arisings are of a sufficient scale to allow the delivery of viability facilities;
- Other waste streams are capable of being managed ‘on-site’;
- Treating other waste streams at facilities with the sub-region / region is the most sustainable and environmentally effective approach.

5.6.24 Through the Waste Needs Assessment, Capacity Gap Analysis and Requirement Study (2014), it has been identified that there is a capacity gap in the waste management facilities based on the current and future waste arisings.

¹ Memorandum of Understanding/Minutes/Agreements – Yorkshire and Humber Waste Technical Advisory Body

5.6.25 Table 3 establishes the current capacity gap, within the Bradford District applying the Growth Scenario with maximised recycling based on the Waste Needs Assessment Capacity Gap Analysis and Requirement Study (2014). This existing capacity gap will be reviewed and updated (if necessary) through the Waste Management DPD. The Waste Management DPD will also assess the future capacity gap for the plan period, ensuring the sufficient allocation of appropriate sites over the plan period.

¹ Memorandum of Understanding/Minutes/Agreements – Yorkshire and Humber Waste Technical Advisory Body - [Footnote]

Table WM3 – Existing Waste Management Capacity Gap (tonnes)

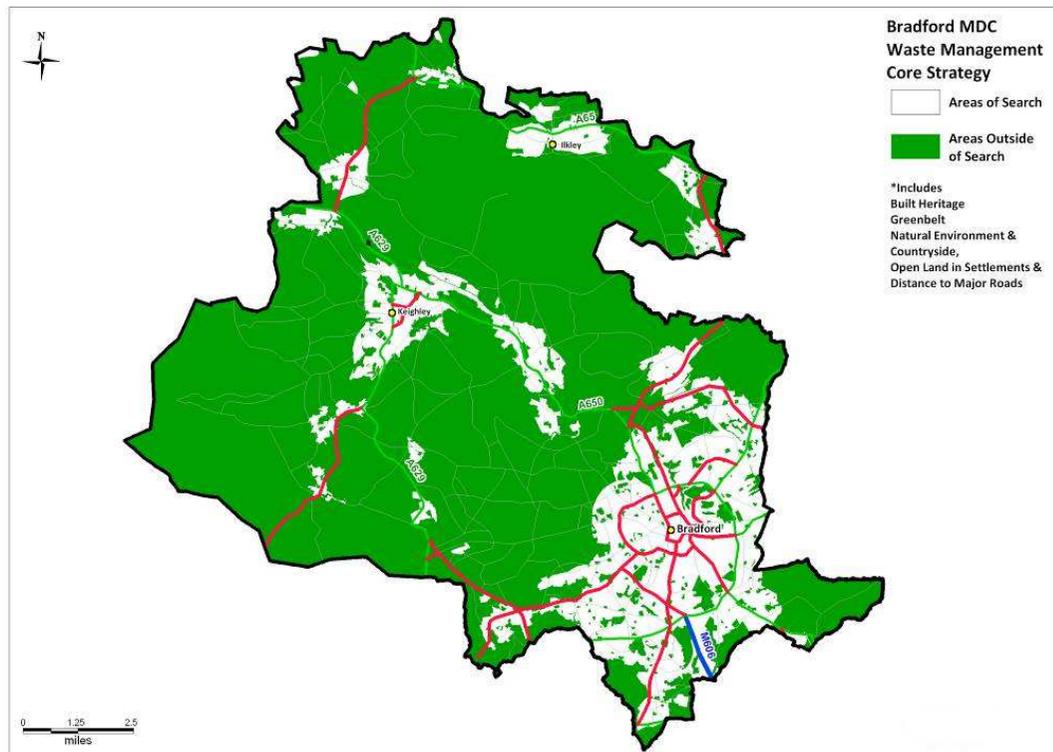
| <u>Waste Management</u> | <u>Existing Capacity Gap (Tonnes)</u> |
|--|--|
| <u>Landfill (non-hazardous)</u> | <u>59,439</u> |
| <u>Landfill (hazardous)</u> | <u>74</u> |
| <u>Landfill (CD&E)</u> | <u>201,200</u> |
| <u>Energy recovery (LACW & C&I)</u> | <u>203,169</u> |
| <u>Incineration (Specialist High Temp)</u> | <u>833</u> |
| <u>Recycling (C&I and LACW)</u> | <u>400,084</u> |
| <u>Recycling (aggregates CD&E)</u> | <u>112,975</u> |
| <u>Recycling (specialist materials– including metal recycling, End of Life Vehicles and WEEE)</u> | <u>-1,059</u> |
| <u>Composting</u> | <u>34,340</u> |

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| | | | | <u>Residual Mechanical Treatment</u> | <u>109,146</u> | |
| | | | | <u>Treatment Plant (including Anaerobic Digestion, specialised treatment of biodegradable liquids and wastes, organic waste treatment by distillation)</u> | <u>-52,376</u> | |
| MM145 | Page 278 | Policy WM2 & supporting text | <p>Amend policy WM2 and supporting text as follows:</p> <p><u>5.6.26 Policy WM2 establishes the principles of identifying appropriate locations for waste management facilities, establishing a strategic framework for the Waste Management DPD to allocate enough land for recycling and treatment to take place, to ensure that less waste goes to landfill.</u></p> <p>Policy WM2: Waste Management</p> <p>A. Sites for waste management facilities will be identified to deal with all Municipal Solid Waste (MSW) <u>Local Authority Collected Waste (LACW)</u> and Commercial & Industrial Waste (C&I) arisings within Bradford District. Sites will need to best meet environmental, economic and social needs.</p> <p>B. In identifying and selecting sites for the management of waste, an Area of Search (See Appendix 7) is established as the framework for identifying sites for new and expanded waste management facilities. Within the Area of Search, the following order of priority will be adopted:</p> <ol style="list-style-type: none"> 1. The expansion and co-location of waste facilities on existing, operational sites; 2. Established and proposed employment and industrial sites where modern facilities can be appropriately developed; 3. Other previously developed land within the Area of Search, including mineral extraction and landfill sites; | | | |

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| | | | <p>4. Greenfield, previously undeveloped sites within the Area of Search; 5. Sites within the Green Belt</p> <p>C. All potential waste management sites will be subject to detailed assessment of their individual characteristics, <u>cumulative impact, economic viability and the impacts of and the implications of</u> any waste development on surrounding areas. The Waste Management DPD will establish the detailed site development criteria using a similar approach to site identification as applied within the development of strategic <u>and local</u> criteria to include consideration of:</p> <p>1. Policy alignment; 2. Physical constraints to site development; 3. Proximity to waste arisings; 4. Adjacent uses.'</p> |
| MM146 | Page 279 | Policy WM2 supporting text | <p>New Supporting text to follow WM2, as follows:</p> <p><u>5.6.27 Figure WM1 illustrates the Area of Search – including the application of the Green Belt as a constraint (i.e. the Area of Search excluding areas within the Green Belt)</u></p> <p><u>Figure WM1 – Identified Area of Search</u></p> |
| MM146 | | | |

(continued)

MM146
(continued)



5.6.28 The Council is of the opinion that taking into account the proximity of facilities to major settlements is a key factor in providing a network of facilities to ensure waste can be disposed of and Local Authority Collected Waste can be recovered in one of the nearest appropriate installations. By limiting the area of search to major settlements within the District, the Council is of the opinion the 'proximity principle' is fully embedded into the policy.

5.6.29 The need to avoid detrimental impacts upon the natural environment and countryside, built heritage, open land within settlements, adverse impacts on the South Pennine Moors SAC/SPA and a proximity to 1km of major roads is also considered to be compliant with the latest national guidance set out in the National Planning Policy for Waste when identifying suitable sites and areas for proposed waste management facilities.

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| | | | <p>5.6.30 <u>Further information on the site identification and assessment can be found in the Waste Management DPD and the supporting Site Assessment Report.</u></p> <p>Delete paragraphs 5.6.9 and 5.6.10:</p> <p>Policies WM1 and WM2 set in place the principles of identifying appropriate locations for waste management facilities. These principles are key to ensuring much needed waste management infrastructure is delivered in the most sustainable and effective way for the treatment of waste and the avoidance of potential negative impacts.</p> <p>Policies WM1 and WM2 provide the strategic framework for developing the detailed policies in the Waste Management DPD of the Local Plan to achieve sustainable waste management. It will be consistent with the latest national policy guidance and will make provision for the forecast waste tonnages identified within the supporting Evidence Base Report. It will set out a detailed planning strategy and include criteria-based development management policies, as well as sites for new waste management facilities. These will include sites for Municipal Solid Waste and Commercial and Industrial Waste.</p> |
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Section 5.7 Design

No main modifications

Section 6 Implementation and Delivery

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification |
|------------------|----------|-------------------|---|
| | | | New text: <u>underlined</u> Deleted text strike through |
| MM147 | Page 302 | Paragraph 6.23 | Add to 'the sorts of matters for which planning obligations will be sought' the following additional point: <u>mitigation for impacts to the South Pennine Moors SPA/SAC.</u> |
| MM148 | Page 303 | Paragraph 6.26 | Add additional sentence at end of paragraph 6.26, as follows: <u>A management and mitigation strategy and SPD will be produced which will set out a framework for delivering mitigation measures in relation to impacts on the South Pennine Moors SPA/SAC.</u> |

Section 7 Monitoring

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification |
|------------------|----------|---|--|
| | | | New text: <u>underlined</u> Deleted text strike through |
| MM149 | Page 313 | Table MO1. Target for Indicator IND1(EJ) | Annual delivery of 2897 <u>1600</u> jobs. |

Section: Appendices

| Modification No. | Page No. | Policy/ Paragraph | Proposed Modification New text: <u>underlined</u> Deleted text strike through |
|------------------|----------|----------------------------------|--|
| MM150 | Page 348 | Appendix 4: Parking Standards | <p>Insert the following definition:</p> <p><u>Minimal Operational Requirement: Parking that is required for a development to operate as set out in the Transport Assessment or Transport Statement, including but not exclusively; Operational parking space for commercial and service vehicles (that provides for manoeuvring space to enable the largest vehicle required to exit the site in forward gear); loading bays and disabled parking. Residential development that requires operational parking, such as residential or care homes, should, as far as possible, make provision within the site. This encompasses servicing, business visitors and employees who require daily access to their vehicles for their jobs. It does not include commuter parking.</u></p> |
| MM151 | Page 349 | Appendix 4: Parking Standards | <p>Amend standard in relation to C3 City and Town centres as follows:</p> <p>C3 Dwellings (City and Town Centres) – Average of 1 space per unit <u>minimal operational requirements</u></p> |
| MM152 | Page 356 | Appendix 6 Paragraphs 1.3 to 1.5 | <p>Amend the text as follows:</p> <p>‘The Housing Trajectory and Previously Developed Land Scenarios</p> <p>1.3 Paragraph 47 of the NPPF states that Local Planning Authorities should illustrate the expected rate of housing delivery through a housing trajectory covering the plan period. Previous supplementary guidance to PPS3 set out details on housing trajectories and since the Government are yet to finalise the range of technical guidance which will support the NPPF that guidance has, as with the CSFED, been used in the production of the updated housing trajectory in this appendix.</p> <p>1.4 Housing trajectories support the ‘plan, monitor and manage’ approach to housing</p> |

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(Continued)

delivery by showing past and ~~estimating~~ **indicating** future performance by considering past rates of housing completions and projected completions to the end of the specified Local Plan period. Housing trajectories are normally developed as part of the supporting evidence base underpinning LDF production but once established they are used to monitor performance and are updated annually via the production of the Council's Annual Monitoring Report. The trajectories are not however policies.

1.5 The housing trajectory included at the end of this section has been based on the following elements:

- Actual completions over the period 2004-13 as assessed and set out within previous Annual Monitoring Reports. These years comprise a period when the overall housing market was initially in a buoyant state and also when there was strong delivery on windfall sites particularly within Bradford City Centre but within which there has been a subsequent period comprising a deep and unprecedented slump in the housing market. Both supply and demand has been severely impacted by recession, toxic debt and its effect on global and national credit, severely restricted mortgage lending to prospective house buyers and severely restricted borrowing to the construction industry reducing its capacity to start new schemes or complete existing ones.
- **Projected completions over the plan period based on Policy HO1 and under an assumption of both significantly improved land supply and significantly improved economic and housing market conditions. Estimated performance over the next few years, within which the effects of the recession are expected to linger and recovery is expected to be sluggish. It is important to stress that while housing completions in some parts of the country are showing signs of increase there is yet to be any significant pick up in completions within Bradford district. A cautious approach has therefore been taken in estimating completions over the first part of the plan period, because of the likely weak state of the local housing market and economy, severe restrictions on public sector spending and also because it will be some years before work on the Local Plan is sufficiently progressed to produce a significant increase to the available land supply.**
- **An assumption that the backlog in past under provision of new homes will be resolved over the full plan period – the 'Liverpool approach'.**
- **A reflection of the addition, in line with the NPPF of an additional 20% to the 5 year land supply requirement which will ensure a wider range and choice of sites and**

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(Continued)

boost delivery in the early part of the plan period:

- The housing distribution strategy and settlement hierarchy set out within the Core Strategy and embedded within the Spatial Option. This envisages that delivery will be stimulated by a number of master planning initiatives which will deliver housing growth in different areas at different times. These **will result in** major injections into both the land supply and into investment and delivery. ~~will not be spread out evenly over the whole plan period, because of the work necessary to bring them to fruition, to put the necessary infrastructure in place, and to bring forward and test the relevant Development Plan Documents. The combined result of these factors means that the delivery profile within Bradford will be heavily weighted towards the middle and particularly the final phase of the plan period.~~ This will provide a major challenge to house builders as development activity rates over recent years have been substantially below the sort of levels needed to deliver the Core Strategy annual housing requirement of 2200.
- ~~The production of a Strategic Housing Land Availability Assessment and examination of its results – although it has a significant and important role to play, the SHLAA delivery trajectory cannot be simply transplanted into the housing trajectory in this chapter. This is because the SHLAA has taken a ‘local policy off’ approach and much of the supply within it is dependent on changes to the statutory development plan. The SHLAA supply is also larger than the housing requirement. The SHLAA has however assisted production of both the policies of the Core Strategy and this appendix by providing a detailed profile of the land supply, including how it is distributed both geographically and by type – for example whether green field or previously developed, and whether deliverable in the short term or longer term. The SHLAA has therefore enabled realistic alternative options to be assessed and can shine a light on the preferred option in terms of its implications in terms of existing planning designations and the challenges of overcoming site related constraints. The SHLAA has also provided input into the creation of realistic but challenging targets for delivery on brownfield land.~~
- ~~Scenario building table 1 (overleaf) has attempted, based on the elements above, to set out the scenarios which will show how overall housing completions and the percentage of delivery on PDL will vary across the plan period. This in turn feeds into the risk analysis at the end of this appendix.~~

The components making up the housing trajectory chart are as follows:

- **Net housing completions 2004-13**

- **Basic Policy HO1 housing target of 2,200 new homes per annum**
- **NPPF 20% buffer for years 1-5 of 440 dwellings**
- **Backlog of unmet need resolved over the 15 year plan period (7,687 dwellings in total) ‘**

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Table 1: Scenarios for Delivery

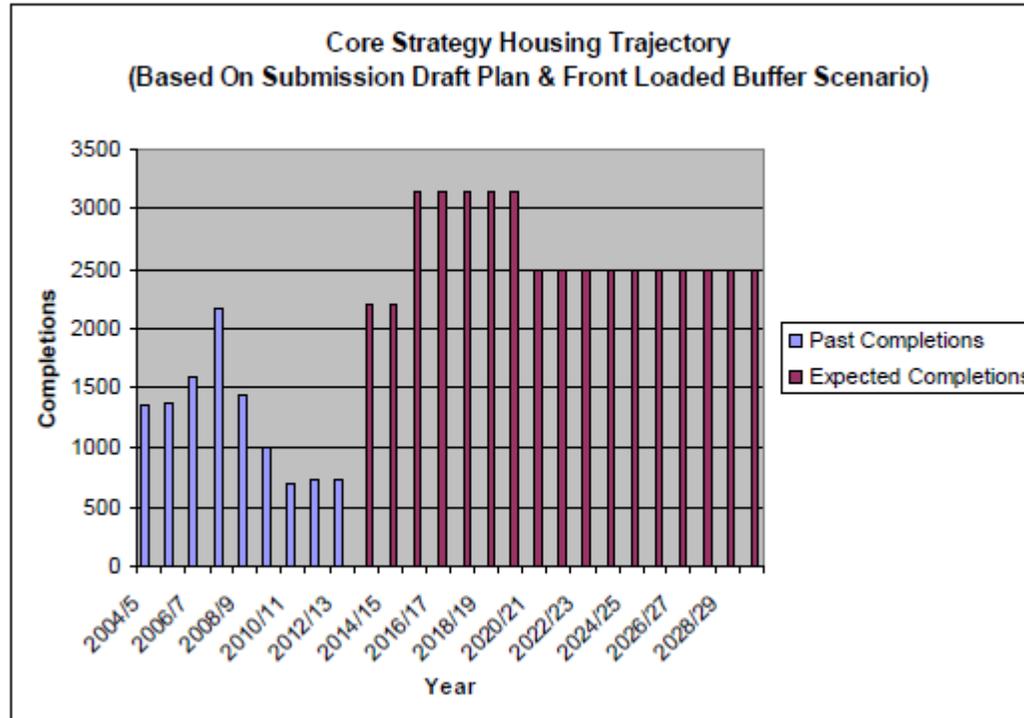
Delete Table 1 in its entirety.

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Page 359-360

Table 2 & Housing Trajectory Charts

Delete Table 2 and delete the 2 housing trajectory diagrams and replace with the following housing trajectory chart:



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|------------------------------|-----------------|----------------------------------|--|
| <p>MM155</p> | <p>Page 361</p> | <p>Appendix 6, paragraph 1.6</p> | <p>Amend paragraph 1.6, as follows:</p> <p>‘1.6 The Council has a program for the delivery of statutory development plan documents which will be fundamental to the delivery of the envisaged housing growth as set out above. This is because the plan making process for the Local Plan LDF needs to facilitate a massive step change in housing delivery which cannot be met either by the existing land supply or by the existing planning framework. Key decisions have to be made which have to be tested via extensive public engagements and by examination in public. The DPD’s involved are:</p> <ul style="list-style-type: none"> • The Shipley and Canal Road Corridor DPD - The Shipley and Canal Road Corridor is located within the main urban area of Bradford between the city centre and Shipley town centre. In support of Bradford’s regeneration priorities it is one of the key locations identified to deliver housing and economic growth in the district. Up to 3200 3,100 new homes are planned to be located in the CRC and the area has been identified as one of four Urban Eco Settlements in the Leeds City Region. In line with the sub area policies in the Core Strategy, the AAP will set out planning policies to guide development proposals in the area, along with details of how these proposals will be delivered. Issues and Options stage consultation took place between March and May 2013 <u>with consultation on the Publication Draft expected to take place in the Autumn of 2015</u> with plan adoption expected in <u>late</u> 2016. • The Bradford City Centre Area Action Plan DPD - The City Centre AAP will set the vision and spatial strategy in support of the regeneration of Bradford City Centre. It will provide the statutory basis for the implementation of the City Centre Masterplan and associated four Neighborhood Development Frameworks and help deliver developments on the identified sites and in areas of change and constraint. Up to 3500 new homes are planned to be delivered within the City Centre during the plan period. Public consultation on the City Centre AAP Further Issues and Options took place between March and May 2013 with <u>Publication draft consultation expected in late 2015 and</u> adoption expected in <u>late</u> 2016. • The Allocations Development Plan Document - this DPD will cover all other areas of the district outside of the 2 area action plans and will set out the approach to housing and employment development, the green belt, and the provision for sport and formal and informal recreational and open space. It will bring forward land allocations within the majority of the Bradford urban area, within the Principal Towns of Keighley, Ilkley and Bingley, together with the local growth centres and local service centres. Issues and Options stage consultation is scheduled for late <u>2015 2014.</u>’ |
| <p>MM155 (Continued)</p> | | | |

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|-------|----------|---------------------|--|
| MM156 | Page 365 | Appendix 6, Table 3 | <p>Modify the following text within the first line of the ‘scenario’:</p> <p><u>If the PDL delivery falls to levels which threaten the delivery of the targets and objectives set out within Policy HO6 consistently (for more than 3 consecutive years) and significantly below the expected levels as set out in the scenarios above and Policy HO6:</u></p> <ul style="list-style-type: none"> • The Council will consider intervention measures to assist the delivery of PDL sites including – land assembly by assisting occupiers to find alternative sites, bringing forward Council owners land, and use of CPO powers. • The Council will advance previously developed sites into the 5 year supply |
|-------|----------|---------------------|--|

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Report of the Strategic Director of Place to the meeting of Executive to be held on Tuesday 7th March 2017

BM

Subject:

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

Summary statement:

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

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

Steve Hartley
Strategic Director of Place

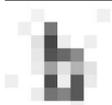
Portfolio:

Regeneration, Planning & Transport

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

Overview & Scrutiny Area:

Environment & Waste



EXECUTIVE SUMMARY

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

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

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

1. SUMMARY

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

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

which was introduced in January 2016.

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

2. BACKGROUND

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

Resolved -

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

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

Resolved –

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

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

Resolved –

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

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

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

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

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

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

Resolved –

(1) That the Committee recommend to Executive that:

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

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

3. OTHER CONSIDERATIONS

Pre-trial Situation

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

Level of Compliance during the Trial

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

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

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

Difficulties in Relation to Adopted Highway & Highway Records

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

Alternative Advertising Approaches

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

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

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

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

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

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



Photograph 1: A Typical Instaplanta Installation

Saltaire World Heritage Site (WHS) Issues

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

Experience of disabled users

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

Experience of Businesses

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

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

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

4. FINANCIAL & RESOURCE APPRAISAL

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

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

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

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

6. LEGAL APPRAISAL

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

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

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

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

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

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

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

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

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

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

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

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

7. OTHER IMPLICATIONS

7.1. EQUALITY & DIVERSITY

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

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

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

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

7.2. SUSTAINABILITY IMPLICATIONS

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

7.3. GREENHOUSE GAS EMISSIONS

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

7.4. COMMUNITY SAFETY IMPLICATIONS

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

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

7.5. HUMAN RIGHTS ACT

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

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

requirements).

7.6. **TRADE UNION**

There are no Trade Union implications arising from this report.

7.7. **WARD IMPLICATIONS**

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

8. **NOT FOR PUBLICATION DOCUMENTS**

None.

9. **OPTIONS**

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

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

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

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

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

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

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

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

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

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

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

10. RECOMMENDATIONS

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

Strategic Director: Place in consultation with the Portfolio Holder.

11. APPENDICES

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

12. BACKGROUND DOCUMENTS

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

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

Record of Enforcement Activities / Actions

Bradford City Centre

| Date | Action | Quantity |
|----------------|--|----------|
| Phase 1 | | |
| 21/11/15 | Street Warden Audit & Warning Notices Issued | 120 |
| 21/03/16 | Enforcement Action / Removals | 25 |
| Phase 2 | | |
| 13/05/16 | Street Warden Audit & Warning Notices Issued | 6 |
| | Warning Letters Issued | 7 |
| 25/05/16 | Enforcement Action / Removals | 4 |
| Phase 3 | | |
| 05/10/16 | Street Warden Audit & Warning Notices Issued | 12 |
| 20/10/16 | Enforcement Action / Removals | 4 |
| | New Warning Notices Issued | 5 |

Ilkley

| Date | Action | Quantity |
|----------------|--|----------|
| Phase 1 | | |
| 16/11/15 | Street Warden Audit & Warning Notices Issued (see note 1) | 132 |
| Phase 2 | | |
| 13/05/16 | Street Warden Audit & Warning Notices Issued | 11 |
| | Warning Letters Issued | 19 |
| 25/05/16 | Enforcement Action / Removals | 5 |
| Phase 3 | | |
| 05/10/16 | Street Warden Audit & Warning Notices Issued | 10 |
| 20/10/16 | Enforcement Action / Removals | 6 |

Saltaire

| Date | Action | Quantity |
|----------------|--|----------|
| Phase 1 | | |
| 15/12/15 | Street Warden Audit & Warning Notices Issued (see note 1) | 47 |
| Phase 2 | | |
| 13/05/16 | Street Warden Audit & Warning Notices Issued | 6 |
| | Warning Letters Issued | 10 |
| 24/05/16 | Enforcement Action / Removals | 4 |
| Phase 3 | | |
| 05/10/16 | Street Warden Audit & Warning Notices Issued | 5 |
| 20/10/16 | Enforcement Action / Removals | 1 |

Leeds Road Corridor

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

Notes:

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

Examples of Placement of Advertising Boards (pre-trial)



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



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



Photograph 4: Ivegate, Bradford



Photograph 5: Leeds Road Corridor

TRIAL ZONE AREA: Ilkley

Total Returns: 8

Business A – Food Supplies

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

Business B – Charity

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

Business C – Charity

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

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

Business D – Food Retail

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

Business E – Fashion Retail

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

Business F – Food Retail

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

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

Business G – Clothing Retail

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

Business H – Retail (Other)

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

Business J – Retail (Other)

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

TRIAL ZONE AREA: Bradford City Centre

Total Returns: 1

Business A – Food Retail

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

TRIAL ZONE AREA: Saltaire

Total Returns: 1

Business A – Takeaway Food

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

board and were not subject to previous enforcement action.

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

TRIAL ZONE AREA: Leeds Road Corridor

Total Returns: 0

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

AJ

Subject:

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

Summary statement:

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

Steve Hartley
Strategic Director of Place

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

Portfolio:

Regeneration, Planning & Transport

Overview & Scrutiny Area:

Health & Social Care

1. INTRODUCTION

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

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

Resolved –

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

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

ACTION: Strategic Director, Place

(Environment & Waste Overview & Scrutiny Committee)

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

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

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

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

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

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

5. RESPONSE TO EQUALITIES IMPACT ASSESSMENT CONCERNS

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

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

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

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

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

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

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

Resolved –

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

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

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

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

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

7. REPRESENTATIONS BY ILKLEY CHAMBER OF TRADE

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

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

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

8. ENGAGEMENT WITH SERVICE USERS

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

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

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

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

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

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

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

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

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

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

Table 2: Projected staffing resources for future options

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

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

10. INFORMATION RELATING TO THE ACTIVITIES OF OTHER LOCAL AUTHORITIES

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

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

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

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

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

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

Resolved –

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

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

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

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

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

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

14. APPENDICES

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

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

Control of Advertising Boards in West Yorkshire

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

Control of Advertising Boards in elsewhere

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

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

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

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

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

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

These general conditions may not be appropriate in every circumstance.

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

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

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

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

Please call: 01274 431000

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

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

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

6. Other Licences

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

When issued those licenses and their terms override this Code.

7. Further Information

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

8. Modification

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

Highways Enforcement Code of Practice

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



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

Department of Regeneration & Culture
Traffic and Highways, 1st Floor North, Jacobs Well,
Manchester Road
Bradford BD1 5RW

Telephone: 01274 431000
Email: council.contact@bradford.gov.uk
Web: www.bradford.gov.uk

Introduction

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

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

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

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

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

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

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

2. Legal Background

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

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

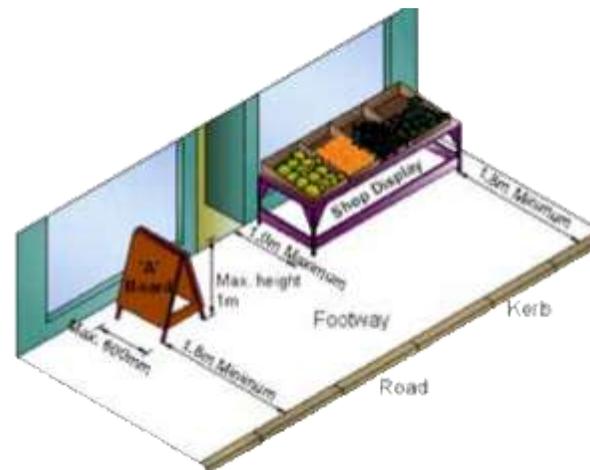
Although Bradford Council aims to permit A-boards and shop displays that do comply, it may be obliged to take enforcement action in certain circumstances. If this happens fair warning shall be given before any action is taken. Obstructions which do not comply with the Code will be liable to prompt enforcement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

3. Advertising Boards ('A' Boards)

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

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

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



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

4. Display of Goods

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

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

From: Helen Kidman ;
Sent: 05 March 2017 10:16
To: 'Richard.Gelder@bradford.gov.uk'; Yusuf.patel@bradford.gov.uk
Subject: PAVEMENT OBSTRUCTIONS
Importance: High

FTAO Richard Gelder & Yusuf Patel

My e mail of 16th February 2017 refers.

Ilkley Civic Society has noted that the subject of Pavement Obstructions is to be Item 4 on the Agenda of the Executive on 7th March 2017.

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

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

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

Helen Kidman
Chair
Ilkley Civic Society



This email has been checked for viruses by Avast antivirus software.
www.avast.com

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Report of the Strategic Director Corporate Services to the meeting of Governance and Audit Committee to be held on 28 March 2017.

AH

Subject:

Treasury Management Policy Statement, Minimum Revenue Provision Strategy and Annual Investment Strategy 2017/18.

Summary statement:

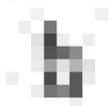
This report shows the Council's Treasury Strategy for borrowing for the three financial years commencing 2017/18 and the Annual Investment Strategy for 2017/18.

Stuart McKinnon- Evans
Director of Finance

Portfolio:
Leader

Report Contact: David Willis
Phone: (01274) 432361
E-mail: david.willis@bradford.gov.uk

Overview & Scrutiny Area:
Corporate



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Treasury Management Strategy Policy Statement Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2017/2018

Introduction

1.1 Background

The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

CIPFA defines treasury management as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

1.2 Reporting requirements

The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals.

Prudential and treasury indicators and treasury strategy (this report) -

The first, and most important report covers:

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

A mid-year treasury management report – This will update members with the progress of the capital position, amending prudential indicators as necessary, and whether any policies require revision.

An annual treasury report – This provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Scrutiny

The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Governance and Audit Committee.

Treasury Management Strategy for 2017/18

The strategy for 2017/18 covers two main areas:

Capital issues

- the capital plans and the prudential indicators;
- the minimum revenue provision (MRP) policy.

Treasury management issues

- the current treasury position;
- treasury indicators which limit the treasury risk and activities of the Council;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy; and
- Treasury Policy Changes/Issues

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, CLG MRP Guidance, the CIPFA Treasury Management Code and CLG Investment Guidance.

1.3 Training

The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. The training needs of treasury management officers are periodically reviewed.

1.4 Treasury management consultants

The Council uses Capita Asset Services, Treasury solutions as its external treasury management advisors.

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

2.0 The Capital Prudential Indicators 2017/18 -2019/20

The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

2.1 Capital expenditure

This prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle.

| Capital expenditure | 2015/16 Actual £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m | 2019/20 Estimate £m |
|---------------------|-------------------|---------------------|---------------------|---------------------|---------------------|
| | 70 | 80 | 124 | 155 | 44 |

Other long term liabilities. The above financing need excludes other long term liabilities, such as PFI and leasing arrangements which already include borrowing instruments. The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

| Financing of capital expenditure | 2015/16 Actual £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m |
|----------------------------------|-------------------|---------------------|---------------------|---------------------|
| Capital receipts | 5 | 6 | 8 | 10 |
| Capital grants | 40 | 52 | 54 | 72 |
| Revenue & Reserves | 7 | 4 | | |
| Net financing need for the year | 18 | 19 | 61 | 73 |

As part of the local government settlement the Government announced greater flexibility for councils in how they make use of capital receipts. Councils were previously only allowed to spend such money on further capital projects or repay debt. But now capital receipts can be used to fund the revenue costs of transformation projects which are designed to

generate ongoing revenue savings in the delivery of public services and/or to transform service delivery in a way that reduces costs or demand for services in the future.

There are no plans to use this flexibility in the 2017/18 financial year. However, given the size and scale of the transformation programme it is possible that the Council may seek approval from the Secretary of State to use capital receipts in this flexible manner in the future.

2.2 The Council's borrowing need (the Capital Financing Requirement)

The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the borrowing need in line with each assets life.

The CFR includes any other long term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility and so the Council is not required to separately borrow for these schemes. The Council currently has £199m of such schemes within the CFR.

| £m | 2015/16 Actual £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m | 2019/20 Estimate £m |
|-------------------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Capital Financing Requirement | | | | | |
| Total CFR | 666 | 653 | 675 | 707 | 720 |
| Movement in CFR | | -13 | +22 | +32 | +13 |

2.3 Minimum revenue provision (MRP) policy statement

The Local Government Act 2003 requires the Council to make a provision for the repayment of borrowing used to finance its capital expenditure, known as the Minimum Revenue Provision (MRP).

The MRP is the amount of principal capital repayment that is set aside each year in order to repay the Capital Financing Requirement (CFR) based on the requirement of statutory regulation and the Council's own accounting policies.

The Council is required to state as part of its budget process the policy for determining its MRP. The policy was changed last year generating savings in the current and future years. There are no proposed changes to the policy adopted last year. The method for calculating the MRP on each category of debt is outlined below:

- a) The policy for charging MRP on historic supported borrowing is on the asset life method calculated on an equal instalment basis over 50 years.
- b) Unsupported or prudential borrowing MRP is based on the Asset Life method – that is, the expenditure financed from borrowing is divided by the expected asset life. For schemes funded before 31st March 2012 the MRP is calculated on the annuity basis and for schemes funded after 1st April 2012 the MRP is calculated on an equal instalment basis. This means no change to existing policy.
- c) Since 2009/10 the appropriate financing costs for the Council's Building Schools for the Future (BSF) Private Finance Initiative (PFI) schemes have been included in MRP calculations.

The CFR represents the amount of capital expenditure that has been financed from borrowing, less any amounts that the Council has set aside to repay that debt through the MRP. Borrowing may come from loans taken from the Public Works Loan Board (PWLB) or commercial banks, finance leases (including PFI) or from the use of the Council's own cash balances.

2.4 Affordability prudential indicators

The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances.

2.5 Ratio of financing costs to net revenue stream

This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

| % | 2015/16 Actual % | 2016/17 Estimate % | 2017/18 Estimate % | 2018/19 Estimate % | 2019/20 Estimate % |
|-------|------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Ratio | 16 | 15.5 | 16.2 | 16.5 | 16.7 |

The estimates of financing costs include current commitments and the proposals in this budget report.

2.6 Incremental impact of capital investment decisions on council tax

This indicator identifies the revenue costs associated with proposed changes to the three year capital programme recommended in this budget report compared to the Council's existing approved commitments and current plans. The assumptions are based on the budget, but will invariably include some estimates, such as the level of Government support, which are not published over a three year period.

Incremental impact of capital investment decisions on the band D council tax

| £ | 2015/16 Actual | 2016/17 Estimate | 2017/18 Estimate | 2018/19 Estimate | 2019/20 Estimate |
|----------------------|-------------------|---------------------|---------------------|---------------------|---------------------|
| Council tax - band D | 0 | 0 | 0 | 0 | 0 |

3. Treasury Management

The capital expenditure plans set out in Section 2 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet this service activity. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

3.1 Current portfolio position

The Council's treasury portfolio position at 31 March 2016, with forward projections are summarised below. The table shows the actual external debt (the treasury management operations), against the underlying capital borrowing need (the Capital Financing Requirement - CFR), highlighting any over or under borrowing.

| £m | 2015/16 Actual £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m | 2019/20 Estimate £m |
|------------------------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| External Debt | | | | | |
| Debt at 1 April | 391 | 338 | 341 | 342 | 342 |
| Expected change in Debt | -53 | +4 | | | |
| Other long-term liabilities (OLTL) | 203 | 195 | 191 | 187 | 183 |
| Expected change in OLTL | -8 | -4 | -4 | -4 | -4 |
| Actual gross debt at 31 March | 533 | 533 | 528 | 525 | 521 |
| The Capital Financing Requirement | 666 | 653 | 675 | 666 | 653 |
| Under / (over) borrowing | 133 | 120 | 147 | 141 | 132 |

Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2017/18 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes.

The Strategic Director Corporate Services reports that the Council complied with this prudential indicator in the current year and does not envisage

difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report.

3.2 Treasury Indicators: limits to borrowing activity

The operational boundary. This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt.

| Operational boundary £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m | 2019/20 Estimate £m |
|-----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Debt | 380 | 400 | 400 | 400 |
| Other long term liabilities | 220 | 220 | 220 | 220 |
| Total | 600 | 620 | 620 | 620 |

The authorised limit for external debt. A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

1. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although this power has not yet been exercised.

| Authorised limit £m | 2016/17 Estimate £m | 2017/18 Estimate £m | 2018/19 Estimate £m | 2019/20 Estimate £m |
|-----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Debt | 400 | 440 | 440 | 440 |
| Other long term liabilities | 240 | 240 | 240 | 240 |
| Total | 640 | 680 | 680 | 680 |

3.3 Prospects for interest rates

The Council has appointed Capita Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives our central view.

| | NOW | Mar-17 | Jun-17 | Sep-17 | Dec-17 | Mar-18 | Jun-18 | Sep-18 | Dec-18 | Mar-19 | Jun-19 | Sep-19 | Dec-19 | Mar-20 |
|-----------------------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| BANK RATE | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.50 | 0.50 | 0.75 | 0.75 |
| 3 month LIBID | 0.23 | 0.30 | 0.30 | 0.30 | 0.30 | 0.30 | 0.30 | 0.30 | 0.40 | 0.50 | 0.60 | 0.70 | 0.80 | 0.90 |
| 6 month LIBID | 0.40 | 0.40 | 0.40 | 0.40 | 0.40 | 0.40 | 0.40 | 0.40 | 0.50 | 0.60 | 0.70 | 0.80 | 0.90 | 1.00 |
| 12 month LIBID | 0.63 | 0.70 | 0.70 | 0.70 | 0.70 | 0.70 | 0.80 | 0.80 | 0.90 | 1.00 | 1.10 | 1.20 | 1.30 | 1.40 |
| 5 yr PWLB | 1.38 | 1.60 | 1.60 | 1.60 | 1.60 | 1.70 | 1.70 | 1.70 | 1.80 | 1.80 | 1.90 | 1.90 | 2.00 | 2.00 |
| 10 yr PWLB | 2.11 | 2.30 | 2.30 | 2.30 | 2.30 | 2.30 | 2.40 | 2.40 | 2.40 | 2.50 | 2.50 | 2.60 | 2.60 | 2.70 |
| 25 yr PWLB | 2.78 | 2.90 | 2.90 | 2.90 | 3.00 | 3.00 | 3.00 | 3.10 | 3.10 | 3.20 | 3.20 | 3.30 | 3.30 | 3.40 |
| 50 yr PWLB | 2.54 | 2.70 | 2.70 | 2.70 | 2.80 | 2.80 | 2.80 | 2.90 | 2.90 | 3.00 | 3.00 | 3.10 | 3.10 | 3.20 |

The Monetary Policy Committee, (MPC), cut Bank Rate from 0.50% to 0.25% on 4th August in order to counteract what it forecast was going to be a sharp slowdown in growth in the second half of 2016. It also gave a strong steer that it was likely to cut Bank Rate again by the end of the year. However, economic data since August has indicated much stronger growth in the second half 2016 than that forecast; also, inflation forecasts have risen substantially as a result of a continuation of the sharp fall in the value of sterling since early August. Consequently, Bank Rate was not cut again in November or December and, on current trends, it now appears unlikely that there will be another cut, although that cannot be completely ruled out if there was a significant dip downwards in economic growth. During the two-year period 2017 – 2019, when the UK is negotiating the terms for withdrawal from the EU, it is likely that the MPC will do nothing to dampen growth prospects, (i.e. by raising Bank Rate), which will already be adversely impacted by the uncertainties of what form Brexit will eventually take. Accordingly, a first increase to 0.50% is not tentatively pencilled in, as in the table above, until quarter 2 2019, after those negotiations have been concluded, (though the period for negotiations could be extended). However, if strong domestically generated inflation, (e.g. from wage increases within the UK), were to emerge, then the pace and timing of increases in Bank Rate could be brought forward.

Economic and interest rate forecasting remains difficult with so many external influences weighing on the UK. The above forecasts, (and MPC decisions), will be liable to further amendment depending on how economic data and developments in financial markets transpire over the next year. Geopolitical developments, especially in the EU, could also have a major impact. Forecasts for average investment earnings beyond the three-year time horizon will be heavily dependent on economic and political developments.

The overall longer run trend is for gilt yields and PWLB rates to rise, albeit gently. It has long been expected that at some point, there would be a start to a switch back from bonds to equities after a historic long term trend over

about the last twenty five years of falling bond yields. The action of central banks since the financial crash of 2008, in implementing substantial quantitative easing purchases of bonds, added further impetus to this downward trend in bond yields and rising prices of bonds. The opposite side of this coin has been a rise in equity values as investors searched for higher returns and took on riskier assets. The sharp rise in bond yields since the US Presidential election, has called into question whether, or when, this trend has, or may, reverse, especially when America is likely to lead the way in reversing monetary policy. Until 2015, monetary policy was focused on providing stimulus to economic growth but has since started to refocus on countering the threat of rising inflationary pressures as strong economic growth becomes more firmly established. The expected substantial rise in the Fed rate over the next few years may make holding US bonds much less attractive and cause their prices to fall, and therefore bond yields to rise. Rising bond yields in the US would be likely to exert some upward pressure on bond yields in other developed countries but the degree of that upward pressure is likely to be dampened by how strong, or weak, the prospects for economic growth and rising inflation are in each country, and on the degree of progress in the reversal of monetary policy away from quantitative easing and other credit stimulus measures.

PWLB rates and gilt yields have been experiencing exceptional levels of volatility that have been highly correlated to geo-political, sovereign debt crisis and emerging market developments. It is likely that these exceptional levels of volatility could continue to occur for the foreseeable future.

The overall balance of risks to economic recovery in the UK is to the downside, particularly in view of the current uncertainty over the final terms of Brexit and the timetable for its implementation.

Apart from the above uncertainties, downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Monetary policy action by the central banks of major economies reaching its limit of effectiveness and failing to stimulate significant sustainable growth, to combat the threat of deflation and reduce high levels of debt in some countries, combined with a lack of adequate action from national governments to promote growth through structural reforms, fiscal policy and investment expenditure.
- Major national polls:
 - Italian constitutional referendum 4.12.16 resulted in a 'No' vote which led to the resignation of Prime Minister Renzi. This means that Italy needs to appoint a new government.
 - Spain has a minority government with only 137 seats out of 350 after already having had two inconclusive general elections in 2015 and 2016. This is potentially highly unstable.
 - Dutch general election 15.3.17;

- French presidential election April/May 2017;
 - French National Assembly election June 2017;
 - German Federal election August – October 2017.
- A resurgence of the Eurozone sovereign debt crisis, with Greece being a particular problem, and stress arising from disagreement between EU countries on free movement of people and how to handle a huge influx of immigrants and terrorist threats
 - Weak capitalisation of some European banks, especially Italian.
 - Geopolitical risks in Europe, the Middle East and Asia, causing a significant increase in safe haven flows.
 - UK economic growth and increases in inflation are weaker than we currently anticipate.
 - Weak growth or recession in the UK's main trading partners - the EU and US.

The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates, include: -

- UK inflation rising to significantly higher levels than in the wider EU and in the US, causing an increase in the inflation premium in gilt yields.
- A rise in US Treasury yields as a result of Fed. Funds rate increases and rising inflation expectations in the USA, dragging UK gilt yields upwards.
- The pace and timing of increases in the Fed. funds rate causing a fundamental reassessment by investors of the relative risks of holding bonds as opposed to equities and leading to a major flight from bonds to equities.
- A downward revision to the UK's sovereign credit rating undermining investor confidence in holding sovereign debt (gilts).

Investment and borrowing rates

- Investment returns are likely to remain low during 2017/18 and beyond;
- Borrowing interest rates have been on a generally downward trend during most of 2016 up to mid-August; they fell sharply to historically phenomenally low levels after the referendum and then even further after the MPC meeting of 4th August when a new package of quantitative easing purchasing of gilts was announced. Gilt yields have since risen sharply due to a rise in concerns around a 'hard Brexit', the fall in the value of sterling, and an increase in inflation expectations. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in later times when authorities will not be able to avoid new borrowing to finance capital expenditure and/or to

refinance maturing debt; this resulted in borrowing being undertaken in December detailed in the Borrowing Strategy paragraph 3.4.

- There will remain a cost of carry to any new long-term borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost – the difference between borrowing costs and investment returns.

3.4 Borrowing strategy

The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is sensible as investment returns are low and counterparty risk is still an issue that needs to be considered.

The level of underborrowing has increased over the last two years and a decision was made in December to take advantage of currently low interest rates to borrow against loans maturing in March 2017. Loans to the value of £25.9m were therefore taken out at an average rate of 2.6187%, and will replace loans of the same amount maturing in March, that have a average interest rate of 8.947%. This will reduce the average interest rate on the overall debt portfolio by 0.5% in March 2017, saving £1.65m per year.

With the risks within the economic forecast, caution will be adopted with the 2017/18 treasury operations. The Strategic Director Corporate Services will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- if it was felt that there was a significant risk of a sharp FALL in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term borrowing will be considered.
- if it was felt that there was a significant risk of a much sharper RISE in long and short term rates than that currently forecast, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised. Most likely, fixed rate funding will be drawn whilst interest rates are lower than they are projected to be in the next few years.

Any decisions will be reported to the appropriate decision making body at the next available opportunity.

3.5 Treasury management limits on activity

There are three debt related treasury activity limits. The purpose of these are to restrain the activity of the treasury function within certain limits,

thereby managing risk and reducing the impact of any adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs / improve performance. The indicators are:

- Upper limits on variable interest rate exposure. This identifies a maximum limit for variable interest rates based upon the debt position net of investments Upper limits on fixed interest rate exposure. This is similar to the previous indicator and covers a maximum limit on fixed interest rates;
- Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.

| 1 | 2017/18 | 2018/19 | 2019/20 |
|---|--------------|--------------|--------------|
| Interest rate exposures | | | |
| | Upper | Upper | Upper |
| Limits on fixed interest rates based on net debt | +175% | +175% | +175% |
| Limits on variable interest rates based on net debt | +20% | +20% | +20% |
| Maturity structure of fixed interest rate borrowing 2017/18 | | | |
| | Lower | Upper | |
| Under 12 months | 0% | 20% | |
| 12 months to 2 years | 0% | 20% | |
| 2 years to 5 years | 0% | 50% | |
| 5 years to 10 years | 0% | 50% | |
| 10 years to 20 years | 0% | 50% | |
| 20 years to 30 years | 0% | 90% | |
| 30 years to 40 years | 0% | 90% | |
| 40 years to 50 years | 0% | 90% | |
| Maturity structure of variable interest rate borrowing 2017/18 | | | |
| | Lower | Upper | |
| Under 12 months | 0% | 20% | |
| 12 months to 2 years | 0% | 20% | |
| 2 years to 5 years | 0% | 20% | |
| 5 years to 10 years | 0% | 20% | |
| 10 years to 20 years | 0% | 20% | |
| 20 years to 30 years | 0% | 20% | |
| 30 years to 40 years | 0% | 20% | |

| | | |
|----------------------|----|-----|
| 40 years to 50 years | 0% | 20% |
|----------------------|----|-----|

3.6 Policy on borrowing in advance of need

The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

3.7 Debt rescheduling

As short term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

All rescheduling will be reported to the Governance and Audit Committee, at the earliest meeting following its action.

Municipal Bond Agency It is likely that the Municipal Bond Agency, currently in the process of being set up, will be offering loans to local authorities in the near future. It is also hoped that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLB), but at present this remains uncertain.

3.8. Annual Investment Strategy

3.8.1 Investment policy

The Council's investment policy has regard to the CLG's Guidance on Local Government Investments ("the Guidance") and the revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities will be security first, liquidity second, then return.

In accordance with the above guidance from the CLG and CIPFA, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings.

Ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as “credit default swaps” and overlay that information on top of the credit ratings.

Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.

Investment instruments identified for use in the financial year are listed in appendix 1 under the ‘specified’ and ‘non-specified’ investments categories. Counterparty limits will be as set through the Council’s treasury management practices – schedules.

3.8.2 Creditworthiness policy

The primary principle governing the Council’s investment criteria is the security of its investments, although the yield or return on the investment is also a key consideration. After this main principle, the Council will ensure that:

- It maintains a policy covering both the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security, and monitoring their security. This is set out in the specified and non-specified investment sections below; and
- It has sufficient liquidity in its investments. For this purpose it will set out procedures for determining the maximum periods for which funds may prudently be committed. These procedures also apply to the Council’s prudential indicators covering the maximum principal sums invested.

The Strategic Director Corporate Services will maintain a counterparty list in compliance with the following criteria and will revise the criteria and submit them to Council for approval as necessary. These criteria are separate to that which determines which types of investment instrument are either specified or non-specified as it provides an overall pool of counterparties considered high quality which the Council may use, rather than defining what types of investment instruments are to be used.

The criteria for providing a pool of high quality investment counterparties (both specified and non-specified investments) is:

- Banks/Building Society 1 - good credit quality – the Council will only use banks which:
 - i. are UK banks/building Society; and/or
 - ii. are non-UK and domiciled in a country which has a minimum sovereign Long Term rating of AA-
 and have, as a minimum, the following Fitch, Moody's and Standard and Poors credit ratings (where rated):
 - Short Term – S&P A-1, Fitch F1 and Moody's P-1
 - Long Term – Moody's Aa3
- Banks/Building Society Banks 2 – same as Bank 1 apart from Moody's rating of A1.
- Banks/Building Society 3 – a credit rating of at least one of the following Moody's long term A3, Fitch short term F1 or S & P short term A-1.
- Banks Part nationalised UK bank 4 – Nat West Bank. This bank can be included provided it continues to be part nationalised or it meets the rating in Bank /Building Society 1, 2 or 3 above.
- Bank 5 – The Council's own banker for transactional purposes if the bank falls below the above criteria although in this case balances will be minimised in both monetary size and time.
- Bank subsidiary and treasury operations-The Council will use these where the parent bank has provided an appropriate guarantee or has the necessary ratings outlined above.
- Money Market Funds (MMFs) – AAA Moody's Fitch or S&P
- Local authorities, parish councils etc
- UK Government

A limit of 20% will be applied to the use of non-specified investments

Use of additional information other than credit ratings. Additional requirements under the Code require the Council to supplement credit rating information. Whilst the above criteria relies primarily on the application of credit ratings to provide a pool of appropriate counterparties for officers to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for example Credit Default Swaps, negative rating Watches/Outlooks) will be applied to compare the relative security of differing investment counterparties.

Time and monetary limits applying to investments. The time and monetary limits for institutions on the Council's counterparty list are as follows (these will cover both specified and non-specified investments):

| | Limit | Time Limit |
|---|-----------|---------------------------------|
| Banks/Building Society 1 | £30m | 2yrs |
| Banks/Building Society 2 | £20m | 1yr |
| Banks/Building Society 3 | £7m | 100 days |
| Bank 4 Nat West Bank | £20m | 1yr |
| Council's banker if below above criteria | | Day exposure |
| Temporary exception from the Treasury policy for schools balances until the main academy conversion process has finished. | | Until academy process completed |
| DMADF | unlimited | 6 months |
| Local authorities | £20m | 1yr |
| Money market funds | £20m | Liquid |
| UK Government | No limit | 2yrs |

The proposed criteria for specified and non-specified investments are shown in Appendix 1 for approval.

3.8.3 Country and sector limits

Due care will be taken to consider the country, group and sector exposure of the Council's investments.

The Council has determined that it will only use approved counterparties from countries with a minimum sovereign credit rating of AA- from Fitch (or equivalent). The list of countries that qualify using this credit criteria as at the date of this report are shown in Appendix 3. This list will be added to, or deducted from, by officers should ratings change in accordance with this policy.

3.8.4 Investment strategy

In-house funds. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).

Investment returns expectations. Bank Rate is forecast to stay flat at 0.25% until quarter 2 2019 and not to rise above 0.75% by quarter 1 2020. Bank Rate forecasts for financial year ends (March) are:

- 2016/17 0.25%

- 2017/18 0.25%
- 2018/19 0.25%
- 2019/20 0.50%

The suggested budgeted investment earnings rates for returns on investments placed for periods up to 100 days during each financial year are as follows:

| | Now |
|-------------|------------|
| 2016/17 | 0.25% |
| 2017/18 | 0.25% |
| 2018/19 | 0.25% |
| 2019/20 | 0.50% |
| 2020/21 | 0.75% |
| 2021/22 | 1.00% |
| 2022/23 | 1.50% |
| 2023/24 | 1.75% |
| Later years | 2.75% |

The overall balance of risks to these forecasts is currently probably slightly skewed to the downside in view of the uncertainty over the final terms of Brexit. If growth expectations disappoint and inflationary pressures are minimal, the start of increases in Bank Rate could be pushed back. On the other hand, should the pace of growth quicken and / or forecasts for increases in inflation rise, there could be an upside risk i.e. Bank Rate increases occur earlier and / or at a quicker pace.

Investment treasury indicator and limit - total principal funds invested for greater than 364 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment, and are based on the availability of funds after each year-end.

The Council is asked to approve the treasury indicator and limit: -

| Maximum principal sums invested > 364 days | | | |
|--|----------------|----------------|----------------|
| £m | 2017/18 | 2018/19 | 2019/20 |
| Principal sums invested > 364 days | £20m | £20m | £20m |

For its cash flow generated balances, the Council will seek to utilise money market funds, notice accounts, and short-dated deposits (overnight to 100 days) in order to benefit from the compounding of interest.

3.8.5 Investment risk benchmarking

This Council will use an investment benchmark to assess the investment performance of its investment portfolio of 7 day, month LIBID compounded un-compounded

3.8.6 Treasury Policy Changes /Issues.

The cash balances for the Council are invested at present in liquidity funds ,term deposits, certificate of deposits and Treasury bills. The money market has undertaken great change since 2008 with the number of banks available for the council to invest in and their funding requirements reducing.

With this in mind I purpose we increase the products we are able to invest in to include the following

a)bonds issued by the UK Government and banks/ building society including covered bonds (see Appendix 2 for explanation of these products).

b) Floating rate notes again issued by the UK Government and banks/ building society including covered.

The maturity and credit rating would follow the same criteria as our current investments.

These additions would help in the following way without increasing risk.

i) certain banks only issue in the products above .

ii better rates may be available than we are able to gain from the products we use at present.

iii) Covered bonds and covered floating rate notes have better credit ratings and so offer another layer of protection.

iv) Both bonds and floating rate note notes are tradable and so can be sold before they mature which gives us greater flexibility.

3.8.7 The following change to the Treasury Policy is recommended

Bonds and Floating rate notes issued by the UK government, Banks and Building societies (including covered) be added to the Treasury Policy.

3.8.8 End of year investment report

At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

4. Options

4.1 None.

5. Financial and Resources Appraisal

5.1 The financial implications are set out in section

6. Risk Management

6.1 The whole set of policies and day to day operations of treasury management are designed to assess and mitigate risk.

7. Legal Implications

7.1 Any relevant implications are set out in report.

8. Other Implications

8.1 Equal Rights implications-

8.2 Sustainability implications – no direct implications

8.3 Greenhouse Gas Emissions Impact – no direct implications

8.4 Community safety implications – no direct implication.

8.5 Human Rights Act – no direct implications

8.6 Trade Unions – no direct implications

8.7 Ward implications – no direct implications

9. Not for publications document

10. Recommendations.

10.1 That the Treasury policy set out in section 3.8.7 be noted by Governance and Audit Committee and passed to full council for adoption.

11. Background Documents

Treasury Management Schedules

Treasury Management Schedules

Treasury Policy

12.Appendices

- 1.Specified and Unspecified Investments
- 2.Definition of Bonds ,Covered Bonds and Floating Rate notes.
- 3.Approved countries for investments
- 4.Treasury management scheme of delegation
- 5.The treasury management role of the section 151 officer

Appendix 1 Specified and Unspecified Investments

SPECIFIED INVESTMENTS: All such investments will be sterling denominated, with maturities up to maximum of 1 year, meeting the minimum 'high' quality criteria where applicable.

| | Minimum credit criteria | Use |
|---|--|----------|
| Debt Management Agency Deposit Facility | UK sovereign rating | In house |
| Bonds issued by banks and building societies (including covered) | Moody's Aa3, Fitch F1 and S & P A-1 or above | In house |
| Bonds issued by banks and building societies | Moody's A1, Fitch F1 and S&P A-1 or above | In house |
| UK Government Treasury bills | UK sovereign rating | In house |
| Money Market Funds | AAA | In house |
| Local authorities | N/A | In house |
| Term deposits with banks and building societies | Moody's Aa3, Fitch F1 and S & P A-1 or above | In house |
| Term deposits with banks and building societies | Moody's A1, Fitch F1 and S&P A-1 or above | In house |

| | Minimum credit criteria | Use |
|--|--|------------|
| Term deposits with banks and building societies | At least one of Moody's A3, Fitch F1 | In house |
| Certificates of deposit issued by banks and building societies | Moody's Aa3, Fitch F1 and S & P A-1 or above See note 1 | In-house |
| Certificates of deposit issued by banks and building societies | Moody's A1, Fitch F1 and S & P A-1 or above | In house |
| Floating rate notes issued by banks and building societies (including covered) | Moody's Aa3, Fitch F1 and S & P A-1 or above | In-house |
| Floating rate notes issued by banks and building societies | Moody's A1, Fitch F1 and S & P A-1 or above | In house |
| UK Government Bonds | Sovereign rating | In house |

NON-SPECIFIED INVESTMENTS: A maximum of 20% will be held in aggregate in non-specified investment

1. Maturities of ANY period

| | Minimum Credit Criteria | Use |
|--|---|------------|
| Term deposits with unrated counterparties with unconditional guarantee from parent | Moody's A3, Fitch F1 and S&P A-1 or above | In-house |

2. Maturities in excess of 1 year

| | Minimum Credit Criteria | Use | Max. maturity period |
|--|--|------------|-----------------------------|
| Term deposits – banks and building societies | Moody's Aa3, Fitch F1 and S & P A-1 or above | In-house | 2 years |
| Certificates of deposit issued by banks and building societies | Moody's Aa3, Fitch F1 and S & P A-1 or above | In-house | 2 years |
| Floating rate notes issued by banks and building societies (including covered) | Moody's Aa3, Fitch F1 and S & P A-1 or above | In house | 2 years |
| Bonds issued by banks and building societies (including covered) | Moody's Aa3, Fitch F1 and S&P A-1 or above | In house | 2 years |
| Bonds issued by UK government | Sovereign rating | In house | 2 years |

Appendix 2 Definition of Bonds, Floating rate notes

3.1 Floating rate notes (FRNs) are bonds that have a variable coupon, equal to a money market reference rate, which is the London Interbank Over Rate (the rates leading banks charge each other for short term loans) plus an additional amount called spread (generally an extra 0.05% to 0.30% depending on the credit and market conditions). Almost all FRNs have quarterly coupons, i.e. they pay out interest every three months. At the beginning of each coupon period, the coupon is calculated by taking the LIBOR 3 month rate and adding on the spread. A typical coupon would look like 3 months LIBOR +0.20%. The note is negotiable, that is, it can be sold at any time in the secondary market.

3.2 A bond is an instrument of indebtedness of the bond issuer to the holders. It is a debt security, under which the issuer owes the holders a debt and, depending on the terms of the bond, is obliged to pay them interest (the coupon) and/or to repay the principal at a later date, termed the maturity date. Interest is usually payable at fixed intervals (semiannual, annual). The bond is negotiable, that is, the bond can be sold at any time in the secondary market.

3.3 Covered bonds/Floating rate notes are debt securities issued by a bank/building societies and collateralised against a pool of assets that, in case of failure of the issuer, can cover claims at any point of time. They are subject to specific legislation to protect bond holders. This means that these bonds have a higher level of protection than a normal bond and so have better credit ratings. The downside is that the return on these assets is lower. Again the instrument can be sold at any time.

Appendix 3 Approved countries for Investments

AAA

- Australia
- Canada
- Denmark
- Germany
- Luxembourg
- Netherlands
- Norway
- Singapore
- Sweden
- Switzerland

AA+

- Finland
- Hong Kong
- U.S.A.

AA

- France
- U.K.

AA-

- Belgium

Appendix 4 Treasury Management Scheme of Delegation.

(i) Full council

- receiving and reviewing reports on treasury management policies, practices and activities;
- approval of annual strategy.

(ii) Governance and Audit Committee Boards

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- approval of the division of responsibilities;
- receiving and reviewing regular monitoring reports and acting on recommendations;

(iii) Internal Audit

- reviewing the treasury management policy and procedures and making recommendations to the responsible body.

Appendix 5 The Treasury Management Role of the Section 151 Officer.

The S151 (responsible) officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- approving the appointment of external service providers.

Report of the Director of Health and Wellbeing to the meeting of The Full Council to be held on July 18th 2017

D

Subject: Food Safety in the Bradford District

Summary statement: The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan in place. This report is brought to members to seek approval of the plan.

Bev Maybury
Director of Health and Wellbeing

Portfolio:
Health and Well Being

Report Contact: Ruth Lees, Principal
Environmental Health Manager
Phone: (01274) 431349
E-mail: ruth.lees@bradford.gov.uk

Overview & Scrutiny Area:
Environment and Waste Management

1. SUMMARY

The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan in place. This report is brought to Full Council to seek approval for that plan.

The Service Plan sets out the measures the Council will implement to safeguard food and drink which is produced, prepared or sold within the district. The plan reflects the work required of food authorities by the Food Standards Agency (FSA) in its national Food Law Code of Practice and guidance documents.

The Service Plan is a document that:

- identifies how these services fit in with the Corporate Priorities;
- details the demands on the service;
- gives information about the services provided;
- the means by which these services will be provided;
- the resources available to deliver these services;
- details the risk based programme of work for the year ahead;
- the means by which the service will achieve any relevant performance standards/targets;
- identifies potential risk to the service and where it may fall short of statutory requirements;
- a review of performance in order to address any variance from meeting the requirements of the service plan.

2. BACKGROUND

2.1 Food Safety is one element of the Councils Environmental Health Service (EHS). The Food Safety Team (FST) carry out a programme of inspections, sampling, advice, education and where necessary enforcement work which is delivered to tackle food safety issues. This is a statutory obligation placed on the Council which is monitored by the Food Standards Agency (FSA).

2.2 One of the requirements placed on the Council is to have an approved documented service plan in place which sets out how the Council intends to meet its statutory obligations. The format of the plan is prescribed by the FSA. The plan is contained in appendix 1.

2.3 The Environmental Health Service was transferred from the Department of Environment and Sport to the Department of Public Health on 1st April 2016. The Public Health Department now sits within the Department of Health and Wellbeing.

2.4 At the meeting on 26 June 2015 Governance and Audit Committee asked that the Plan continues to come to full council annually for approval. Members are asked to consider and approve the contents and proposals contained within the plan.

3. OTHER CONSIDERATIONS

There are no other matters for consideration at this time.

4. OPTIONS

None

5. FINANCIAL & RESOURCE APPRAISAL

The service plan, as set out, has been drafted to be accommodated within existing resources.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no significant risks arising out of the implementation of the proposed recommendations.

7. LEGAL APPRAISAL

The functions carried out by the Food Safety Team as identified within the Food Safety Service Plan are statutory functions required under the provisions of various statutes including the Food Safety Act 1990 and associated regulations.

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

The inspection programme and Food Hygiene Rating Scheme (FHRS) follows a strict Code of Practice and brand standard and as such it is applied equally to all businesses.

8.2 SUSTAINABILITY IMPLICATIONS

The Food Service Plan and Food Safety & Animal Health work actively supports the priorities for the District and contributes to personal, community and District well-being, prosperity and resilience, including avoiding significant adverse incidents and events. The Council investment of public funds and resources in this area, working with citizens, communities, business and other partners can be seen as fundamental to such essential areas of a healthy and vibrant society.

Promotion of the FHRS, undertaking food hygiene inspections and early interventions leads to wider legal compliance and cost avoidance by businesses in the District.

The service has linked with the Council's Food Strategy and is involved in promotional/educational activities for example work undertaken with the Positive Lifestyle Centre and helping to promote the Good Food Award operated by WY Trading Standards to influence healthier options and the Council's objective to tackle obesity and diabetes.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

Greenhouse gas impacts would be from office accommodation and transport i.e. energy and fuel consumption. This will be directly, through heat and power in Council buildings or indirectly, via the combustion of fuel in officer's vehicles.

There is a programme of energy efficiency improvements aimed at reducing emissions from corporate buildings managed by the Council's Environment and Climate Change Unit. Currently site visits are carried out in private vehicles and are planned to minimise journeys. Officers maximise flexibility by working flexibly from home, offices and touch down points.

The Food Safety Team has direct contact with food businesses, faced with the costs and risks associated with climate change. Food businesses are burdened with energy bills associated with heating and chilling of food and as such stand to benefit from Council recommendations that will improve energy efficiency.

8.4 COMMUNITY SAFETY IMPLICATIONS

The regular visits by officers and advice given about waste storage and disposal at the site contributes to a feeling of safety within the District.

8.5 HUMAN RIGHTS ACT

There are no Human Rights Act implications.

8.6 TRADE UNION

There are no Trade Union implications

8.7 WARD IMPLICATIONS

The inspection programme, FHRS rating scheme and service plan apply equally across all wards within the District.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

10.1. It is recommended that the Council approve the Food Safety Service plan.

11. APPENDICES

Appendix 1 - The City of Bradford MDC Food Safety Service Plan 2017.

Appendix 1

Department of Health and Wellbeing

FOOD SAFETY SERVICE PLAN 2017 / 2018

**FOOD SAFETY SERVICE PLAN
2017/2018**

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Introduction

This service plan covers the food safety and animal health work of the Council's Environmental Health service for 2017/8. The Food Standards Agency (FSA) requires each local authority to produce an annual plan that sets out what measures we will take to safeguard food safety and to review our achievement of the targets we set last year.

Section 1 - Service Aims and Objectives

1.1 Aims and Objectives

Our aims are:-

- 1) To ensure that all food produced, prepared and sold in the Bradford District is safe to eat.
- 2) To increase the awareness of food safety amongst the residents of the Bradford District.
- 3) To support the role of Public Health England in relation to communicable disease control within the city.
- 4) To assist in the delivery of the relevant outcomes within the Public Health Outcomes framework.

To achieve this we will operate a system of inspection, sampling, advice and other initiatives to ensure safety in the production and sale of food.

Using these methods and through other promotional activities and partnership work we aim to ensure the safety of food and thereby contribute to the health and well-being of the whole population. These activities include;

- To deliver an annual programme of food hygiene interventions, this includes inspections, audits, and alternative intervention strategies.
- Promote best practice in food production and sale in Bradford through the national food hygiene rating scheme (FHRS).
- Provide support and advice to local businesses, so they can comply with legal requirements and best practice.
- Publicise food safety issues, by working with partners, through a number of activities as part of local and national campaigns.
- Act as Primary Authority for our partner businesses and deal with enquiries referred on by other authorities and agencies.
- Investigate food poisoning notifications and outbreaks in association with the Consultant for Communicable Disease Control (CCDC), based within Public Health England.
- Investigate complaints about food and food premises.
- Implement an annual sampling programme to include participation in national and regional sampling surveys
- Approve and register special high risk food premises as required by law.
- Enforce food legislation and take proportionate action to secure compliance.
- Take prompt and effective action in response to food alerts and other threats to food safety in the Bradford District.
- Provide training and development opportunities for staff to ensure they are competent, professional and fair.

1.2 Links to Corporate Objectives and Plans

Corporate priorities 2017/18

Better skills, more good jobs and a growing economy

The team's involvement in primary authority partnerships and 1:1 business coaching helps to support local businesses. Participation in the national food hygiene rating scheme also allows the promotion of food businesses with good hygiene ratings. We are currently working in partnership with Regulatory Delivery part of Department for Business, Energy & Industrial Strategy on an initiative with businesses registering for the first time to enable them to get things right at the offset.

Good Schools and a great start for all our children

Participation in Positive Lifestyle Centre sessions based at Bradford City Football Club helps to deliver key messages on food safety in the home and hand washing to school children. Work undertaken for food safety week has also targeted relevant groups.

Better health and better lives

We work with Public Health looking at various initiatives for example to combat obesity and encourage healthy eating. We participate in the Good Food Advice Stall in the Oastler Market as part of the Bradford District Food Strategy. Work undertaken for food safety week uses key messages to members of the public to produce safe food in the home.

Safe, clean and active communities

We link in with the Neighbourhood's Enforcement Team on refuse control and on all of our inspections we assess waste food storage facilities and give advice regarding recycling of waste oil.

A well run council, using all our resources to deliver our priorities

We constantly review our service to identify improvements to service delivery and in addition we regularly monitor performance against service standards and targets set both internally and by external organisations. We work in partnership with other organisations to produce an effective and efficient service and in a way which enables us to use our resources wisely for example Project work with the Regulatory Delivery Office. We are also working with the FSA as part of their regulatory review and project work involving primary authorities.

Section 2 – Background

2.1 Profile of the Authority

The latest population estimate for Bradford District is 531,200 (Office for National Statistics ONS June 2016) making it the fourth largest local authority in England in terms of population. Bradford has the third largest proportion of Black and Minority Ethnic people outside of the London Boroughs and also has a relatively young population structure. The District has a high proportion of non-white residents at 25.89%. Within the ethnic minority population, the proportion of Asian or British Asians is 21.09% which is significantly higher than the national average and twice as much as the West Yorkshire average. The latest figures from ONS state that the largest proportion of the districts population (63.9%) identifies themselves as white British. The district has the largest proportion of people of Pakistani ethnic origin (20.3%) in England. By 2031 the

population is expected to rise to 655,100 an increase of 27.8% since 2009. Population projections suggest that the largest growth will be within the Asian population. However with the white population expected to remain fairly static, it will continue to account for more than half the population in 2031. The district covers 141 square miles comprising the City of Bradford and four towns. It has a mix of densely populated urban centres with more rural and semi-rural areas to the west and north, making up 2/3 of the district but the same proportion of the population live in urban areas, mostly in the city.

(Source: The State of The District – Bradford District’s Intelligence & Evidence Base Set. 2010))

2.2 Organisational Structure

The Food Safety function is located in the Environmental Health Service of the Council which is incorporated in the Department of Health and Wellbeing. An organisational structure for the department is attached at **Appendix 1**.

The Food Standards Service is delivered on a county-wide basis by West Yorkshire Joint Services (Trading Standards). Close links exist with this service.

2.3 Scope of the Food Service

The Food Safety Team carries out all of the food safety, public health and animal health duties that the Authority is legally required to discharge.

The Food Safety Team comprises Environmental Health Officers, technical staff, and an Animal Health Officer.

The team undertakes statutory programmed food hygiene inspections. Part of this includes identifying any food which has been imported from a third country.

An annual food sampling programme is carried out to ensure microbiological standards are met. This includes participation in national and regionally co-ordinated surveys.

Health and safety initiatives are also carried out in food premises whilst officers are on site.

The Food Safety Team investigates reported outbreaks and individual notifications of food poisoning.

Officers inspect farms for primary food production, animal health issues and investigate matters relating to the safe disposal of animal by-products.

All officers are now based at one single point of access at Britannia House, Bradford, albeit working remotely and flexibly. The service can be accessed via the Council’s Contact Centre or by using the online contact forms on the Bradford Council website. Core operating hours are 9.00am to 5.00pm; however officers frequently work out of normal operating hours to visit premises when they are open.

Emergency out of hours cover is provided throughout the year by officers who are contactable through the Department’s emergency call out team.

2.4 Demands on the Food Service

The following tables detail the breakdown and profiles of food businesses in the Bradford District.

Table1. Categories of Food Businesses

| FSA Category | Number |
|--------------------------------|-------------------------|
| Primary producers | 7 (455 farms) |
| Manufacturers and packers | 119 |
| Importers/Exporters | 4 |
| Distributors / transporters | 90 |
| Supermarket/ hypermarket | 100 |
| Small retailer | 814 |
| Retailer – other | 188 |
| Restaurant/café/canteen | 688 |
| Hotel/guest House | 56 |
| Pub/club | 470 |
| Take-away | 732 |
| Caring premises | 280 (355 child minders) |
| School /college | 221 |
| Mobile Food Unit | 117 |
| Restaurants / caterers – other | 249 |
| Total | 4135 (4945) |

To deliver an equitable service in our multi-cultural district, we signpost businesses to information on food hygiene training and advice. There is a high turnover in the restaurant and catering sector of both food businesses and food business operators. This places a strain on the team in terms of premises inspection as an inspection with a new owner takes longer and involves a lot of help and support

The district has a wide variety of businesses including high risk sectors such as importers, manufactures and packers. There are 34 butchers in the district selling raw and ready to eat foods, including the production of cooked meats and pies.

There are 52 premises that manufacture or process products of animal origin that require statutory approval. This also includes 7 on farm pasteurising dairies and we have two specifically trained officers to deal with these.

There are 11 approved cold stores in the district, in the past these have been perceived to be low risk food hygiene premises but the horse meat scandal of 2013 highlighted the need to reconsider the risk associated with this type of business and food fraud continues to be a national issue.

There are 7 primary producers in the District for example egg producers and an additional 455 farms with livestock. The livestock farms are inspected by the Animal Health Officer and are not risk rated in the same way that food premises are.

As well as rated premises, we receive on average 220 registrations from new businesses every year, which require inspection and risk rating. In addition, we have engaged with Neighbourhood Services to provide intelligence about closed and newly opened businesses in the District.

Table 2. Rated premises profile by Risk Category

| Risk category | No. of premises 1/4/17 | Inspection Frequency |
|------------------|------------------------|---|
| A (highest risk) | 14 | Every 6 months |
| B | 177 | Every 12 months |
| C | 844 | Every 18 months |
| D | 1516 | Every 2 years |
| E (lowest risk) | 1741 | Initial inspection followed by alternative intervention |
| unrated | 197 | Within 28 days of registration |

2.5 Enforcement Policy

The Environmental Health Service has published an Enforcement Policy in line with the National Compliance Code, statutory codes of practice and relevant guidelines issued by central government departments and other bodies. Work carried out by the team is in accordance with that policy.

The table below details the enforcement action undertaken during 2016/2017.

| Enforcement Action | Number |
|-----------------------------|--------|
| Voluntary Closure | 4 |
| Emergency prohibition order | 0 |
| Prohibited person | 0 |
| Simple caution | 6 |
| Improvement notices | 22 |
| Prosecutions | 2 |
| Seizure of Food | 0 |
| Remedial Action Notice | 0 |

Section 3 - Service Delivery

3.1 Food Premises Interventions

The Food Safety Intervention Programme undertaken by the Council operates in accordance with the Food Standards Agency's (FSA) statutory Local Authority Framework Agreement and Food Safety Code of Practice (CoP). The CoP sets out a range of interventions that local authorities may adopt in addition to food safety inspections. These are official controls that include inspections, audits, sampling, monitoring and verification; non-official controls include advice, coaching, education and training, and questionnaires.

Priority is given to the inspection of high risk and approved premises over low risk businesses. This means priority is given to the inspection of highest risk premises, (categories A-C). All registered food businesses receive an intervention in the form of Feeders Digest, our annual newsletter. Low risk businesses (D-E) that fall within the scope of the FHRS website, will however, receive an inspection when resources facilitate this.

A Food intervention programme was developed by the West Yorkshire Food Officers Group and ratified by the west Yorkshire Chief Officers Group, see **Appendix 2**. This aimed to provide the best use of resources and seek a consistent approach across West Yorkshire.

The FSA require local authorities to include inspection of imported food during routine food hygiene inspections. This activity forms part of the overall inspection process.

Where it is the local authority's responsibility to enforce health and safety in food premises, officers from the food safety team may undertake health and safety interventions in food premises. These interventions currently include signposting businesses to health and safety information.

3.2 Performance Data for the Service

The performance targets for 2017/18 and outcomes for 2016/17 are detailed in **Appendix 3**.

3.3 Food Hygiene Rating Scheme (FHRS)

The FHRS provides consumers with information on food hygiene standards to help them to choose where to eat out or shop for food. Food outlets, such as restaurants, takeaways, pubs and supermarkets, are inspected by the food safety team to check their hygiene standards meet legal requirements. The standards found at these inspections are rated on a scale ranging from '0' at the bottom to a top rating of '5'. The aim is to encourage businesses to improve standards and reduce the incidence of food borne illness. Since the adoption of the scheme we have seen an increase in the number of premises achieving a rating of 3 and above.

Table 3. % Distribution of rated premises under the FHRS

| FHRS | 1/4/2013 % | 1/4/2014 % | 1/4/2015 % | 1/4/2016 % | 1/4/2017 % |
|-------------|------------|------------|------------|------------|------------|
| 5 | 58.8 | 60.5 | 60.4 | 62.2 | 64.7 |
| 4 | 18 | 17.1 | 19.2 | 19.3 | 19.4 |
| 3 | 9.1 | 9.1 | 9.9 | 9.9 | 9.4 |
| 2 | 3.5 | 3.9 | 3.9 | 3.8 | 3.5 |
| 1 | 9.3 | 8.3 | 6.3 | 4.6 | 3.0 |
| 0 | 1.3 | 1.0 | 0.2 | 0.2 | 0.0 |
| 3 or better | 85.9 | 86.8 | 89.6 | 91.4 | 93.5 |

3.4 Food Premises Complaints

The Food Safety Service investigates complaints regarding poor hygiene in premises, complaints about unfit food and foreign bodies in food. It also responds to requests for advice from business or the public.

Food complaints and service requests are dealt with in accordance with actual risk. Where the complaint presents no risk to health, complainants are encouraged to contact the vendor or manufacturer directly to resolve the matter.

3.5 Primary Authority

The Service supports the Primary Authority Partnership (PAP) scheme which is run by Regulatory Delivery. This is a formal partnership arrangement between a local authority and a national food business based in the District. The Local Authority becomes the national point of contact to advise the business on food / health and safety matters. We have a PAP with:

- Aagrah Restaurants
- Caterleisure
- Akbars restaurants
- National Federation of Fish Friers Association

All work carried out as part of the PAP arrangement is funded by the business with whom the partnership has been entered into.

Bradford is also the “originating authority” for several large manufacturers supplying food nationally.

3.6 Advice to Business

We provide help and advice to new and existing businesses during inspections or following an enquiry. Leaflets and documents for use in running a safe food business are provided either on request or as part of a follow up to an inspection.

We are taking part in a project lead by Regulatory Delivery looking at the style and content of advice letters to new businesses to ensure that they get it right first time and to help the sustainability of new businesses.

Information is also available on the Bradford Council website which also provides links to other sites.

We provide 1:1 coaching for a fee on the Safer Food Better Business pack for those businesses that are struggling to comply with Article 5 of Regulation (EC) No. 852/2004, which requires businesses to have a documented food safety management system in place.

We produce a business focused newsletter (Feeders Digest) that includes mainly food safety information. This is sent out to all food businesses in the District. This is also sent electronically where possible.

3.7 Food and Environmental Sampling

An effective food sampling programme is an important part of a well-balanced food enforcement service. Our microbiological food sampling is undertaken in accordance with a sampling programme produced annually and in response to food complaints/investigations. The sampling programme includes taking part in national surveys determined by national co-ordinating bodies. It also includes a commitment to allocate 10% of the Authorities annual credit allocation to be used to take samples of food which have been imported from third countries, as required by the Food Standards Agency.

Environmental sampling is also considered an essential part of the service. Environmental swabs are taken in businesses to assess both the cleanliness and the safety of the food preparation environment. This usually includes taking swabs of food and hand contact surfaces.

The Public Health England Food Water and Environmental Microbiology Laboratory, York allocates local authorities with an annual sampling “credit” based on population size and historical sampling patterns. We are required to carefully manage this to ensure we do not “overspend” our sampling allowance. Likewise if we do not use our credit allocation then this could be reduced by the laboratory. **Appendix 4** provides a full report on the sampling programme. **Appendix 5:** Food Sampling Policy.

3.8 Control of Infectious Disease

The Food Safety Team works closely with Public Health England and liaises with the CCDC in the investigation of outbreaks and individual cases of food-borne disease. The ‘Protocol for investigation and management of sporadic cases and outbreaks’ details the West Yorkshire authorities policies and method of investigation of notified infectious diseases.

Appendix 6 outlines the demands on this part of the service for 2016/2017

3.9 Animal Health & Welfare

The Animal Health Officer within the Food Safety team undertakes primary production inspections at farms and works in liaison with Defra, RSPCA, veterinary surgeons and other local authorities.

3.10 Food Safety Incidents

The service responds to food alerts notified by the FSA in accordance with the Code of Practice and our Procedural document. We always deal with them as detailed by the FSA. The reactive nature of this activity makes it difficult to estimate the resource necessary.

3.11 Liaison with Other Organisations

The service is committed to liaising with other local authorities and associated organisations to ensure consistency and fairness. This is achieved by being actively involved in a number of groups, including

- West Yorkshire Principal Food Officers Group (includes Trading Standards)
- West Yorkshire Gastro Intestinal Group
- West Yorkshire Animal Health Liaison Group
- Yorkshire and Humberside Animal Health Liaison Group

We also work closely with Public Health and Public Health England. We are currently involved in an initiative for new businesses working with Regulatory Delivery.

3.12 Food Safety Promotion

The service takes part in a variety of food safety promotion activities in order to raise awareness of food safety in the home and in businesses. These include:

- Support for 'Food Safety Week'
- Manning the Good Food Advice Stall, Oastler Market (subject to relocation/continuation of service).
- Production of Feeders Digest.
- Maintenance of the Food Safety website.
- Participation in Positive Lifestyle Centre sessions based at Bradford City Football Club to deliver key messages on food safety in the home and hand washing to school children.
- Publication of articles in the local press and community publications.
- Publishing the food hygiene ratings of food businesses on the national website.
- Presentations and or attendance at community events and schools upon request.
- 1:1 coaching on the SFBB pack (fee applicable)
- Identification of opportunities for engaging in the Public Health Agenda and nutrition.

Appendix 7 details other work that we had planned for 2016/2017 and the priorities for 2017/18.

Section 4 – Resources

4.1 Staffing Allocation

The service has seen a reduction of staff due to non-replacement of staff that have left and reductions in hours and retirements. As a result the number of full time equivalent officers engaged in food safety for 2016/17 was 10.4. We use contractors to undertake some low risk food hygiene inspections using the money from a vacant post that we hold. To manage the delivery of the service as required by statute increasingly alternative interventions are being utilised and revisits are only carried out when serious issues have been identified. The national average is one officer per 312 premises; on this basis we would require an additional 4.0 officers.

4.2 Staff Development Plan

Training and development needs are assessed on a yearly basis through staff appraisals. Training needs are met by:-

- Courses to achieve specific qualifications.
- Attendance at technical seminars.
- In-house training on specific issues.
- Cascade training by staff that have attended relevant courses.
- Accompanied visits.
- Peer Review
- On-line training provided by the Food Standards Agency.

The FSA issued a revised Food Law Code of Practice on 7 April 2015 which introduced new requirements for officer competency and continual professional development (CPD). Officers are now required to undertake 20 CPD hours which has increased from 10. The service has made a commitment to ensure it provides 10 CPD hours in core training requirements for all officers.

The competency of all food officers has been reviewed against the competency requirements in

the CoP and their authorisations.

The training programme for 2017 is attached in **Appendix 8**.

Section 5 - Quality Assessment

The service has systems to maintain performance and quality. Reviews of performance are undertaken quarterly at managers meetings. Reports against the food plan enable monitoring of progress against the targets.

The Quality Management System (QMS) includes a series of procedural documents that state the minimum standards for our food safety enforcement activities. Work is monitored via peer review and random checks by the manager on inspection files. We also participate in national risk rating consistency exercises to ensure consistency in awarding the food hygiene rating to businesses.

Monthly customer surveys of our re-active and pro-active services are used to review and improve our standards of service delivery.

Section 6 - Review of Work

6.1 Review against Service Plan

The Environmental Health Management Team monitors performance on a quarterly basis. The information is also made available to the Senior Management Team and the Assistant Director. A review against the plan is undertaken at manager's one-to-one meetings with the Principal Manager.

In 2016/17 we carried out 3359 interventions, which were a mix of inspections, sampling and other visits to food premises. 100% of our high risk category A and B premises that needed an inspection received an inspection.

2 prosecutions were completed and 6 simple cautions were issued.

Our sampling credit allocation for the year was 20,500 and we used 10,030 credits of this taking a mixture of food, dairy, water and environmental samples. We underperformed on our sampling programme for the year due to other competing demands on the service.

We dealt with 5 outbreaks; 2 were associated with hotels and were confirmed as Norovirus outbreaks. 3 were associated with public houses, one was confirmed as a norovirus outbreak, and in the other two cases no faecal specimens were submitted by the complainants so we were unable to determine the cause.

At the end of 2016/17 our figure for food establishments broadly compliant with food hygiene law was 93%.

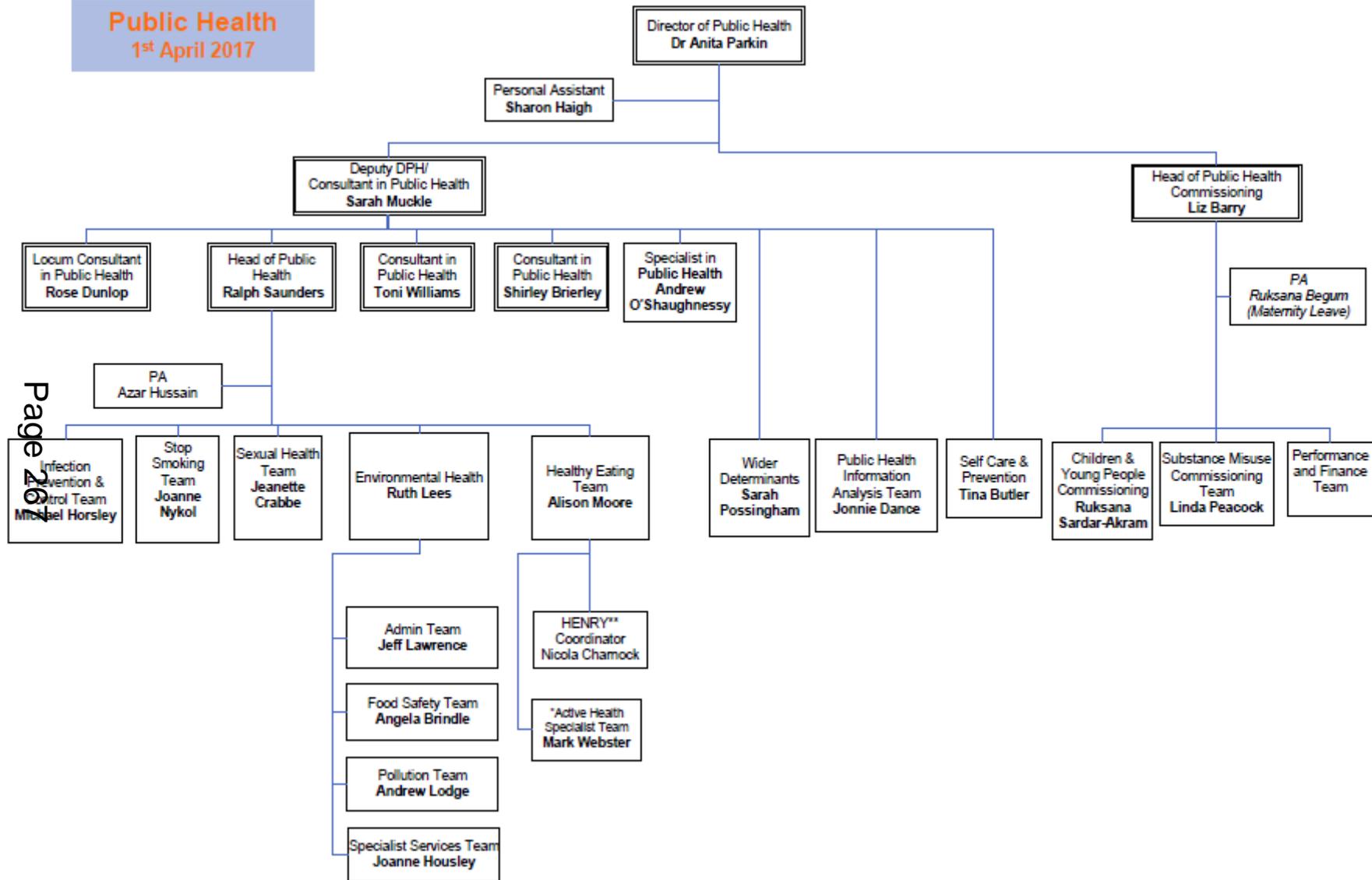
6.2 Variation from 2016/17 Plan

Issues that have arisen that have placed extra demands on the service include:

The FSA is currently undertaking a regulatory review of the way that the FSA and local authorities regulate food businesses. The new model will move away from a 'one size fits all' approach to regulation. We are participating in the consultation exercises and are taking part in a least two reviews of the way we work. The first is a trial assessing how new businesses react to different interventions in order to get things right at the offset. The second is looking at how primary authority partnerships can work with different approaches to regulatory interventions.

APPENDIX 1 – Departmental Structure

Public Health
1st April 2017



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APPENDIX 2 – Food Intervention Programme

FOOD HYGIENE INTERVENTION PROGRAMME 2017/2018

This document sets out the type of interventions to be applied within the premises for which we have enforcement responsibilities. The intervention programme is based upon;

- The Food Safety Code of Practice, which allows local authorities flexibility to introduce a mixture of interventions.
- Implementation of an intervention-based programme enabling the food safety service to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards.
- Reduction in staff numbers
- A risk -based approach, aimed at directing greater resource to those food businesses that present the greatest risk.
- The implementation of the FHRS.

Category A & B

Inspection, Partial Inspection or Audit

Category C

Fully compliant premises (Hygiene: 5 or less; Structure: 5 or less; Confidence in management : 5 or less)

If achieved the FHRS 5 rating for 2 consecutive years: questionnaire to be sent.

If not achieved the above – follow system for broadly compliant.

Broadly compliant premises (Hygiene: 10 or less; Structure: 10 or less; Confidence in management: 10 or less)

Alternate between:

Inspection - Re-rate a business

And

An official control: e.g. Sampling visits – Do not re-rate

Not broadly compliant

Full Inspection

Category D

If the business does not have a FHRIS rating, then the officer must undertake an inspection to rate the business. Officers may then alternate between official controls and other interventions. FHRIS rating of 5 for 2 consecutive years – Alternative Enforcement Strategy questionnaire to be carried out.

Category E

If a Category E has not received a FHRIS, then a visit must be made to the premises and an inspection carried out to rate the business.

Once rated, Category Es will receive a postal or telephone questionnaire. The business will be expected to return the questionnaire. Contingencies will be in place to follow up on those businesses that have not responded. This will be documented but is likely to include either a visit, solely to complete the questionnaire or possibly a telephone call to complete the questionnaire.

Additional Premises Specific interventions**Butchers selling raw and ready to eat food**

All butchers, regardless of risk rating shall be subject to an official control in the form of an inspection (full/partial/audit).

Approved Premises

All premises requiring approval regardless of risk rating shall be subject to an official control in the form of an inspection (full/partial/audit).

Childminders

Childminders are required to register and are included in the inspection programme. However we are not required to visit. We would respond to requests for advice.

New Premises

All new premises shall receive an official control in the form of a full inspection to allow them to be accurately rated for entry into the Intervention Programme.

APPENDIX 3 – Performance Management

| Activity | Number of inspections required 2016/17 | Number of Inspections Undertaken | Comments | Target 2017/18 |
|--|--|----------------------------------|---|--------------------------|
| <u>Food Hygiene Interventions</u> | | | | |
| A (high risk) | 32 | 32 | 100% completed | 14 in first 6 months |
| B | 227 | 227 | 100% completed | 177 (100%) |
| C | 514 | 511 | 99.4% completed. | 578 (100%) |
| D | 885 | 862 | 97.3% completed | 674 (100%) |
| E (low risk) | 405 | 405 | 100% completed | 420 (100%) |
| Unrated newly registered businesses) | 164 | 163 | 99.4% completed | 197 (100%) |
| Revisits | | Total 363 | These are visits to check that work required has been completed | Target cannot be set. |
| NI 184 (broadly compliant) | 93% | | | Target 90% |
| <u>Imported food</u> | | | | |
| Samples | 10% of credit allocation | 64 samples taken | 14% of credit allocation | 10% of allocation |
| <u>Food and water Sampling</u> | | | | |
| Number of food samples and environmental swabs | 80% of credit allocation | Total 460 | 49% of credit allocation | 80% of credit allocation |
| <u>Service Requests</u> | | | | |
| Total number received | | 1305 | A 19% increase on 2015/16 | Unable to set target. |

APPENDIX 4 – Sampling report 2016 - 2017

In the Year 2016 – 2017, the Food Safety section within Environmental Health undertook food sampling and environmental swabbing using a credit allocation of 20,500 for the year. In total 10030 credits were used i.e. 49% spend for the year.

Sampling undertaken by officers included routine sampling, local and national co-ordinated sampling projects, sampling undertaken as part of outbreak investigations and specific sampling tasks allocated to designated officers including undertaking formal sampling to maintain competence.

This Authority participated in the following regional sampling projects co-ordinated by Public Health England's Food, Water and Environment Laboratory at Sand Hutton, York.

XR26 Hygiene during the production and handling of ice

Background:

Several studies have been carried out to investigate the quality of ice used for the preparation of food and in drinks. These surveys have consistently shown that the quality of ice can be poor with evidence of environmental and faecal contamination. Ice can be bought in or prepared on the premises and different procedures are used to store, handle and serve this ice. Poor maintenance and cleaning of ice machines and poor quality of the incoming water supplies can impact on the quality of ice at the point of production. Poor procedures for handling of ice are however likely to have a bigger impact on its quality at the point of service to the customer. Transfer of ice from the point of production to point of use, cleaning of containers, the use of utensils and the service arrangements (*i.e.* by staff or by self-service) are all likely to impact on ice quality.

Aim:

This survey aims to investigate the microbiological quality of ice that in being served in public houses, restaurants, cafes *etc* Samples will be collected from the point of production and the point of service to identify premises where procedures for handling ice require improvement.

This authority took part in the following National PHE Study 2016-17

Study 57 Hygiene in catering Premises

Background:

Food and Environmental sampling has been shown to be a valuable tool with the potential to provide an alternative interventions strategy for food businesses. Environmental sampling can be used to verify that hygienic practices are being used during food preparation activities and can go some way to giving confidence that a food business is managing a premises properly. This survey has been developed to facilitate sampling of catering premises. This study is in response to a local authority request with particular reference to the swabbing of dishwashers and their seals and to other hard to clean areas along with other food contact which may include food containers that have been cleaned and are ready to use.

Aim

To provide microbiological data from swabs in catering premises.

For both locally coordinated sampling surveys and national sampling surveys the relevant laboratories leading on these projects produce a final report detailing the outcomes and any recommendations.

Food Standards Agency driven Sampling

Imported Food Sampling

The FSA expects local authorities to use 10% of their annual credit allocation to take and test imported food samples i.e. foods which come from countries outside the EU.

In 2016/17 Bradford submitted 64 food samples from Third countries, equivalent to 14% of the annual credit allocation. Of these samples 1(1%) were considered to be unsatisfactory.

Routine Food Sampling:

Dairy Sampling at Approved Premises

Officers continued to visit the on-farm pasteurisers and took samples at those designated premises.

Other Approved Premises

Sampling continued to be undertaken at other approved premises, mainly those producing meat products. Not all approved premises were subject to a sampling visit during the financial year.

Formal Sampling

All officers within the service are expected to undertake a formal food sampling during the financial year to ensure that skills required when taking samples which may be subject to legal action, are maintained. This involves sampling using aseptic technique. Officers use sterile sampling equipment and follow practices which ensure the sample does not become contaminated by the process of sampling itself. Most officers within the service achieved this requirement, some doing this as part of formal food borne outbreak investigation work.

Butchers Sampling

This has continued as required with the focus primarily on those butchers' shops that sell raw meat and ready-to-eat foods. Food samples were taken and environmental swabs.

Recommendations

1. That the department continues to participate in both national and cross regional sampling projects, as workloads allow.
1. The department continues to target businesses which import food, to give specific priority to products of animal origin.
2. That all environmental swabbing is focused and based upon risk.
3. That all officers be timetabled in for formal food sampling in the financial year 2016 /2017.

Guide to Micro-organisms

| Organism Name | Nature of Organism | About the Organism |
|--|--------------------------------|--|
| Aerobic Colony Count (ACC)/Plate Count | General bacteria count at 30°C | <p>The ACC is an indicator of quality, not safety, and cannot directly contribute towards a safety assessment of a ready-to-eat food.</p> <p>Immediate action in response to high ACCs is not usually warranted.</p> |
| Enterobacteriaceae | Hygiene Indicator Organism | <p>These organisms are used to assess the general hygiene status of a food product. Some of these organisms originate from the intestinal tract of humans and animals. These bacteria are readily killed by heat processing and should be removed from equipment and surfaces by appropriate cleaning. Presence in heat treated food signifies inadequate cooking or post processing contamination.</p> |
| Escherichia coli (E.coli) | Hygiene Indicator Organism | <p>This organism belongs to the Enterobacteriaceae family. It is a faecal indicator used to assess the hygiene status of a food product. It is killed by heat and should readily be removed from the food production area by appropriate cleaning. Some strains may be pathogenic but these pathogenic strains are rarely found in ready-to-eat foods.</p> |
| Coliforms | Hygiene Indicator Organism | Similar to Enterobacteriaceae (See above) |
| Bacillus species | Pathogen | <p>This group does not include <i>Bacillus cereus</i> which is the common pathogenic <i>Bacillus</i>. The <i>Bacillus subtilis</i> group can be pathogenic. Illness with these organisms includes acute-onset vomiting often followed by diarrhoea. Illness usually follows consumption of poorly stored cooked foods. It is associated with many foods but is particularly associated with foods prepared from poultry, meat, vegetables, rice, bread, spices and spice products.</p> |

| Organism Name | Nature of Organism | About the Organism |
|------------------------|------------------------|---|
| Pseudomonas aeruginosa | Opportunistic pathogen | This organism is commonly found in soil and ground water. It rarely affects healthy people and most infections are associated with long exposure to contaminated water. |
| Phosphatase Test | Chemical test | This test is undertaken on pasteurised milk to check that a suitable pasteurisation process has taken place. The pasteurisation process should be sufficient to destroy the enzyme phosphatase in milk. If phosphatase remains in the milk after pasteurisation, then pathogenic organisms may also have survived the pasteurisation process. |

End of year Statistics by Food Groups

| Food group | No Samples Taken | No Samples Unsatisfactory | Any other information | Action taken by Authority |
|---------------------------|------------------|---------------------------|---|--|
| Confectionary | 2 | 0 | | |
| Herbs & Spices | 21 | 13 | Enterobacteriaceae failure | It is not unusual for fresh herbs to have enterobacteriaceae |
| Soups and sauces | 5 | 0 | | |
| Dairy products (inc milk) | 71 | 9 (12.5%) | All on farm produced milk samples Enterobacteriaceae failure | Visit to farm to discuss potential areas of post pasteurisation contamination. |
| Fish & Shellfish | 5 | 1 | Enterobacteriaceae failure Bacillus species failures One Salmonella failure | Letter to business Notified FSA – withdrawal of product |
| Fruit & Veg | 15 | 0 | | |
| Ices and Desserts | 1 | 0 | | |
| Meat | 66 | 12 | ACC failures Enterobacteriaceae failures | Businesses advised and advice given re stock control and hygiene |
| Nuts | 15 | 0 | | |
| Prepared dishes | 24 | 0 | | |
| Ice cubes | 6 | 1 | Coliform failure | Business given advice on cleaning ice machine |
| Swabs | 205 | 32 | ACC Enterobacteriaceae failures | Action taken according to risk |

APPENDIX 5 – Food Sampling Policy

1. Introduction

- It is a requirement of the Food Law Code of Practice that local authorities publish a sampling policy.
- The City of Bradford Metropolitan District Council (CBMDC) recognises the important contribution sampling has in assisting food law enforcement and the protection of public health. Effective sampling is an essential part of a well balanced enforcement service.
- CBMDC aims to ensure that all food, drink and environmental samples are taken in accordance with the statutory Food Law Code of Practice and Practice guidance issued by the Food Standards Agency.
- All authorised officers undertaking food sampling will be qualified and trained to ensure that they are competent in the skills required for taking food, milk, water sampling and environmental swabbing. Other staff will be trained to enable them to assist or carry out informal sampling.
- Our policy is to participate in centrally co-ordinated food sampling programmes for the United Kingdom. Food sampling will also be undertaken in accordance with locally devised programmes. Sampling will be undertaken at those premises which require sampling under the Food Law Code of Practice; these will include manufacturers and particularly premises approved under Regulation (EC) No. 853/2004.
- The Authority is fully committed to the Primary/ Originating Authority Principle and will undertake any food sampling which is considered necessary to ensure that standards are being maintained and improved by the company for which we act as either Primary or Originating authority.
- This sampling policy has been prepared in consultation with Public Health England Food Water and Environmental Microbiology Laboratory, York and West Yorkshire Analytical Services.
- The Environmental Health Food team does not have any responsibility for Food Standards issues i.e. food composition or labelling. These matters are the responsibility of West Yorkshire Trading Standards.
- Sampling will be undertaken in accordance with internal procedural documents.

2. Aims of Sampling

- To provide Bradford MDC with a co-ordinated sampling programme
- To provide bacteriological results which can be used to make an assessment of the food safety standards in relation to the handling, sale and manufacture of food within the authority boundaries.
- To address both local and national food safety concerns.
- To act as supporting evidence in the enforcement of food safety where appropriate.
- To act as an educative tool to help inform businesses and the public regarding food safety issues.

- To participate in both local and national food sampling programmes in order to help in the assessment and review of national bacteriological standards.

3. Qualifications of Sampling Officer

- All officers undertaking formal (official) sampling will be qualified and trained as detailed in Food Law Code of Practice.
- New officers will be trained in all the recognised sampling techniques which they can be expected to utilise in the course of their duties, this will include techniques for informal food, milk, water and environmental sampling. Suitably authorised officers will undergo training on aseptic sampling techniques, which may be required in cases where legal proceedings may follow.
- All officers will, from time to time, undergo refresher training, on all sampling techniques, to ensure that sampling skills are maintained within the Authority.

4. Sampling Quotas

- Public Health England sets an annual credit allocation for all local authorities. This is set for any 12 month period and is a free non-negotiable allocation which authorities must work to. The PHE also sets a credit value for all sample types submitted to the laboratory. Each sample submitted to the laboratory will have its equivalent value deducted from the baseline allocation for that year.

5. Sampling Programmes

- All sampling work carried out by the Authority may be limited by the availability of sampling credits, officer availability and officer workloads. The authority is committed to undertaking sampling as part of its programme of work. An annual sampling programme will be produced. This will detail the quantity and areas of sampling to be carried out each year.

Routine Food Sampling

- These visits will usually consist of informal food sampling visits. Routine sampling undertaken by officers will be based upon risk or as directed by the EHM (Food safety). Historical data and risk assessments may be used to direct the food sampling undertaken by officers.

PHE Food Sampling Programmes

- PHE currently devise sampling programmes on an annual basis. These are national programmes to carry out microbiological analysis of samples from a broad spectrum of business types and for a variety of different food types. The focus for these sampling surveys is to undertake statistical evaluations and to make recommendations on these for national microbiological standards.

Food sampling as part of the Programmed Food Hygiene Inspections

- Officers may undertake informal food sampling visits as part of programmed food hygiene inspections. These sampling visits may include food, water and environmental sampling. These

visits will be undertaken as and when is deemed appropriate by the officer or the Environmental Health Manager. Samples may be used to assess the levels of cleanliness prior to an inspection and/or to determine the areas to concentrate on during the food hygiene inspection. Sampling may be used during the inspection process to check on areas of concern or it may be undertaken post inspection to clarify those points of concern raised during the inspection or to check that recommendations made post inspection have been implemented.

Imported Food Sampling

- We will pro-actively undertake food sampling at businesses which have been identified as either importing food directly or displaying food for sale which has been imported. Imported food, in this respect, is any food which has been brought into the UK from outside the European Union. 10% of the annual credit allocation will be used for imported food sampling.

Investigation of a Suspected Outbreak

- Food sampling will be undertaken, as deemed necessary, to determine the source of any suspected outbreak which is thought to originate in the Bradford Metropolitan District.
- The authority will consider any request made by another local authority with a view to officers assisting in an outbreak investigation by sampling in premises within the Bradford District.

Investigation of Suspected Food Poisoning in an individual

- Officers of the authority may undertake any food sampling which is considered necessary to determine the source of any suspected food poisoning in the case of an individual.
- The authority may test any suspect food which has been retained by the individual and may take samples from any premises considered to be the likely source of the individual case. The level and type of sampling will be dependent upon the circumstance of each individual case.

Service Requests

- Officers may undertake any necessary food sampling in the investigation of a food complaint. This may involve taking further samples from the vendor of the food, or, where the manufacturing company is based within the Bradford Metropolitan District.
- CBMDC may undertake any sampling as required by a Primary Authority.
- CBMDC acts as a Primary/Originating Authority for some food companies located in the district. The Authority will take samples from these businesses under the umbrella of the agreement. Any samples taken will be taken on a risk assessed basis.
- This Authority is committed to becoming involved in any food sampling programmes as determined by the Food Standards Agency.
- On occasion adverse food results are notified to the FSA for samples which have originated from other LAs. Where such samples have originated within the CBMDC, this authority will undertake any follow up formal sampling as directed by the Food Standards Agency.

PHE Laboratory Sampling Programmes (York Laboratory)

- PHE may propose food sampling programmes for all authorities who use the PHE Food, Water and Environmental Laboratory network lab (York).
- CBMDC will become involved in those food sampling programmes and we will aim to achieve the level of sampling required for these programmes.

EU Co-ordinated Food Sampling Programmes

- Where an EU sampling programme arises which covers any food safety related issue, CBMDC will endeavour to become involved in that food sampling programme, dependent upon resources.

7. Laboratories

Public Health England (PHE) Laboratory

- CBMDC undertakes to submit all food samples for microbiological examination to the PHE Food, Water and Environmental Microbiology Network (York Laboratory).
- The authority will set sampling levels in a service level agreement with the local PHE. The agreement will set the level of sampling for the year and includes food sampling, water sampling, milk and dairy sampling and environmental sampling. The level of sampling is based upon historical sampling levels and is adjusted on an annual basis. CBMDC will endeavour to maintain the level of sampling allocated.
- Payment for food samples submitted to the PHE comes from a central fund which the PHE gains from central government. The service level agreement with the PHE takes into account the level of funding available to the local authority. Should the local authority exceed the sampling levels agreed then the local authority may incur a charge for any further sampling which is undertaken.
- CBMDC will seek advice from the Food Examiners at the PHE Laboratory on any matters with regard to sampling where the product to be sampled is unusual, where the sampling process is complicated, or where it is unclear which microbiological Category the food comes under.

West Yorkshire Analytical Services

- West Yorkshire Analytical Services (WYAS) is an Official Food Control Laboratory based in Morley, Leeds. Senior staff hold Public Analyst appointments on behalf of CBMDC. They are able to deal with a wide range of analysis including foreign body identification, identification of moulds, chemical taints, freshness and quantification of fungal toxins.
- Samples submitted to the WYAS are paid for following the analysis and are charged to the individual local authority.
- CBMDC will only submit food samples to the laboratory if they are the source of a food complaint investigation, or if the samples have the potential to cause injury to health, or the work undertaken by the lab may provide unique and valuable information to the authority or it is envisaged that a prosecution may be undertaken as a result of the information gained from the laboratory.

APPENDIX 6 – Communicable Diseases

Bradford Environmental Health - Communicable Diseases

The following notifications have been dealt with by Environmental Health:

| Disease | | 2016/2017 |
|---------------------|--------------------------|-----------|
| Hepatitis A | | 3 |
| Hepatitis E | | 4 |
| Cholera | | 0 |
| Dysentery | Entamoeba histolytica | 1 |
| | Shigella Boydii | 0 |
| | Shigella Dysenteriae | 1 |
| | Shigella flexneri | 5 |
| | Shigella sonnei | 11 |
| | Not Typed | 4 |
| Food Poisoning | Bloody diarrhoea | 1 |
| | B.cereus | 0 |
| | C.botulinum | 0 |
| | Campylobacter | 312 |
| | E.coli 0157 | 8 |
| | E.coli –other than 0157 | 0 |
| | Listeria | 1 |
| | Salmonella | 68 |
| | Suspected Food Poisoning | 142 |
| | Yersinia | 2 |
| Gastro Enteritis | Cryptosporidium | 35 |
| | Giardia | 52 |
| Respiratory Disease | Legionella | 2 |
| | Tuberculosis | 0 |
| | Part 2a order | 0 |
| Paratyphoid Fever | Salmonella | 3 |
| Typhoid Fever | Salmonella | 7 |
| Total | | 662 |

APPENDIX 7 – Action Plan 2016/17 and 2017/18

| Topic | Planned 2016/17 | Achieved 2016/17 | Planned 2017/18 | Target 2017/18 |
|---|--|---|--|-----------------------|
| Food Law CoP 2015 | Continued monitoring of new requirements and CPD log. Align authorisations with competency. | Authorisations completed and updated. Regular reviews of CPD log at team meetings | Continued monitoring of new requirements and CPD log. Align authorisations with competency. | 20 hours CPD per year |
| Primary Authority Partnership (PAP) | To continue to promote the PAP and establish partnerships were appropriate. Agree work to be undertaken with each PAP | Produced assured advice for NFFF and worked in partnership with the FSA on the regulatory review of official controls. | To continue to promote the PAP and establish partnerships were appropriate. Agree work to be undertaken with each PAP | |
| Partnership work with Jamie Oliver Ministry of Food Page 281 | 2 events planned: Food Revolution day and Jamie Oliver's Birthday | Ran 2 events to promote good hand washing techniques using the UV Glow Box and also promoted FHRS. Approx. 50 children attended | Partnership work is dependent on the continuation of the project | |

| Topic | Planned 2016/17 | Achieved 2016/17 | Planned 2017/18 | Target 2017/18 |
|------------------------|--|--|---|----------------|
| Food Safety Week (FSW) | Participate in Food Safety Week 2016. To engage with local businesses and consumers and raise awareness of food waste and safely using leftovers. | The week focussed on getting people to think about using leftovers safely. Delivered the Food Safety Messages at 4 luncheon clubs. Inserted leaflets on using leftovers safely within food bags distributed by a food bank which were given out to deprived communities across the District. Manned a stall outside the Ministry of Food and issued advice on using leftovers safely and handed out recipes and information on food safety, infection control, healthy eating and FHRS. Information given to butchers to hand out to customers purchasing raw chicken | Participate in Food Safety Week 2017. To engage with local businesses and consumers. | |
| World Curry Festival | To consider attending the event if offered a free stall. | Option not available as the event run in a different format | | |

| Topic | Planned 2016/17 | Achieved 2016/17 | Planned 2017/18 | Target 2017/18 |
|---------------------------------|--|---|--|-----------------------|
| CD procedures | To investigate all cases of CD in line with the agreed protocol. Performance indicators to be produced to demonstrate compliance. To undertake annual review of CD procedures. | CD procedures reviewed including emergency call out kit instructions. 97.5% of CD notifications dealt with within GI standards | To investigate all cases of CD in line with the agreed protocol. Performance indicators to be produced to demonstrate compliance. To undertake annual review of CD procedures. | 100% |
| CD educational initiatives | In conjunction with PHE and Education Dept – To provide a seminar for school staff on prevention and control of communicable diseases. | Event not held due to other PHe commitments | | |
| Communicable Disease Audits | To carry out 1 audit a year on major organisms | Audits undertaken on salmonella paratyphi/typhi investigations. No major issues identified. | To carry out 1 audit a year on major organisms | |
| Quality Management System (QMS) | On-going review of procedural documents. Amend procedures if required as a result of inter authority audit on approved premises | Reviews undertaken where necessary and in light of legislative changes. | On-going review of procedural documents. Amend procedures if required. | |
| Food Team Review | Continue to look at process / service improvement. Taking part in BRDO project to assess quality of information given to new businesses. | Reviewed response to service requests in light of 19% increase in demand. BRDO Project started April 2017 to review in 12 months | Continue to look at process / service improvement. Taking part in BRDO project to assess quality of information given to new businesses. | |

| Topic | Planned 2016/17 | Achieved 2016/17 | Planned 2017/18 | Target 2017/18 |
|---|--|--|--|--|
| Training for staff | To continue with provision of cascade training for staff. Staff to attend “business critical” training as required. | Micro analysis training Sampling training WYPFOG event (incl. rare burgers, POCA) All officers achieved CPD requirements. | To continue with provision of cascade training for staff. Staff to attend “business critical” training as required. | All food officers to undertake a minimum of 10 CPD hours in food matters directly related to the delivery of official controls and 10 hours on other professional matters. |
| Good Food Advice Stall | To continue to support the Good Food Advice Stall when requested. | Manned the stall on 5 occasions giving advice to members of the public on hand washing, preventing food poisoning and FHRS | To continue to support the Good Food Advice Stall when requested. (dependant on continuation of project) | No target set. |
| FSA led food safety campaigns including promotion of FHRS | To use FSA promotional material produced for various campaigns. | Promoted the 'Christmas and Valentine's day campaigns for consumers' - advising the public to check out the rating before booking a restaurant. | To use other campaigns developed by the FSA throughout the year. | |
| Positive Lifestyle centre | Support the Centre by providing bespoke food hygiene training at sessions to school children. | Attended 3 sessions at Bradford City and did a presentation on Safe Food and You. Used the UV Glow hand washing box to promote effective hand washing. 25 children attended each session | To continue support for the centre as resources will allow. | Unable to set target as attendance at events is on request from the organisation. |

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| Topic | Planned 2016/17 | Achieved 2016/17 | Planned 2017/18 | Target 2017/18 |
|----------------|---|--|--|--|
| Feeders Digest | To produce at least one edition of Feeders Digest to update food businesses on legislation and provide information on topical issues. | Two editions of Feeders Digest were published and posted to all registered food businesses in September 2016 and March 2017. | To continue to produce and circulate Feeders Digest. | To produce and post the newsletters by Sept. 2017 and March 2018. To email the newsletter to businesses where an email address is available. |

APPENDIX 8 – Training Programme 2017

The Environmental Health Service will provide 10 CPD hours relating to food matters directly related to official controls for authorised officers. In addition all authorised officers are required to obtain a further 10 hours on other professional matters.

The training that will be provided for food officers will include:

- RIPA
- Evidence collection and storage
- POCA / warrants and search of domestic premises / interviewing at police station / intelligence reporting
- Rare burgers

Lunchtime drop in training sessions will be organised throughout the year. Officers will be encouraged to attend this training. However, these are not compulsory and may only provide subsidiary hours as opposed to core training hours. The officers are responsible for ensuring that they achieve the total amount of CPD required.