

Minutes of a meeting of the Environment and Waste Management Overview & Scrutiny Committee held on Tuesday, 25 July 2017 in Committee Room 4 - City Hall, Bradford

Commenced 5.35 pm
Concluded 7.40 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	GREEN
Gibbons Senior	A Ahmed Berry Mohammed Watson	Fear	Love Warnes

NON VOTING CO-OPTED MEMBERS

Nicola Hoggart
Julia Pearson

Environment Agency
Bradford Environmental Forum

Observers: Councillor Ferriby (minute 12), Councillor Ross-Shaw (minute 11), Councillor Salam (minute 11) and Councillor Sunderland (minute 11).

Councillor Warnes in the Chair

8. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received at the commencement of the meeting but Councillors Mohammed, Ross-Shaw and Watson each disclosed an interest in the interest of transparency as Members of various committees of the West Yorkshire Combined Authority during the course of the discussion on the item relating to Committee Connect 2 – Bradford Canal Road Corridor Scheme (minute 11).

9. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

10. CITY CONNECT 2 - BRADFORD CANAL ROAD CORRIDOR SCHEME

Members were advised that, following approval by the Executive on 20 September 2016, the Bradford Canal Road Corridor cycle scheme had been progressed to detail design stage and tenders had been received for the construction of the scheme. Following formal confirmation of a successful bid for £3.1 million from the Cycle City Ambition Grant Programme (known as CityConnect), the scheme could now be awarded to the preferred tenderer. The report of the Strategic Director Place (**Document “B”**) was for Members’ information and presented the background and detail of the scheme.

Members queried the timescale for the scheme as a whole and were informed that the intention was for the contract to be awarded and works to be started and underway before the end of March 2018. Members were advised however that if the scheme was to be delayed beyond the original timescale by any significant degree there may be additional design costs and it could be a struggle to deliver the project as described. A preferred tenderer had been identified and it was hoped that the outstanding objections to proposed traffic regulation orders could be resolved and the tender could then be awarded quite quickly.

A Member also queried whether it was likely that West Yorkshire Combined Authority (WYCA) could re-award the funding elsewhere if the scheme could not be progressed and was advised that, if the scheme could be started by the end of the year, it would then be possible to negotiate with WYCA. It was also confirmed that this was currently the only such scheme to progress this far across West Yorkshire.

Another Member queried whether there were any proposals to progress CityConnect in Shipley and was informed that it was not contained within this package.

A Member queried whether any assessment of phase one of CityConnect had yet been made and was advised that surveys had been undertaken which had shown an increase in cycle usage.

A representative of WYCA was in attendance as an observer and confirmed that there was no desire to remove funding from Districts but that there was a timescale involved and stressed that projects needed to be delivered as a whole programme.

Resolved –

That Document “B” be welcomed and officers be thanked for their work on it.

ACTION: Strategic Director Place

11. CALLED-IN DECISION - CITYCONNECT2 - BRADFORD CANAL ROAD



CORRIDOR CYCLEWAY SCHEME (MOVING TRAFFIC) ORDER AND (WAITING LOADING AND PARKING) ORDER - OBJECTIONS

At its meeting on 11 July 2017 Bradford East Area Committee had considered a report of the Strategic Director, Place, (**Bradford East Area Committee Document “D”**) which had asked Members to consider objections to recently advertised Traffic Regulation Orders associated with the proposed CityConnect 2 - Bradford Canal Road Corridor Cycleway scheme.

Bradford East Area Committee had resolved –

1. That the Committee recognises and welcomes the Cycle link.
2. That the Committee is not content that the solution offered is a safer, more attractive urban environment that will make the positive contribution to Bradford’s Cycling ambition. The Committee also recognises the challenges of the current site.
3. That Officers are asked to fully investigate an alternative scheme in the urban green space along side Valley Road, Bradford.
4. That the consultation be extended to include people who work along Valley Road, Bradford and whether they had access to Cycle to Work Scheme.
5. That the decision to overrule the objections be delayed until the above work is undertaken and presented to the Committee.

That decision of the Committee was subsequently called in. The reasons for the call-in were as set out below:

“I am asking for this decision to be called in on the grounds that the Area Committee’s decision to defer approval of the project proposals puts the entire scheme at risk. The decision jeopardises a cycleway project that is a key element of our District Cycling Strategy and which is backed by the Bradford Cycling Campaign; and – crucially - risks losing altogether WYCA investment of £2.5 million that will benefit Bradford District as a whole for years to come.

I would be very grateful if you could please accept this request, and ask that the decision be referred to the Environment and Waste Management Overview and Scrutiny Committee for consideration”.

In accordance with Paragraph 8.6.9 of Part 3E of the Constitution, Members of the Overview and Scrutiny Committee were reminded that they could, 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 or area committee as appropriate, to reconsider it in the light of any representations the committee may make. The decision may not be implemented until the Executive or area committee, as appropriate, has met to reconsider its



earlier decision.

- (3) Refer the decision to full Council for consideration, in which case the decision may not be implemented until the Council has met to consider the matter.

Alternatively, if the Committee made no resolution, in accordance with paragraph 8.6.9 of the Constitution, the decision may be implemented.

The Principal Engineer and Senior Engineer, Design & Construction both attended the meeting and outlined the background to the issue, explaining that the Area Committee had received a report which detailed objections raised to a proposed traffic regulation order. Those objections had included concerns about waiting and loading and the proposal to make Valley Road one-way. Comment had also been made at that meeting about the scheme being over-engineered. The engineers confirmed that they still considered the scheme fit for purpose and that the issue of engineering involved the inclusion of a hard kerb which was necessary for the comfort and safety of cyclists and two crossings which were also considered necessary for safety.

Members were advised that there had been a consultation process which had led to the scheme being amended to take into account comments from local businesses and cycling groups. Alternative routes had also been looked into but they would have involved a departure from the Local Development Plan.

The Chair questioned whether larger HGVs would still be able to access their business premises safely after the scheme was implemented and whether swept path analyses had been carried out. He was advised that safe access would still be possible and that analyses had been carried out. In addition, it would also be possible to widen the gateways on the business owner's land to improve access even more.

In response to a Member's questions about whether the Council could cover the full cost of the works and whether there had been recent enquiries made about the sale of land in the affected area, it was stated that the Council would cover the full cost of works and that the engineers had made enquiries about contacting the new landowner. The Member then went on to question whether customers of the affected businesses had been consulted; whether the environmental impact of the scheme had been assessed and whether the condition of a wall running alongside the route had been assessed. He was informed that customers had not been directly consulted but that the scheme had been advertised in the press and that the Tesco supermarket had been among the consultees; that an environmental impact assessment had not been carried out but that the nature of the scheme would improve traffic flow along Valley Road and that the wall in question was in private ownership and a detailed structural survey had been requested.

The Chair then requested comments from attendees representing cycling groups and cyclists. The Chair of City Connect Advisory Group and the Secretary of Bradford Cycling Campaign attended and made representations in support of City Connect 2, stressing how detailed the consultation process had been and how



this had led to the development of the best possible scheme. Members were advised that the scheme was in the best position of all the potential schemes across West Yorkshire in terms of progression and that the consequence of delay was significant, both in terms of this funding and future funding. The scheme was intended to keep Bradford at the forefront of cycling and it would be a great shame to lose that.

The Member who was the Council's cycling champion also attended the meeting and spoke in support of the route as a flat route which connected the City to Shipley. He also stressed his desire to encourage family cycling and his concerns that Canal Road was currently too busy to use confidently.

The Chair then went on to request representations from local business owners who were in attendance. Representatives of Uriah Woodhead Ltd and Trevor Iles Ltd attended the meeting and re-iterated their concerns that the proposed traffic regulation orders would affect their working arrangements significantly, especially the proposal to make part of the route one-way. Both had concerns about the future operation of their businesses during the scheme's construction and afterwards.

The Chair of Bradford East Area Committee also attended the meeting and spoke in respect of that Committee's concerns which had led to the original resolution being made. She referred to the Committee's support for the cycle route and the positive aspects of the scheme but re-iterated that concerns about Valley Road had led to the request for a pause while the scheme was re-examined for other options. She considered that a route involving Midland Road could offer a solution which would not adversely affect local businesses. She also referred to the success of the greenway as an attractive cycling route and queried whether there was an opportunity to do something similar again which the local community could make use of. The Committee's comments about over-engineering had been as a result of concerns that the present scheme did not support businesses to operate or expand. She also stated that she would not personally feel able to cycle this route in its current form. She also noted that she had been contacted by residents who had been unaware of the proposals. She concluded by stressing that while the Committee welcomed the scheme, it had serious concerns about the implications for local business and employment.

The Member with portfolio responsibility also attended the meeting and expressed his concerns for the future of the scheme if there were to be significant delay. He stressed that he was always willing to listen to the concerns of the business community and that a lot of business engagement had already taken place, which had led to improvements to the scheme being incorporated. He noted that the cycling community considered the scheme to be a high quality piece of infrastructure and concluded by stressing his concern that, at this late stage of development, he was not sure that there was any benefit in additional consultation.

The Chair expressed his appreciation of the contributions made by everyone who had spoken and reminded his colleagues of the options open to them.

A Member queried the boundaries involved and was informed that the scheme



began in the City Centre, which lay in the Bradford West area, but went on to Bradford East and that, while the TROs covered both areas, all three objections had come from Bradford East.

A Member also noted that the original resolution made by the Executive on 20 September 2016 had included a requirement for any objections to the TROs to be considered by both the Executive and Bradford East Area Committee and queried why that was. In response, it was acknowledged that the resolution had not been well worded but that it was important to get the views of both bodies.

In response to a question about timescales, Members were advised that the next scheduled meetings of the Executive and Bradford East Area Committee were set for 12 and 14 September 2017 respectively but that full Council was not scheduled to meet until October 2017.

A Member questioned whether, given those dates, an investigation of viable alternatives could be undertaken in the meantime. He was advised that, while some issues could be sorted quite quickly, others such as compulsory purchase matters could potentially take years. The portfolio holder also stressed that other options has already been assessed and considered to be not viable.

Resolved -

- 1. That this Committee notes (a) Paragraph 12.14 of Part 3E of the Constitution of the Council, which states that “area committees may not make a decision which affects, in a significant way, another area without first obtaining the agreement of the area committee for that area”, (b) that part of the Bradford Canal Road Corridor Cycleway Scheme is located in the City Ward and therefore also falls under the purview of the Bradford West Area Committee; and (c) that the Bradford West Area Committee has not been involved in this decision-making process so far.**
- 2. That this Committee notes that the Executive resolved on 16 September 2016 that “any valid objections to the advertised Traffic Regulation Orders, traffic calming, crossing facilities and cycle tracks be submitted to the Executive” and that this action has not yet been implemented as required.**
- 3. That this Committee refers the decision back to the Bradford East Area Committee for further consideration of the advertised Traffic Regulation Orders in accordance with the resolution of the Executive dated 16 September 2016.**
- 4. That this Committee recommends that the Bradford East Area Committee refers this matter with its comments to the Executive for decision when it meets on 14 September 2017, according to the provisions of Paragraph 12.15 of Part 3E of the Constitution of the Council (which states that “an area committee or two or more area committees jointly may refer a matter in relation to an executive function to the Executive for decision”).**



5. That, in the event that the Bradford East Area Committee does not refer this matter to the Executive for decision on 14 September 2017, this Committee recommends that the Executive determines this matter instead in accordance with Paragraph 12.16 of Part 3E of the Constitution of the Council (which states that “the Executive may require a matter in relation to an executive function due to be considered by an Area Committee to be determined by itself, in which case the delegation of that matter to the area committee shall cease to apply”).
6. That this Committee notes, in any case, that the Executive has the option of determining this matter when it next meets on 12 September 2017 in accordance with Paragraph 12.16 of Part 3E of the Constitution of the Council and the Executive’s own resolution of 16 September 2016.

ACTION: Strategic Director, Place/City Solicitor

12. UPDATE ON POLICY RELATING TO THE COLLECTION OF BULKY WASTE

The Strategic Director Place presented a report (**Document “C”**) that provided an update on a review of arrangements to increase the items collected by the bulky waste service.

The Principal Officer, Waste Collection and Disposal Services attended the meeting and gave a précis of the report, explaining that the service was operationally prepared to begin the new service but must now decide whether it ought to be provided in light of the improved permit scheme for household waste sites which made disposal of bulky items much simpler and more accessible for residents to undertake independently.

In response to a question about residents without access to personal transport, Members were advised that currently, bulky items could be collected on a paid for basis or people with temporary access to a van, possibly from their place of employment, could request a one-off van permit or provide a letter from the business concerned to confirm that it was being used for domestic purposes. Members were reminded that it was important to have such controls to avoid abuse of the waste disposal service.

Members commented on the problem of fly-tipping as a result of people offering to take away bulky waste for a small fee but not then taking it to appropriate disposal points. Officers concurred with that view and advised that residents must take care to use a bona fide waste carrier in such instances.

Members considered it would be useful to receive a report which encompassed the issues of fly-tipping and the new resident permit scheme for household waste sites to discover whether the improved access to sites had lessened the incidence of fly-tipping.

The Member with portfolio responsibility for waste collection and disposal



attended the meeting and commented that the Council's enforcement team had a very successful record on prosecutions for fly-tipping and that the Council always gave a very clear message that this activity was not acceptable.

Resolved -

- (1) That it be recommended that any move to undertake a six month trial of removing fixtures and fittings as part of the bulky waste collection service be placed on hold pending Environment and Waste Management Overview & Scrutiny Committee assessment of the revised Household Waste Recycling Centre (HWRC) permit scheme arrangements to all residents on inputs to HWRCs, and any benefits on reduced fly tipping.**
- (2) That an update report on fly tipping be presented in November 2017 to coincide with the planned performance outturn report for Waste Management.**

ACTION: Strategic Director, Place

13. ILKLEY MOOR MANAGEMENT PLAN - FINAL VERSION

The Strategic Director Place presented **Document "A"** in respect of a reviewed management plan for Ilkley Moor that had been produced following public consultation. The support of the Committee was sought before sending it to Natural England for consent.

Members were advised that this was the fourth time the issue had been before the Committee and were thanked for their support and contributions. The Countryside Service Manager gave a brief outline of the report, highlighting the issues of carbon storage in peat, mitigation of flooding and the value of the ecosystem on the moor.

The Chair complemented him on the report, describing it as a superb document giving a comprehensive approach to managing the moor and his colleagues joined him in praising the work of the Countryside Service Manager and his team.

In response to a question about public accessibility of the plan, Members were advised that while the main method of availability would be on-line, there would also be a limited print run of a good quality hard copy version. They were also advised that the document would be dynamic in that it would be constantly updated.

A Member queried whether there were plans for a project in respect of the restoration of upland peat bogs and was advised that consultation was underway with the Moorlife Project which had previously been very successful in securing funding for such projects.

In response to another question, the Countryside Service Manager confirmed that



the Friends of Ilkley Moor was still a key partner, employing a project officer and with a good record of securing lottery funding.

A Member stressed that the moor was the source of significant local pride and asked how the management plan would work with the flooding strategy. He was advised that there was a strand within the plan about natural flood management.

Resolved –

(1) That this Committee welcomes the Management Plan; commends the work of officers, with particular regard to the work of Mr Jackson, the Countryside Service Manager and the help of partner organisations and supports the Plan’s submission to Natural England and subsequent implementation.

(2) That this Committee hopes that the Management Plan will become a dynamic process for managing Ilkley Moor

ACTION: Strategic Director, Place

14. ENVIRONMENT AND WASTE MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE - DRAFT WORK PROGRAMME 2017/18.

The report of the Chair of the Environment and Waste Management Overview and Scrutiny Committee Chair (**Document “D”**) presented the Committee’s draft Work Programme for 2017-18.

Members noted that a request for a report on flytipping had been made earlier in the meeting and also requested that a report on verge cutting and biodiversity be included in the work programme

No resolution was passed in respect of this item

ACTION: Overview & Scrutiny Lead

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Environment and Waste Management Overview & Scrutiny Committee.

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

