

Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 11 April 2019 in the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am
Concluded 10.35 am

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Warburton Wainwright Watson	Brown Cooke	R Ahmed

Apologies: Councillor Mohammed Amran and Councillor Alun Griffiths

Councillor Warburton in the Chair

93. DISCLOSURES OF INTEREST

In the interests of transparency, Councillor Brown disclosed, in relation to the item concerning School Transport Appeals Process (Minute 98), that he was the member of the Education Appeals Panel, however, he had not discussed the item and would consider the report with an open mind.

ACTION: *City Solicitor*

94. MINUTES

Resolved –

That the minutes of the meeting held on 7 February 2019 be signed as a correct record.

95. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

96. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

97. HOUSING AND NON DOMESTIC RATES APPEALS PANEL

The Strategic Director, Corporate Resources presented **Document “AS”** which sought approval to implement a change to the process for appeals currently considered by the Housing and Non-Domestic Rates Appeals Panel from a Member Appeals Panel to a Senior Officer. He reported that a small saving would be made and the proposal would require a change to the Council’s Constitution, which would need approval by Full Council. It was noted that the wording in the Constitution was dated with some appeals being defunct and others rarely considered, which resulted in Member training being undertaken prior to each hearing due to their infrequency. The Strategic Director, Corporate Resources stated that the proposed change could be introduced following the Council’s Annual General Meeting in May and recommended that the right to appeal be removed from a Panel to officer hearings.

A Member stated that it was a fundamental matter of principle and the proposal would remove the public’s right of appeal to the Council. He acknowledged that savings had to be made, however, he indicated that if an appeal process was required in law then it should be considered by Councillors. In conclusion he reiterated that he could not support the removal of the right of the public to appeal to Councillors. Another Member echoed these sentiments and suggested that the appeal panels could be amalgamated. A Member added that the Council could be brought into disrepute.

In order to progress the issue, it was proposed that officers looked at the feasibility of amalgamating those panels that were under the Committee’s jurisdiction.

Resolved –

That the feasibility of amalgamating the panels that discharge the functions of the Regulatory and Appeals Committee and determine appeals be considered.

ACTION: Strategic Directors, Children’s Services; Corporate Resources; Health and Wellbeing; and Place

98. SCHOOL TRANSPORT APPEALS PROCESS

The Strategic Director, Children’s Services presented a report (**Document “AS”**) which sought approval to implement a change to the School Transport Appeals from a Member Appeal Panel to a Senior Officer Appeals Panel.

Members agreed that the proposal would remove the public’s right of appeal to a Councillor and requested that the feasibility of amalgamating those Panels under the Committee’s authority be investigated.

Resolved –

That the feasibility of amalgamating the panels that discharge the functions of the Regulatory and Appeals Committee and determine appeals be considered.

***ACTION: Strategic Directors, Children's Services; Corporate Resources;
Health and Wellbeing; and Place***

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

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