

Minutes of a meeting of the Regeneration and Environment Overview and Scrutiny Committee held on Tuesday, 18 September 2018 at Committee Room 1 - City Hall, Bradford

Commenced 5.30 pm
Concluded 8.35 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	GREEN
Heseltine Whitaker	Berry Dodds Berry Mohammed Nazir	Stubbs	Love

NON VOTING CO-OPTED MEMBERS

Julia Pearson

Bradford Environmental Forum

Observers: Councillors; Ferriby, Portfolio Holder – Healthy People and Places,
Ross-Shaw, Portfolio Holder – Regeneration, Planning and Transport

Apologies: Nicola Hoggart – Environment Agency

Councillor Jamil in the Chair

12. DISCLOSURES OF INTEREST

In the interests of transparency, Councillor Dodds disclosed, in relation to the item concerning Fly Tipping in the Bradford District, that a close relative was a Council Warden and this Service was mentioned within the report.

NO ACTION

13. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

NO ACTION

14. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

There were no referrals to the Committee.

NO ACTION

15. FOOD SAFETY IN THE BRADFORD DISTRICT

The Strategic Director, Health and Wellbeing presented a report (**Document “F”**) which explained that the Council was required, by the Food Standards Agency (FSA), to have a documented and approved Food Safety Service Plan.

The Service Plan set out the measures that the Council would implement to safeguard food and drink which was produced, prepared or sold within the district and the plan for 2018/19 was attached as Appendix 1 to Document “F”.

The Strategic Director presented the details to the Committee and responded to questions from Members as follows:

- Category E premises were those classed as very low risk such as sweet shops or chemists. The majority of Category D premises had been inspected during the last year.
- The sampling credit allocation was a historical allocation from Public Health England and had not been reviewed for over 10 years. There had been a reduction in sampling across all local authorities as a result of reductions in staffing and priority being given to visits.
- West Yorkshire Joint Services had responsibility in terms of food packaging and the inspection of packaging producers. There were specific regulations relevant to packaging that came into direct contact with foodstuffs.
- Recruitment issues were not just a problem at local level. One of the issues contributing to a shortage of qualified Environmental Health Officers (EHOs) was considered to be the inability of local authorities to offer enough paid placements to students, further to their degree studies, to enable them to obtain registration with the relevant Chartered Institute. There was currently no apprenticeship route to qualification but this was in the process of being developed.
- Three trainee EHOs had recently been recruited and it was hoped that they would become fully qualified within 12 months.
- Appendix 2 to the Service Plan set out the minimum frequency for visits. When premises were visited they were categorised according to their risk rating. The inspection frequency ranged between every 6 months for Category A and every 2 years for Category D.
- The costs associated with the work done with Wakefield Council and West Yorkshire Trading Standards on enhanced collaboration only amounted to officers' time; this work was considered to have been very useful and worthwhile.
- There was now a mandatory hygiene rating display scheme in Wales and Northern Ireland and the FSA had collated evidence which indicated that the numbers of premises rated 3 and above had increased as a result. New legislation would be required to introduce a mandatory display scheme in England and the FSA was still keen to pursue this but Brexit had stalled this

- aspiration at this point in time.
- Action was taken with operators with poor standards in accordance with the enforcement policy which allowed the service to serve improvement notices, to issue cautions or to prosecute. One of the problems for the Service was the high turnover of operators.
- Premises could only be closed down if there was an imminent risk to health.
- Support and advice to businesses was usually provided on site when an inspection was undertaken; this may include updating the proprietor/owner on relevant legislation. Business owners were encouraged to sign up to the ‘stay connected’ system on the Council’s website. The website had a lot of relevant information and also directed people to the FSA website as a main primary source of information.
- In terms of recycling, checks were always made in respect of what was being done with waste oil and a lot of companies had now made arrangements for this to be collected and recycled.
- The majority of visits were unannounced, an appointment would only be made if the business was within a domestic premises or if it was necessary for a particular individual to be present.
- There had been no increase in food hygiene complaints this year related to the high temperatures during the Summer..
- The Pollution Team dealt with any issues in respect of nuisance associated with smell/odour.
- Consultation on the annual plan took place within the department and with the other West Yorkshire local authorities and the guidance published by the FSA, in respect of the required format, was followed.
- The Service checked that businesses had a trade waste contract and were disposing of their waste properly but were not directly involved in the promotion of recycling.

Resolved –

That the work of the Food Safety Team, as documented in the Food Safety Service Plan 2018/19 (Appendix 1 to Document “F”), be supported.

NO ACTION

16. HOUSING AND HOMELESSNESS STRATEGY - PROGRESS REPORT

A report was presented by the Assistant Director, Economy and Development Services (**Document “G”**) which updated the Committee in relation to the progress made towards the objectives within the Council’s Housing and Homelessness Strategy.

‘A Place to Call Home: Housing and Homelessness Strategy for Bradford District 2014-2019’ had been endorsed by the Council’s Executive and approved by full Council in March 2014 and was due for review in 2019. This would therefore be the last such progress report presented to the Committee. Two separate but linked strategies in respect of Housing and Homelessness and Rough Sleeping were to be developed and Members would be consulted as part of this process.

The Assistant Director responded to Members’ questions:

- A project plan was being drawn up in relation to the development of the new strategies. A sub-group of Elected Members had been used previously to facilitate consultation and input and this method could be used again but reports would also be submitted to this Scrutiny Committee.
- The Government deadline for the Homelessness Strategy was December 2019.
- At the present time, if a home was empty for longer than 2 years a charge of 150% Council tax was levied. Consultation was presently on-going in relation to legislation to allow this to be increased to 200% if a property was left empty for over 2 years and the House of Lords had proposed an amendment to increase this further for properties left empty for periods in excess of 5 years and 10 years. The Bill had yet to receive Royal Assent local authorities would have discretion on whether to adopt these measures.
- Some properties were removed from the valuation list, if they were in a very poor condition and structurally unsound, so were then outside the Council Tax regime. This decision was made by the District Valuer and would be on the basis that they were unfit for habitation.
- The Energy Repayment Loan had been designed as a product to assist homeowners to install energy efficiency measures. Referrals were meant to come from contractors but there had only been 1 referral made to date. Contractors were aware of the product but only £25,000 was available so it could not be promoted too widely. It was hoped to expand the scheme, which was aimed at those who would prefer a repayment rather than an equity loan. If the required works were significant people would be directed towards a Home Appreciation Loan which could be for a higher amount.
- The Council did work closely with Incommunities and the potential to utilise their empty properties had been discussed with them. However, there were a number of difficulties such as issues in respect of the fitness of some stock, which meant that unless investment was made it could not be used, and others associated with the business planning process. It was considered that any criticism in this regard would be unfair when they were not present to explain their position.
- In respect of issues with damp in social housing properties; there had been a lot of investment in the social sector and it was believed that the vast majority of issues, if there were any, were minor hazards. Government guidance on enforcement for this type of housing was that providers should be given a chance to address a hazard. Complaints were received about Incommunities properties but not in significant numbers, this organisation was usually very good at addressing any problems.
- The legislation in respect of homelessness had changed in April 2018. During the preceding 10 year period the numbers presenting as homeless had increased significantly and over the last 3 years more methods had been utilised to prevent homelessness. The Housing Options team were now able to work with partners to place people in suitable supported accommodation and the Private Sector Lettings Scheme had also been expanded; five officers managed access to, and placement in, private rented accommodation.
- The offer of advice and assistance was always available. A 'Gateway' to housing related support provided a single point of access for anyone who was vulnerable and signposting to other agencies was provided where appropriate.
- Enforcing standards in the private rented sector was a challenge . The

legislation had changed significantly over the last 12 to 18 months and there were now a number of new tools that enforcement officers could utilise. Work had been undertaken alongside the other West Yorkshire authorities and across the Yorkshire and Humber region to introduce these new powers consistently. The numbers of health and safety issues raised had increased and a triage approach was being piloted in Bradford, with individuals being encouraged to approach their landlord in the first instance (dependent on the category of hazard reported) and being actively supported in doing so. If they had not received a response within 28 days they were advised to come back to the Service. This approach allowed resources to be targeted at the highest risk issues. There was a particular focus on proactively targeting properties above shops, fire safety issues and letting agencies that were known to let out or manage poor quality properties.

- From 1 October 2018 any property with 5 or more people comprising 2 or more households would require a licence as a House in Multiple Occupation (HMO).
- The Joseph Rowntree Foundation had recently produced a report which proposed wholesale licensing of rented property, but this could potentially lead to issues with officers having to process paper rather than visiting properties. Many landlords were reasonable and managed good properties and it was considered that resources were better targeted at the poorest accommodation.
- The vast majority of empty properties were privately owned by individuals. The Council had limited powers in respect of these. There were financial products available to try and assist owners into bringing them back into use and, if they were the cause of nuisance, statutory powers were available to deal with this. Compulsory Purchase Order (CPO) powers could be used but this was a last resort as they could be very time consuming and costly. Efforts were generally concentrated on those properties causing the most problems and focused on persuading owners to either use or sell the properties concerned. Occasionally properties were purchased through a voluntary agreement.
- A successful project had been undertaken in Wellington Street, Bradford where four properties had been left empty and had been subject to vandalism and anti-social behaviour; one property had been obtained through a CPO and the three others renovated using trainees and now all were let. This had been achieved through partnership working with relevant agencies.
- The issue of fuel poverty was dealt with by the Climate Change Unit and they would be consulted as part of the development of the new strategy.

It was noted that a specific report on empty homes was included in the Committee's Work Plan for March 2019.

Member comments were as follows:

- There was a concern about property being affordable for those who lived and worked in Bradford.
- At present the facilities at Britannia House were not considered to be particularly fit for purpose, particularly in dealing with more vulnerable clients and people at risk. Going through the system could be a distressing process for some people. In some cases, by the time people got to Housing Support they were in crisis and it may not be possible to resolve the issues they had; this was not the fault of staff.
- The introduction of Universal Credit was of concern.

- The average income quoted in the report did not reflect the reality for people in the ward she represented.

Resolved –

- (1) **That a sub-group of Members of this Committee be formed to facilitate participation in the consultation process in respect of the Council’s new Housing and Homelessness and Rough Sleeping Strategies.**
- (2) **That the Assistant Director, Economy and Development Services be requested to submit a report to the Committee in respect of the updated Housing and Homelessness and Rough Sleeping Strategies in the next municipal year.**

ACTION: *Scrutiny Lead*
Assistant Director, Economy and Development Services

17. STIMULATING AND ACCELERATING HOUSING AND ECONOMIC GROWTH

A report was presented by the Assistant Director, Economy and Development Services (**Document “H”**) which informed Members of the progress made in stimulating and accelerating housing and economic growth in the district, further to the £500,000 allocation in the 2018/19 budget, and the plans for the future.

In response to Members’ questions the Assistant Director explained that:

- The £500,000 was revenue, rather than capital, funding. It was a new allocation associated with the Council’s role in the delivery of housing and decisions had had to be taken on how best to use it. It was intended to facilitate a more direct intervention in the housing market which, up to this point, had not been possible other than through the planning process. This was believed to be a real opportunity to strengthen the district’s creative resilience in this area.
- An experienced Principal Housing Development Manager had been appointed.
- One of the issues that had been identified was that the Authority had not been in a position where it was able to apply for relevant funding streams when they were announced. There was a desire to build credibility in the housing sector and confidence in the Council. It was about changing the Council’s role in housing and making the best use of the resources available.
- The Government had only very recently issued guidance on the new National Planning Policy Framework (NPPF) and the proposed revised formula for calculating the district’s housing requirement was expected to be issued for consultation within the next few months. This would lead to the calculation of a minimum number for each local authority.
- In terms of ensuring developers dealt with higher risk sites before those of a lower risk, a requirement could be attached to disposal dealing with matters such as timescales and if these were not achieved sanctions could be imposed.
- In reply to a question about how the aspirations set out in the report could be

achieved if land was in private sector ownership, it was explained that the Strategic Housing Market Assessment (SHMA) planning policy document established the types and locations of housing needed and partial review of both the Core Strategy and the Strategic Housing Land Availability Assessment (SHLAA) would provide an updated analysis of how/where these needs might be met.

Resolved –

That Document “H” be welcomed and that the Assistant Director, Economy and Development Services be requested to submit a further report to the Committee, focusing on the use of the £500,000 of revenue funding, in the next municipal year.

***ACTION: Assistant Director, Economy and Development Services
Scrutiny Lead***

18. AFFORDABLE HOUSING PROGRAMME

The Strategic Director of Place submitted a report (**Document “I”**) which updated the Committee on progress in relation to the delivery of the Council’s Affordable Housing Programme.

In response to questions he explained that:

- The department was working to support colleagues in Adult Services in respect of the potential use of a site in Saltaire for an Extra Care Scheme.
- Of the six sites identified for the 2016-21 New Build Programme; four were in Council ownership and their suitability was being reviewed in conjunction with Asset Management. There was a need to ensure that the right balance was achieved and the financial programming was right.
- In terms of risk management of schemes; the option to go back to Homes England was available; there were a number of funding pots for affordable housing and very high demand for such homes. Homes England were receptive to approaches to amend schemes if this proved necessary.
- In respect of a scheme at Avenham Way in the Bowling and Barkerend Ward, the contractor had gone into liquidation. The Council was therefore looking at the procurement of alternative arrangements and working to achieve the best possible solution; it was anticipated that this scheme would now be completed within the next financial year.

Resolved -

That Document “I” be welcomed and that the Strategic Director of Place be requested to submit a further progress report to the Committee in twelve months time.

***ACTION: Strategic Director, Place
Scrutiny Lead***

19. FLY TIPPING IN THE BRADFORD DISTRICT

The Strategic Director, Place will present a report (**Document “J”**) which reviewed all the available data in respect of fly tipping within the district and included comparisons with other key comparator authorities as well as national trends. The report also provides an update from the Environmental Enforcement Team in relation to fly tipping and waste.

He responded to questions as follows:

- In respect of the potential for the cessation of the requirement for a permit to use the waste disposal sites or a reduction in cost of a traders permit; over a period of 20 years the authority had progressed from having no specific policy on waste to the present position and the evidence suggested that the situation on the district's streets had improved. Some of the existing issues may well relate to elements of the policy but the removal of these provisions would have a significant impact requiring an addition of approximately £4 million to the waste budget whereas clearance and enforcement of fly tipping cost in the region of £600,000.
- The department did focus on education and influencing behaviour and recent initiatives had been undertaken targeted towards landlords. A system of Community Protection Notices was now being rolled out and a scheme was being developed to ensure that properties had a bin and that tenants were properly informed about recycling.
- High levels of evidence were needed to pursue prosecution but this would be done where possible; such cases could take 8 to 9 months to get to court.
- The Council's charges for bulky waste disposal were lower than a number of other local authorities with a charge of £15 for up to 5 items. Since its introduction the tonnage collected had decreased by approximately 8% but the number of requests had gone down by 50% which suggested that people were waiting to dispose of more items at the same time.
- In terms of sanctions and deterrents officers did work closely with the Press Office and the media to publicise enforcement activity.
- For those residents for whom English was not their first language leaflets were available that visually explained recycling. Recycling advisors were not able to provide information in other languages although this was an area that should perhaps be looked at.
- 85% of all reports of fly tipping were within the 3 Bradford constituencies. There was a correlation with levels of deprivation and the level of private rented accommodation. A two person crew focused on each area and would generally attend either on the same day or the following day. Each ward shared a Clean Team; more resources were available for Bradford wards.
- There were some challenges in respect of education within schools due to issues caused by academisation and the narrower focus of the national curriculum which meant that there was less focus on citizenship issues.
- The authority was comparable with other (similar) local authorities in terms of fly tipping.

The Portfolio Holder – Healthy People and Places was in attendance and commented that:

- A balance was sought between potential barriers or disincentives to proper disposal and the need to enforce responsible behaviour. Ultimately the Council the disposal of waste was paid for by all the district's Council Tax payers. There was a disposal scheme for bulky waste and permits available for disposal sites within the district. There would be an additional cost if waste was disposed of outside the authority that was not affordable. A number of policies were in place to try and reduce the levels of waste generated and to influence behaviour.

Members commented that:

- It was recognised that there was a lot of good work being undertaken in the district to address this problem.
- It was not satisfactory to see Bradford East wards at the top of the list. It was known that a lot of effort had been made to address the issues and it was sad that the 98% of people not responsible for the fly tipping had to live with it. It was believed that the level of high turnover private rented housing could be a contributory factor.
- In certain areas repeated fly tipping took place and this was difficult to address, work should be undertaken on this issue. Overall it appeared that the message was getting through but it was considered that a lot more education was needed in respect of recycling.
- There were issues in respect of access to the disposal sites for people who owned or used commercial type vehicles; this should be looked at.
- Businesses and residents should be encouraged to put their bins away rather than leaving them out on the highway.
- Access should perhaps be made easier but transgressions not tolerated.
- It would be useful for Ward Councillors to receive the information submitted to Ward Officer Team meetings in relation to fly tipping data.

The Assistant Director commented that, in relation to business waste, the van permit system had reduced waste by approximately 10,000 tonnes which equated to a £1 million bill so although it may be possible to consider smarter ways of working or allow more discretion the authority had to be careful that this did not have negative impact.

Resolved –

- (1) **That the Assistant Director - Neighbourhood and Customer Services be requested to submit a progress report to the Committee in twelve months time.**
- (2) **That the Assistant Director - Waste, Fleet and Transport Services be requested to submit a report to the November meeting of the Committee in respect of Waste Management.**

***ACTION: Assistant Director - Neighbourhood and Customer Services
Assistant Director - Waste, Fleet and Transport Services
Scrutiny Lead***

20. 2018/19 WORK PROGRAMME

Resolved –

That the following be added to the Committee's Work Programme:

20 November 2018:

Waste Management

2019/20 Municipal Year:

Progress reports in relation to;

- **Fly Tipping in the District**
- **The Affordable Housing Programme**
- **Stimulating and Accelerating Housing and Economic Growth in the District focussing on the use of the £500,000 revenue funding.**
- **The updated Housing and Homelessness and Rough Sleeping Strategies**

ACTION: Scrutiny Lead

Chair

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

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