

Decisions of the Executive on Tuesday, 5 November 2019

These decisions are published for information in advance of the publication of the Minutes

CALL IN PERIOD ENDS ON TUESDAY 12 NOVEMBER 2019 AT 17.00

Notes:

- (a) Decisions may be called in by the Chair of the Corporate Overview & Scrutiny Committee, or by the Chair of the Corporate Overview & Scrutiny Committee when requested to do so by one member of the Committee or a member of another committee or by the Committee member representing the third largest group on the Council.***
- (b) The request to call in must be in writing and be signed by a Member, give a reason for the request and sent to the Chair of the Corporate Overview & Scrutiny Committee, who will deliver the request to Committee Secretariat, Room 111, City Hall by the date and time specified.***
- (c) Decisions which are subject to call in cannot be acted upon until the call in period expires.***
- (d) Decisions marked * may not be called in under Paragraph 8.7 of Part 3E of the Constitution.***

To:

*1. **RECOMMENDATIONS TO THE EXECUTIVE**

COUNCIL MEETING – 14 OCTOBER 2019 - PETITION RE MUSEUMS AND LIBRARIES SERVICE

The Council, at its meeting on Tuesday 14 October 2019 received a petition in respect of Museums and Libraries Service and referred the petition to the Executive.

Note: In receiving the above petition the Leader stated that it should be considered as part of the Budget Consultation report at the December meeting, and that the lead petitioner be advised accordingly.

ACTION: Assistant Director Sports and Culture

2. **QTR. 2 FINANCE POSITION STATEMENT FOR 2019-20**

Resolved –

- (1) That the contents of this report and the actions taken to manage the forecast overspend be noted.**
- (2) That the following capital expenditure schemes be approved:**
 - **£0.04m for the completion of drainage works at Dow Park Water Activities Centre, to be funded from the general contingency budget.**
 - **£0.46m to replace the pool tank at Ilkley Lido. This will be funded by a mixture of general contingency and as an invest to save scheme with the additional income funding the capital spend.**
 - **£1.2m of additional funding to complete Adults Residential and Extra Care Schemes . This will be funded by a mixture of Service Prudential borrowing and additional grant.**
 - **£1.75m for the completion of the Affordable Housing Programme 2015-18. The additional spend will be funded by Service Prudential borrowing from rental income.**
 - **£0.3m to extend the fitness facilities at Shipley Pool. This will be funded by the additional income generated through increased membership.**
 - **£0.05m to replace and repair the roof on a property that the Council leases. The works would be funded from the general contingency line of the Capital Investment Programme.**
 - **£1.4m to relocate the Schools Meals Central Production Unit to a smaller more efficient property. The works to the Council property will be funded by a mixture of capital receipt, revenue contributions and corporate funding.**
 - **£2.1m for the 2019-20 IT capital programme. It will be funded from revenue resources.**

ACTION: Director of Finance

Overview and Scrutiny Committee: Corporate

(Andrew Cross - 01274 436823)

3. **MID-YEAR PERFORMANCE REPORT**

Resolved –

That the progress against performance metrics outlined in Document “Y” be noted.

ACTION: No Action

Overview and Scrutiny Committee: Corporate

(Laura Copley - 01274 437381)

4. **PROTECTING CHILDREN AND VULNERABLE ADULTS AT RISK OF EXPLOITATION**

Resolved –

(1) That the contents of Document “Z” be endorsed.

(2) That the Executive shall receive a further update on the progress of the response to exploitation in 12 months time.

(3) That subsequent reports be provided to Area Committees.

ACTION: Chief Executive

Overview and Scrutiny Committee: Children’s Services

(Mark Griffin - 01274 434361)

5. **BEREAVEMENT SERVICES STRATEGY - CREMATORIA PROVISION UPDATE**

Resolved –

(1) To delegate approval of spend to the Strategic Director Place in consultation with the S151 officer for the construction of the first new crematorium within Heaton at a cost of £9.1m subject to land acquisition and planning permission.

(2) That the Executive is satisfied that the proposed development schemes to construct the Crematorium is in the public interest and that any harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the Crematorium development scheme is likely to generate,

- (3) That it be agreed in principle to Compulsory Purchase Orders being made pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004), Section 1 of the Localism Act 2011 and the Acquisition of Land Act 1981 and all other relevant and enabling powers, to secure the compulsory acquisition of the land shown edged red on the plan appended hereto in order to facilitate the construction of the proposed Crematoria subject to a final decision being taken jointly by the Strategic Director Place and the Strategic Director Corporate Resources , in consultation with appropriate Portfolio Holders as necessary, on whether to make and submit the Compulsory Purchase Order to the Secretary of State for Housing, Communities and Local Government for confirmation, if satisfied that the Council has properly taken into account the statutory requirements under human rights and public sector equality legislation**
- (4) To further delegate to the Strategic Director Place and Strategic Director Corporate Resources, in consultation with as necessary appropriate Portfolio Holders authority to:-**
- (i) make any necessary, minor or technical amendments to the Compulsory Purchase Order;**
 - (ii) modify and settle the draft “Statements of Reasons” to justify the use of compulsory purchase powers, the Compulsory Purchase Order Maps and Schedules and all other legal documentation necessary to support and accompany the Compulsory Purchase Orders to the Secretary of State for Housing, Communities and Local Government for confirmation;**
 - (iii) promote any modifications to the Compulsory Purchase Order, if expedient to do so;**
 - (iv) approve agreements for withdrawal of any objections to the Compulsory Purchase Order, including where appropriate, seeking exclusion of land from the Compulsory Purchase Order;**
 - (v) confirm the Compulsory Purchase Order, if satisfied that it is appropriate to do so, in the event that the Secretary of State for Housing, Communities and Local Government has empowered the Council to decide on whether or not to confirm the Compulsory Purchase Order;**
 - (vi) take all necessary action to continue or open negotiations with persons for the acquisition of land included in the Compulsory Purchase Order and any other land needed for the Crematorium scheme and to authorise acquisitions by agreement where the use of compulsory purchase powers is in contemplation and to approve the purchase price, advance payments and all other compensation**

payments;

- (vii) take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the Compulsory Purchase Order;
- (viii) take all necessary action, should the quantum of compensation flowing from the threat or use of compulsory purchase powers be in dispute and be referred to the Upper Tribunal (Lands Chamber) or other form of arbitration;
- (ix) to take and do all things necessary or incidental to the implementation of the above resolutions;
- (5) That implementation of Phase 3 and 4 works by Rex Procter & Partners to finalise the designs for the new crematoria and administer the subsequent building contracts be approved.

ACTION: *Strategic Director Place*

Overview and Scrutiny Committee: Regeneration & Environment

(Phil Barker - 01274 432616)

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

That the minutes of the meeting(s) of the West Yorkshire Combined Authority held on 1 August 2019 be received.

ACTION: No Action

FROM: Parveen Akhtar
City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Jill Bell / Yusuf Patel, 01274 434580/4579