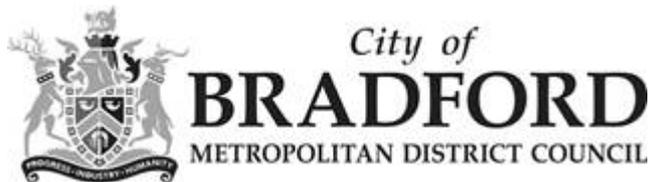


Public Document Pack



Agenda for a meeting of the Bradford South Area Committee to be held on Thursday, 30 January 2020 at 5.00 pm in Committee Room 3 - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	THE QUEENSBURY WARD INDEPENDENTS
Wainwright T Hussain Dodds Warburton Wood S Khan Mukhtar	Bibby	L Cromie

Alternates:

LABOUR	CONSERVATIVE
Berry Ferriby D Green Jabar Johnson Tait Thornton Watson	Hargreaves

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- 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 who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Parveen Akhtar
City Solicitor

To:

Agenda Contact: Yusuf Patel

Phone: 01274 434579 E-Mail: yusuf.patel@bradford.gov.uk

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. 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.*

3. MINUTES

Recommended –

That the minutes of the meeting held on 24 October 2019 be signed as a correct record (previously circulated).

(Yusuf Patel – 01274 434579)

4. **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.

(Yusuf Patel - 01274 434579)

5. **PUBLIC QUESTION TIME**

(Access to Information Procedure Rules – Part 3B of the Constitution)

To hear questions from electors within the District on any matter this is the responsibility of the Committee.

Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, BD1 1HY, by mid-day on Tuesday 28 January 2020.

(Yusuf Patel - 01274 434579)

B. BUSINESS ITEMS

6. **ASSET OF COMMUNITY VALUE BIERLEY POST OFFICE**

1 - 58

The Council has received a nomination to list property known as Bierley Post Office as an Asset of Community Value under the Localism Act 2011.

The Strategic Director of Corporate Services will submit a report (**Document “P”**) which considers whether the nomination and nominated asset meet the Asset of Community Value criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

Recommended –

That in accordance with Option 1 set out in Document “P” it is recommended to the Director of Corporate Resources that the nomination of the property known as Bierley Post Office is accepted and it is registered as an Asset of Community Value.

Overview and Scrutiny Committee: Corporate

(Nigel Gillatt - 01274 434224)

7. BIERLEY RECREATION GROUND, BIERLEY, BRADFORD

59 - 96

The Council has received a nomination to list property known as Bierley Recreation Ground as an Asset of Community Value under the Localism Act 2011

The Strategic Director of Corporate Services will submit a report (**Document “Q”**) which considers whether the nomination and nominated asset meet the Asset of Community Value criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

Recommended –

That in accordance with Option 1 set out in Document “Q” that the Director of Corporate Resources be recommended to accept the nomination of the land known as Bierley Recreation Ground as an Asset of Community Value.

Overview and Scrutiny Committee: Corporate

(Nigel Gillatt - 01274 434224)

8. LAND AT SPEN VIEW LANE, BIERLEY, BRADFORD

97 - 136

The Council has received a nomination to list property known as Land at Spen View Lane, Bierley, Bradford as an Asset of Community Value under the Localism Act 2011

The Strategic Director of Corporate Services will submit a report (**Document “R”**) which considers whether the nomination and nominated asset meet the Asset of Community Value criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

Recommended –

That in accordance with Option 1 set out in Document “R” that the Director of Corporate Resources be recommended to accept the nomination of the land known as Land at Spen View Lane, Bierley, Bradford as an Asset of Community Value.

Overview and Scrutiny Committee: Corporate

(Nigel Gillatt - 01274 434224)

9. **BRADFORD OPPORTUNITY AREA: BRADFORD SOUTH**

137 -
152

The Programme Director (Bradford Opportunity Area) will submit a report (**Document “S”**) which advises Members that Bradford has been identified as one of twelve, “Opportunity Areas” for which the Department for Education (DfE) funds a small team to work with the District to agree and deliver priorities in improving social mobility. The work is driven by an Opportunity Area Board made up of key stakeholders from across Bradford. The group identified four priority areas of work:-

- Strengthening school leadership and quality of teaching
- Improving literacy and oracy (spoken English) including a focus on parental engagement
- Helping young people access rewarding careers
- Removing health related barriers to learning

Appended to the report are details of investment in a wide range of activity specifically focused on the Bradford South area.

Recommended –

That the programme progress be noted for information and the use of the Social Mobility Dashboard be endorsed to support the work of the Area Committee.

Overview and Scrutiny Committee: Corporate

(Kathryn Loftus - 01274 434590)

10. **PARKS AND GREEN SPACES ANNUAL REPORT**

153 - 172

The operational management and maintenance of Bradford District’s Parks and Green Spaces is a service devolved to Area Committees. The service merged with the Street Cleansing Service in April 2019.

The Strategic Director Place will submit a report (**Document “T”**) which seeks to review the activity during the past year and the trends and direction options where available for future service delivery.

Recommended –

That the Bradford South Area Committee welcomes the content of this report and the smooth merger of the operational management and maintenance of Parks and Green Spaces with the Street Cleansing Service, whilst reducing the number of complaints to the service over the summer.

Overview and Scrutiny Committee: Regeneration & Environment

(David Cansfield - 01274 437026)

11. **STREET CLEANSING - PERFORMANCE AND CHANGES TO SERVICE DELIVERY**

173 -
206

The Bradford South Area Coordinator will submit a report (**Document “U”**) which updates Members on the Street Cleansing service including detailed information on complaints and performance in relation to litter and flytipping. The report also provides information on recent major changes including the merger with Parks and Green spaces, service redesign and the recent recruitment of new staff.

Recommended –

- (1) Bradford South Area Committee notes the information in this report, particularly the major changes to the service, the information on complaints and monitoring of cleanliness standards and the community involvement in reducing litter.**
- (2) That a further report is presented in 2020 outlining the full-year impact of operational changes made since April 2019.**

Overview and Scrutiny Committee: Regeneration and Environment

(Damian Fisher - 01274 437146)

Report of the Strategic Director of Corporate Services to the meeting of Bradford South Area Committee to be held on 30th January 2020 at 5.00pm at City Hall, Bradford

Subject:

**Nomination to list property as an Asset of Community Value –
Bierley Post Office, Hambledon Avenue, Bierley, Bradford**

Summary statement:

**The Council has received a nomination to list property known as Bierley Post Office
as an Asset of Community Value under the Localism Act 2011.**

**This report considers whether the nomination and nominated asset meet the Asset
of Community Value criteria set out in the Localism Act and contains a
recommendation as to whether or not the nomination should be approved.**

Joanne Hyde
Strategic Director, Corporate
Resources

**Portfolio:
Regeneration, Planning & Transport**

Report Contact: Nigel Gillatt,
Senior Estates Surveyor
E-mail: ACVTeam@bradford.gov.uk

**Overview & Scrutiny Area:
Corporate**

1. SUMMARY

- 1.1 The Council has received a nomination to list property known as Bierley Post Office as an Asset of Community Value under the Localism Act 2011, which is shown edge and shaded red on the plan in Appendix 1.
- 1.2 The nomination was made on 17th November 2019. This report considers whether the nomination and nominated asset meet the Asset of Community Value Criteria set out in the Localism Act and contains a recommendation as to whether or not the Director of Corporate Services should approve the Asset of Community Value nomination.

2. BACKGROUND

- 2.1 The Community Right to Bid provisions of the Localism Act 2011 came into effect on 21st September 2012. The purpose of the provisions is to allow communities time to prepare bids for land and property assessed as being of benefit to the community when those assets come up for disposal.

3. OTHER CONSIDERATIONS

3.1 The Community Right to Bid

- 3.1.1 Local community groups and parish councils are able to nominate privately and publicly owned land and property for inclusion on a list of assets of community value. The list is maintained by CBMDC which is also responsible for managing the process for determining whether a nomination of a property as an asset of community value is successful. At its meeting of 6th November 2012 the Executive resolved that Area Committee should recommend a determination of the nomination to the Director of Corporate Services who makes the decision.
- 3.1.2 The listing of land or property as an Asset of Community Value has the effect of preventing owners from disposing of their listed property without first notifying the Council of their intention to sell. The notification of intention to sell triggers a six week moratorium on disposal during which local community groups and parish councils are able to express an interest in bidding for the property. If no expressions of interest are received the owner is free to dispose of his property at the end of the six week period. If an expression of interest is received the initial six week moratorium extends to six months to allow community groups and parish councils to prepare to bid for the property or to negotiate with the property owner. At the end of the six month period the owner is able to sell the property to whoever they want and by whatever means they wish. If the property is not sold within 18 months of the notification of intention to sell the disposal process must start again. Once sold the property is removed from the list.

3.1.3 The Community Right to Bid provisions **do not**:

- Give community groups or parish councils a right of first refusal when listed land and buildings come up for sale.
- Give community groups or a parish council the right to purchase land and property listed as assets of community value at a reduced price i.e. less than market value.
- Compel a property owner to sell to a community group or parish council. Once the procedures set out in the Act are complied with property owners are free to sell their property to whomever they wish.
- Restrict how a property owner can use their property.

3.2 Definition of an Asset of Community Value

3.2.1 The Act provides that land or property falls within the definition of asset of community value where a current non-ancillary use furthers the social wellbeing or social interests of the local community **and** where it is realistic to think that such a use can continue, whether or not in the same way. Social interests include culture, recreation and sport. A property will also qualify when a non-ancillary use in the recent past meets the definition **and** it is realistic to think that its use may again fall within the definition within the next five years (whether or not in the same way as before).

3.2.2 The Act sets out details of certain types of land and property which are exempt from the Community Right to Bid provisions.

3.3 Who can nominate an asset to be listed

3.3.1 Nominations to list an asset as being of community value can be made by:

- A local voluntary or community group that is incorporated – this means it has a separate legal status from its members.
- A local voluntary or community group that is not incorporated but has at least 21 members who appear on the electoral roll within CBMDC or a neighbouring authority.
- A parish council.
- Neighbouring parish councils – if a parish council borders another parish council area it may nominate an asset within that area.
- Community interest groups with a local connection which has one of the following structures:
 - a) A charity
 - b) A community interest company
 - c) A company limited by guarantee that is non-profit-distributing
 - d) An industrial provident society that is non-profit-distributing

For a local group to be able to nominate it must be able to demonstrate that its activities are wholly or partly concerned with the local authority area within which the asset is located or with a neighbouring authority (which shares a boundary with Bradford).

3.4 The Nomination

3.4.1 The nomination form is included as Appendix 2.

3.4.2 Council officers have assessed the nomination to consider whether it meets the criteria set out in the Localism Act 2011, as follows:

3.4.2.1 The nominator The Neighbourhood Project CIC is a local incorporated community interest company limited by guarantee which is eligible to nominate Assets of Community Value. A copy of the articles of association are attached in Appendix 3.

3.4.2.2 The use of a post office and an estate/village shop is not exempt from listing as an Asset of Community Value excluding the 67A Hambledon Avenue which is a residential property owned by Incommunities

3.4.2.3 An estate/village shop and post office is a use that furthers social wellbeing The Neighbourhoods Project CIC states in the nomination:

“Bierley Sub Post Office furthers the social wellbeing of the neighbourhood by providing many services that are essential to modern living and are unavailable within the rest of Bierley and its immediately surrounding area. These include the sending and receiving of mail and other items including acting as a drop-off point, accessing banking services, paying bills, sending money and being able to have applications for passports checked before being sent off. This is especially important for older residents who according to research by Ofcom, Age UK and the Good Things Foundation are less likely to have access to the internet to perform many of these tasks. It is also very important for residents who are disabled or infirm and may otherwise struggle to travel further to access such services. Research by the RSA has shown that post offices provide economic benefits to their communities through enabling local access to postal and financial services which in turn benefit other local businesses; social benefits in terms of providing another venue for residents to meet and get to know one another, local groups to advertise their activities and the subpostmaster to connect residents with services; and environmental benefits through eliminating unnecessary car journeys, for instance having to travel into a town or city centre to access the same services.”

Only the post office should be listed and ancillary residential accommodation associated with the post office. The listing should exclude 67a Hambledon Avenue which is a separate residential unit owned by Incommunities.

3.4.2.4 The Premises are currently used for a post office and estate shop which furthers the social well being and is likely to continue to do so in the future.

3.4.3 Accordingly, Council officers have assessed the criteria for listing and consider that these have been met.

3.5 Appeals & Listing

- 3.5.1 Property owners (but not occupiers) may appeal against the Council's decision to list their property as an asset of community value. In the first instance the property owner should ask the Council to review its decision. If the Council upholds its decision to list, the owner may appeal to the First Tier Tribunal.
- 3.5.2 There is no provision within the Act for nominators to challenge a decision not to list a property or decision to remove a property from the list following a review. However, the Council will be required to provide nominators with reasons why their application is unsuccessful or why a property has been removed from the list.
- 3.5.3 As mentioned at 3.1.3 above, the listing of land or property as an Asset of Community Value does not prevent a land owner from changing the use of the listed asset. The Act provides that a listed asset can be removed from the list if the nature of the asset changes so that it is unrealistic to expect it to be used for social, sporting, environmental benefits in the near future. An example of substantial change would be the progression of development works.
- 3.5.4 The listing of an asset is not retrospective and has no effect on binding agreements for sale already in place at the date of listing.

4. FINANCIAL & RESOURCE APPRAISAL

In certain circumstances, a property owner may have a right to compensation for losses incurred as a result of listing.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

None

6. LEGAL APPRAISAL

6.1 Land or property may only be listed as an Asset of Community Value where it meets the criteria and definitions set out in the Localism Act 2011 and the Assets of Community Value Regulations (England) 2012.

6.2 Property owners may seek an internal review of a decision to add a property to the List of Assets of Community Value. If the decision is upheld the owners can appeal against the decision to list their property to the First Tier Tribunal.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

None

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

None

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

- 9.1 **Option 1:** Recommend that the Director of Corporate Resources accept the nomination on the grounds that it meets the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
- 9.2 **Option 2:** Recommend that the Director of Corporate Resources reject the nomination on the grounds that it does not meet the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.

10. RECOMMENDATIONS

Recommended that in accordance with Option 1 it is recommended to the Director of Corporate Resources that the nomination of the property known as Bierley Post Office is accepted and it is registered as an Asset of Community Value.

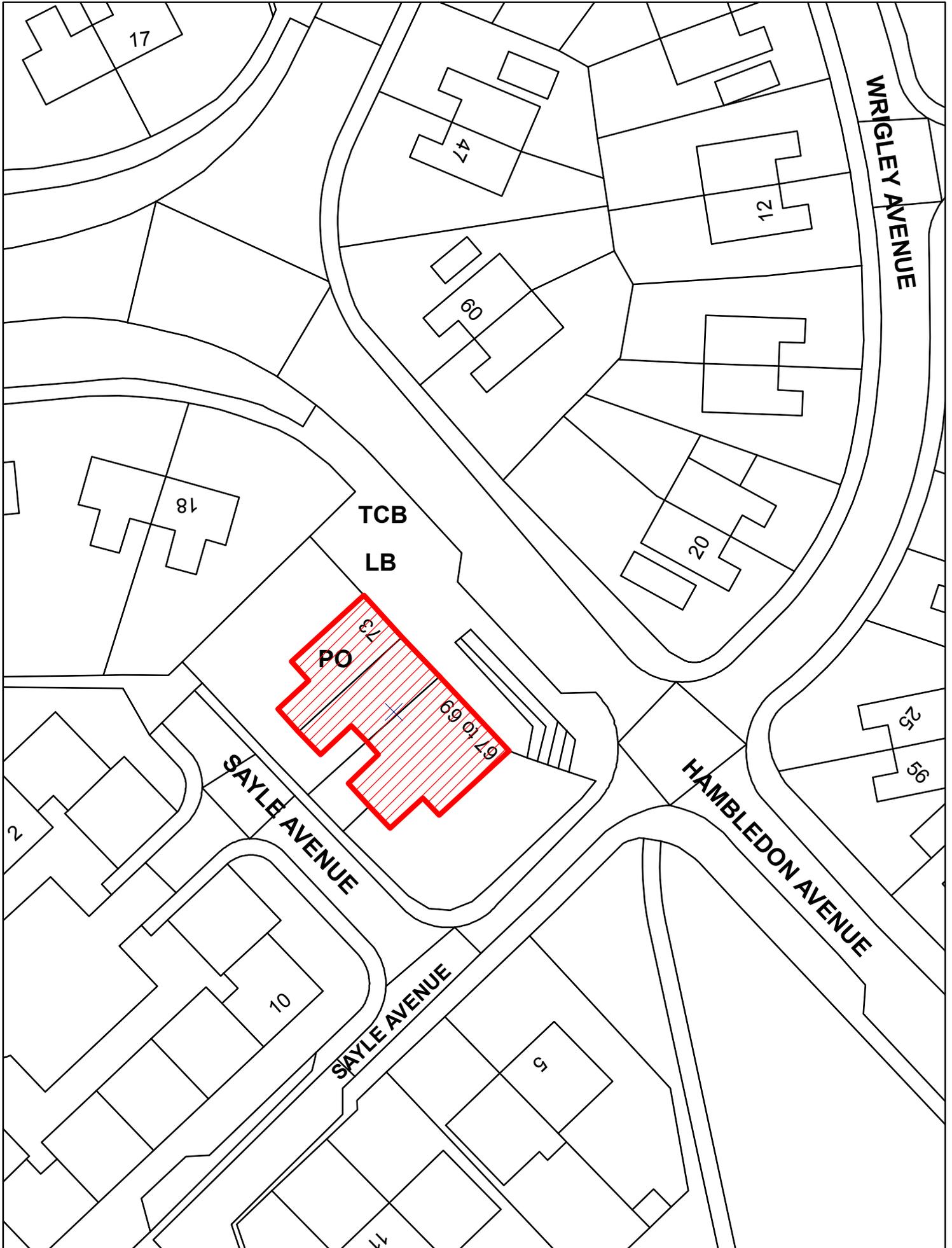
11. APPENDICES

- Appendix 1 – Plan
- Appendix 2 - Nomination Form (redacted)
- Appendix 3 – Articles of Association
- Appendix 4 - Memorandum of Association

12. BACKGROUND DOCUMENTS

Report to the Executive meeting of 6th November 2012; The Localism Act 2011 – The Community Right to Bid.

ACV 0079 - Bierley Post Office



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Date: 20/11/2019

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The Localism Act 2011 Community Right to Bid

Application to Nominate Assets of Community Value

You will need to complete this application form if you wish to nominate an asset of community value for listing. The responses to the questions in your application will enable the Council to reach a decision about your nomination. In the event that the information you supply is insufficient to make a decision, your application will be rejected.

Before completing this application, **please read** the information about the Assets of Community Value provisions available on the Council website at <http://www.bradford.gov.uk/communityassets>

This information will help you to better understand whether the asset you propose to nominate meets with the definition of an 'asset of community value'. It also provides additional information about your rights to nominate and bid for assets as well as the rights of asset owners.

Your completed application should be sent, by post or email, to:

Assets of Community Value
City of Bradford Metropolitan District Council
Strategic Asset Management
1st Floor Argus Chambers,
Britannia House,
Bradford.
BD1 1HX

Nigel.Gillatt2@bradford.gov.uk.

For information, the table below summarises the assets of community value nominating and bidding process in four simple stages.

Identify an asset for nomination

If an eligible community or voluntary group thinks that a local asset meets the definition of an Asset of Community Value, they can fill in an application form and ask the Council to list the property. If the nomination meets the relevant criteria and is approved by the Council, the asset will be included on the list. The listing will last for a period of five years although the local authority has the ability to remove the asset from the list before the expiry of that period.

The owner wants to sell their asset

If the owner wants to sell their listed asset, they must notify the Council, who will then notify the community group that nominated the asset and publicise the proposed sale to the wider community. If within six weeks an eligible community interest group does not come forward, the owner is free to sell their asset for a period of eighteen months.

A designated community group wants to bid for the asset

If an eligible community interest group *does* express an interest in bidding for the asset, this group or groups will be granted extra time to prepare a business plan and gather the finance needed to purchase the asset. All in all, the time-frame for groups to put together their bids is six months starting from the time the asset owner informs the Council of their intention to sell the asset.

The point at which the asset is to be sold

The six month window of opportunity (known as 'full moratorium') is only for eligible community interest groups to put their business plans together and gather necessary funding. However, the asset owner may dispose of the property to (another) community interest group at a price agreed between the parties during the full moratorium. Once the six month window has expired, the asset owner is free to sell their property to who they want. They are under no obligation to sell the asset to any eligible community interest group or groups who bid to purchase the asset.

Section 1
Details of the land or building(s) that you are nominating

Please provide information which helps to clarify the exact location and extent of the asset being nominated. This could include:

- Where the land is registered, the Land Registry Title Information document and map with boundaries clearly marked in red (less than one month old). Provision of Land Registry information is not essential but it may help us to reach a decision on the nomination more quickly.
- A written description with ordinance survey location, and explaining where the boundaries lie, the approximate size and location of any building/s on the land and details of any roads bordering the site.
- A drawing or sketch map with boundaries clearly marked in red – websites which might help you in plotting boundaries include: <http://maps.google.co.uk>

If the boundary is not clearly defined, you may be required to submit further evidence prior to your nomination application being accepted.

Name of Asset	Bierley Sub Post Office
Address or location of the asset	73 Hambleton Avenue Bierley Bradford BD4 6AX
Description of the asset and its boundaries	Community post office providing postal services for the neighbourhood of Bierley. The service is contained within a building at 73 Hambleton Avenue that has street level access and on-street parking. Please see the attached map for further details of its boundaries.

Section 2
About You

Title	
First Name	
Surname	
Address	
Post Code	
Telephone number	
Email address	
Your relationship to the nominating organisation	

Section 3
About your Organisation

Please provide evidence that you are eligible to make a nomination.

Name of organisation	The Neighbourhood Project CIC	
Organisation type	Place a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company	X	11280216
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

Number of members registered to vote locally (unincorporated bodies)

In the case of an unincorporated body, at least 21 of its individual members must be registered to vote locally. If relevant, please confirm the number of such members and provide the names and addresses of 21 members registered to vote locally. If they are registered to vote in the area of a neighbouring local authority, rather than in Bradford District, please confirm which area that is.

N/A – we are an incorporated body.

Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bradford Council or a neighbouring local authority. In some cases this will be obvious, e.g. an organisation whose activities are confined to the city. If it is not obvious, please explain what your organisation's local connection is.

Our registered company address is in the neighbourhood of Bierley. Two out of five members of our Board of Directors are residents of Bierley and three out of five members of the Board are residents of Bradford. We deliver community learning and capacity-building services, mostly from the Life Centre in Bierley which is the local community centre. Most of our activities have to date been focused on Bierley and this will continue for the foreseeable future. All our current volunteers are also residents of Bierley. We therefore have a very strong local connection with Bierley and more generally with Bradford.

Distribution of surplus funds (*applicable to certain types of organisations only*)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that any surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (i.e. within the administrative area of Bradford or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

As a community interest company limited by guarantee, we have a statutory asset lock which prevents the distribution of surplus funds to our members and all funds must be used for the public benefit the company was set up to achieve.

More about your organisation

What are the main aims and activities of your organisation? If your organisation isn't a registered charity or company, please provide evidence of its status such as trust deed, Articles of Association, constitution where appropriate.

The mission of the Neighbourhood Project CIC is to promote the sustainable environmental, social and economic well-being of neighbourhoods through promoting self-help and community enterprise. In practice, we deliver informal training to residents on topics relating to local regeneration and environmental sustainability, e.g. local food growing, waste reducing and recycling, energy efficiency, etc. We then provide support to turn this new knowledge into action, whether people volunteer for an existing organisation or set up a new project, campaign or group. To date, this work has been focused on Bierley and will continue to do so.

We have also run digital training services that have mainly targeted vulnerable adults and older people to improve their computer skills and using the internet. These have been provided both in groups and on a one-to-one basis in people's homes.

Our aim is to up-skill and encourage active neighbourhoods where residents contribute positively towards local regeneration and sustainability.

Section 4
Owners and others with an interest in the building or land

Current owner(s)'s name and address	Unknown
Current leaseholder(s) name and address	Unknown
Names and addresses of all current occupants of the land	Bierley Sub Post Office and Superstore 67-73 Hambledon Avenue Bierley Bradford BD4 6AX

Section 5
Reasons for nomination; why you think the land or building is of community value

Please note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does the use of the asset currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

** These could be cultural, recreational and/or sporting interests – please say which one(s) apply.*

Bierley Sub Post Office furthers the social wellbeing of the neighbourhood by providing many services that are essential to modern living and are unavailable within the rest of Bierley and its immediately surrounding area. These include the sending and receiving of mail and other items including acting as a drop-off point, accessing banking services, paying bills, sending money and being able to have applications for passports checked before being sent off. This is especially important for older residents who according to research by Ofcom, Age UK and the Good Things Foundation are less likely to have access to the internet to perform many of these tasks. It is also very important for residents who are disabled or infirm and may otherwise struggle to travel further to access such services. Research by the RSA has shown that post offices provide economic benefits to their communities through enabling local access to postal and financial services which in turn benefit other local businesses; social benefits in terms of providing another venue for residents to meet and get to know one another, local groups to advertise their activities and the sub-postmaster to connect residents with services; and environmental benefits through eliminating unnecessary car journeys, for instance having to travel into a town or city centre to access the same services.

How could the building or land be acquired and used in future?

If it is listed as an asset of community value, community interest groups (not limited to your organisation) will get the opportunity to bid for it if it comes up for sale. Please set out how you think such a group could fund the purchase of the building or land, and how they could run it for the benefit of the community.

The Neighbourhood Project CIC has links with other local community groups such as the Life Centre and, if Bierley Sub Post Office was to come up for sale, we would discuss this with them first before submitting a bid so there was a co-ordinated approach. It would be our intention to ensure that the Post Office was retained for community benefit, whoever in the end owned and ran it.

There are many examples of post offices being run by community enterprises in the UK, for instance Darnall Post Office which was the first to be run by a charity. Most establish themselves as community benefit societies which are not-for-profit co-operatives and can sell 'community shares' as a method of raising capital. There are also other sources of funding such as Key Fund, the Social Investment Business and Co-operative Finance which can provide loans for community enterprises. The Plunkett Foundation, Locality and Citizen's Advice all provide support for groups that want to establish community owned post offices. This includes matching new groups with established ones for peer support and learning. Depending on the results of discussions with other community groups, we would be mindful to establish a community benefit society and use this model to sell shares and borrow funds. Some of our directors would be prepared to act as founding members and directors of the new society and some of our volunteers would be prepared to give their time with the day-to-day running of the post office.

Section 6
Submitting your nomination

What to include

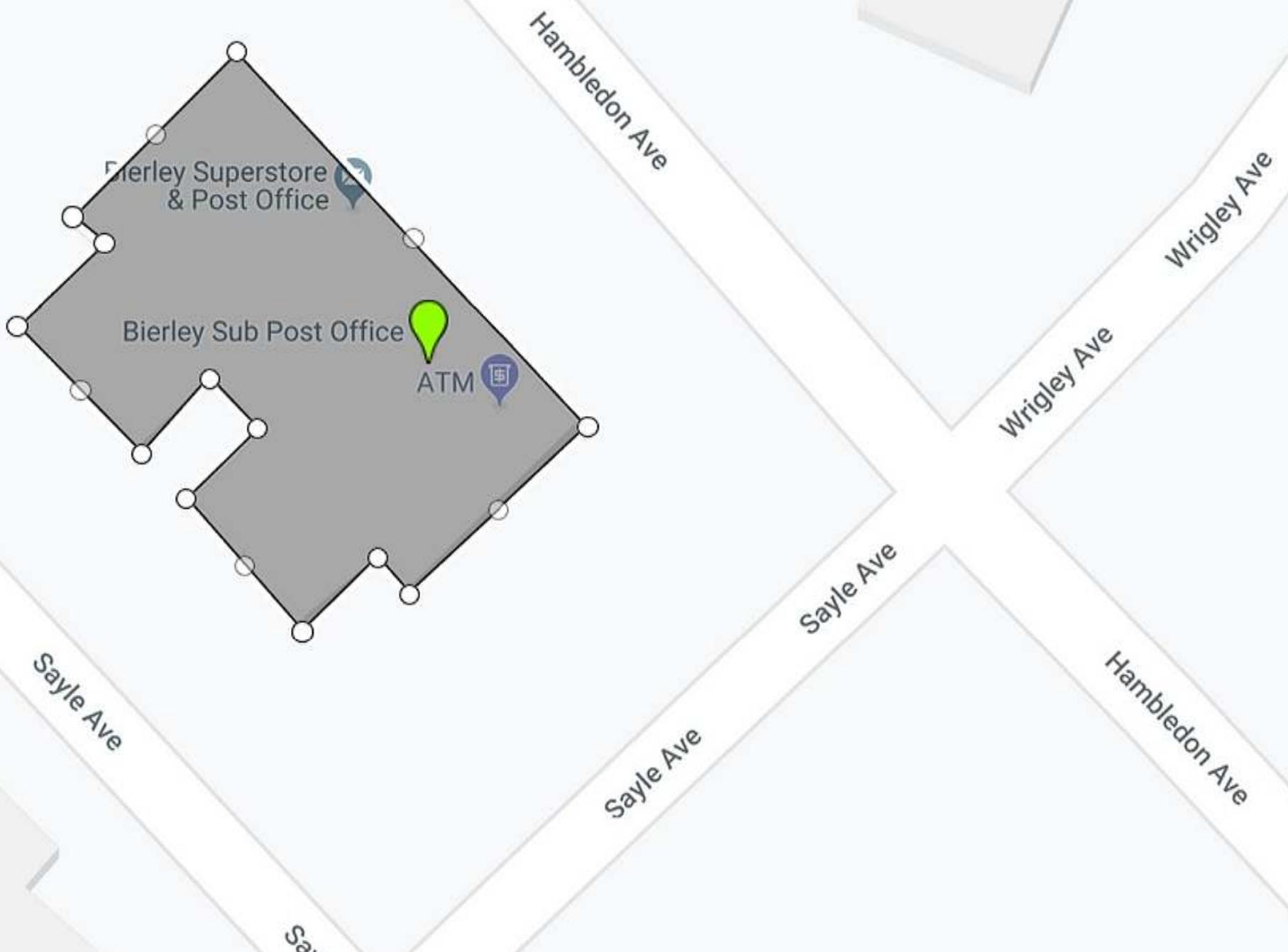
- Your organisation's constitution, Articles of Association or Trust Deed
- Your location plan of the asset that you are nominating

Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

Date 17/11/2019



The Companies Act 2006

Community Interest Company Limited by Guarantee

Articles of Association¹

of

The Neighbourhood Project C.I.C.

(CIC Limited by Guarantee, Schedule 1, Small Membership)

**The Companies Act 2006
Community Interest Company Limited by Guarantee**

INDEX TO THE ARTICLES

INTERPRETATION.....	1
1. Defined Terms	1
2. Community Interest Company	1
3. Asset Lock	1
4. Not for profit	2
OBJECTS, POWERS AND LIMITATION OF LIABILITY	2
5. Objects	2
6. Powers	2
7. Liability of members	2
DIRECTORS	2
DIRECTORS' POWERS AND RESPONSIBILITIES	2
8. Directors' general authority	2
9. Members' reserve power	2
10. Chair	3
11. Directors may delegate	3
DECISION-MAKING BY DIRECTORS	3
12. Directors to take decisions collectively	3
13. Calling a Directors' meeting	3
14. Participation in Directors' meetings	4
15. Quorum for Directors' meetings	4
16. Chairing of Directors' meetings	4
17. Decision-making at meetings	5
18. Decisions without a meeting	5
19. Conflicts of interest	5
20. Directors' power to authorise a conflict of interest	6
21. Register of Directors' interests	6
APPOINTMENT AND RETIREMENT OF DIRECTORS	6
22. Methods of appointing Directors	6
23. Termination of Director's appointment	7
24. Directors' remuneration	7
25. Directors' expenses	8
MEMBERS	8
BECOMING AND CEASING TO BE A MEMBER.....	8
26. Becoming a member	8
27. Termination of membership	8
DECISION MAKING BY MEMBERS	9
28. Members' meetings	9
29. Written resolutions	9
ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS	10
30. Means of communication to be used	10
31. Irregularities	10
32. Minutes	10
33. Records and accounts	11
34. Indemnity	11
35. Insurance	12

36. Exclusion of model articles	12
SCHEDULE.....	13

The Companies Act 2006
Articles of Association
of
The Neighbourhood Project C.I.C.

INTERPRETATION

1. Defined Terms

1.1 The interpretation of these Articles is governed by the provisions set out in the Schedule at the end of the Articles.

COMMUNITY INTEREST COMPANY AND ASSET LOCK

2. Community Interest Company

The Company is to be a community interest company.

3. Asset Lock²

3.1 The Company shall not transfer any of its assets other than for full consideration.

3.2 Provided the conditions in Article 3.3 are satisfied, Article 3.1 shall not apply to:

- (a) the transfer of assets to any specified asset-locked body, or (with the consent of the Regulator) to any other asset-locked body; and
- (b) the transfer of assets made for the benefit of the community other than by way of a transfer of assets into an asset-locked body.

3.3 The conditions are that the transfer of assets must comply with any restrictions on the transfer of assets for less than full consideration which may be set out elsewhere in the memorandum and Articles of the Company.

3.4 If:

3.4.1 the Company is wound up under the Insolvency Act 1986; and

3.4.2 all its liabilities have been satisfied

any residual assets shall be given or transferred to the asset-locked body specified in Article 3.5 below.

3.5 For the purposes of this Article 3, the following asset-locked body is specified as a potential recipient of the Company's assets under Articles 3.2 and 3.4:

Name: The Scurrah Wainwright Charity

Charity Registration Number: 1002755

Registered Office: 19 Wadsworth Lane, Hebden Bridge, West Yorkshire, HX7 8DL ³

4. Not for profit

4.1 The Company is not established or conducted for private gain: any surplus or assets are used principally for the benefit of the community.

OBJECTS, POWERS AND LIMITATION OF LIABILITY

5. Objects⁴

The objects of the Company are to carry on activities which benefit the community and in particular, but without limitation, to promote the sustainable environmental, social and economic well-being of neighbourhoods through encouraging self-help and community enterprise.

6. Powers

6.1 To further its objects the Company may do all such lawful things as may further the Company's objects and, in particular, but, without limitation, may borrow or raise and secure the payment of money for any purpose including for the purposes of investment or of raising funds.

7. Liability of members⁵

The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- 7.1 payment of the Company's debts and liabilities contracted before he or she ceases to be a member;
- 7.2 payment of the costs, charges and expenses of winding up; and
- 7.3 adjustment of the rights of the contributories among themselves.

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES⁶

8. Directors' general authority

Subject to the Articles, the Directors are responsible for the management of the Company's business, for which purpose they may exercise all the powers of the Company.

9. Members' reserve power

- 9.1 The members may, by special resolution, direct the Directors to take, or refrain from taking, specific action.
- 9.2 No such special resolution invalidates anything which the Directors have done before the passing of the resolution.

10. Chair

The Directors may appoint one of their number to be the chair of the Directors for such term of office as they determine and may at any time remove him or her from office.

11. Directors may delegate⁷

11.1 Subject to the Articles, the Directors may delegate any of the powers which are conferred on them under the Articles or the implementation of their decisions or day to day management of the affairs of the Company:

11.1.1 to such person or committee;

11.1.2 by such means (including by power of attorney);

11.1.3 to such an extent;

11.1.4 in relation to such matters or territories; and

11.1.5 on such terms and conditions;

as they think fit.

11.2 If the Directors so specify, any such delegation of this power may authorise further delegation of the Directors' powers by any person to whom they are delegated.

11.3 The Directors may revoke any delegation in whole or part, or alter its terms and conditions.

DECISION-MAKING BY DIRECTORS

12. Directors to take decisions collectively⁸

Any decision of the Directors must be either a majority decision at a meeting or a decision taken in accordance with Article 18. In the event of the Company having only one Director, a majority decision is made when that single Director makes a decision.

13. Calling a Directors' meeting

13.1 One Director may (and the Secretary, if any, must at the request of one Director) call a Directors' meeting.

13.2 A Directors' meeting must be called by at least seven Clear Days' notice unless either:

13.2.1 all the Directors agree; or

13.2.2 urgent circumstances require shorter notice.

13.3 Notice of Directors' meetings must be given to each Director.

- 13.4 Every notice calling a Directors' meeting must specify:
- 13.4.1 the place, day and time of the meeting; and
 - 13.4.2 if it is anticipated that Directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 13.5 Notice of Directors' meetings need not be in Writing.
- 13.6 Notice of Directors' meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

14. Participation in Directors' meetings

- 14.1 Subject to the Articles, Directors participate in a Directors' meeting, or part of a Directors' meeting, when:
- 14.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 14.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 14.2 In determining whether Directors are participating in a Directors' meeting, it is irrelevant where any Director is or how they communicate with each other.⁹
- 14.3 If all the Directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

15. Quorum for Directors' meetings¹⁰

- 15.1 At a Directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 15.2 The quorum for Directors' meetings may be fixed from time to time by a decision of the Directors, but it must never be less than one, and unless otherwise fixed it is one.
- 15.3 If the total number of Directors for the time being is less than the quorum required, the Directors must not take any decision other than a decision:
- 15.3.1 to appoint further Directors; or
 - 15.3.2 to call a general meeting so as to enable the members to appoint further Directors.

16. Chairing of Directors' meetings

The Chair, if any, or in his or her absence another Director nominated by the Directors present shall preside as chair of each Directors' meeting.

17. Decision-making at meetings¹¹

17.1 Questions arising at a Directors' meeting shall be decided by a majority of votes.

17.2 In all proceedings of Directors each Director must not have more than one vote.¹²

17.3 In case of an equality of votes, the Chair shall have a second or casting vote.

18. Decisions without a meeting¹³

18.1 The Directors may take a unanimous decision without a Directors' meeting in accordance with this Article by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Director or to which each Director has otherwise indicated agreement in Writing.

18.2 A decision which is made in accordance with Article 18.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

18.2.1 approval from each Director must be received by one person being either such person as all the Directors have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may, for the avoidance of doubt, be one of the Directors;

18.2.2 following receipt of responses from all of the Directors, the Recipient must communicate to all of the Directors by any means whether the resolution has been formally approved by the Directors in accordance with this Article 18.2;

18.2.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

18.2.4 the Recipient must prepare a minute of the decision in accordance with Article 32.

19. Conflicts of interest¹⁴

19.1 Whenever a Director finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Directors unless, or except to the extent that, the other Directors are or ought reasonably to be aware of it already.

19.2 If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Directors.

19.3 Whenever a matter is to be discussed at a meeting or decided in accordance with Article 18 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 20, he or she must:

19.3.1 remain only for such part of the meeting as in the view of the other Directors is necessary to inform the debate;

19.3.2 not be counted in the quorum for that part of the meeting; and

19.3.3 withdraw during the vote and have no vote on the matter.

19.4 When a Director has a Conflict of Interest which he or she has declared to the Directors, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

20. Directors' power to authorise a conflict of interest

20.1 The Directors have power to authorise a Director to be in a position of Conflict of Interest provided:

20.1.1 in relation to the decision to authorise a Conflict of Interest, the conflicted Director must comply with Article 19.3;

20.1.2 in authorising a Conflict of Interest, the Directors can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Director with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

20.1.3 the decision to authorise a Conflict of Interest can impose such terms as the Directors think fit and is subject always to their right to vary or terminate the authorisation.

20.2 If a matter, or office, employment or position, has been authorised by the Directors in accordance with Article 20.1 then, even if he or she has been authorised to remain at the meeting by the other Directors, the Director may absent himself or herself from meetings of the Directors at which anything relating to that matter, or that office, employment or position, will or may be discussed.

20.3 A Director shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the Directors in accordance with Article 20.1 (subject to any limits or conditions to which such approval was subject).

21. Register of Directors' interests

The Directors shall cause a register of Directors' interests to be kept. A Director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF DIRECTORS¹⁵

22. Methods of appointing Directors

22.1 Those persons notified to the Registrar of Companies as the first Directors of the Company shall be the first Directors.

22.2 Any person who is willing to act as a Director, and is permitted by law to do so, may be appointed to be a Director by a decision of the Directors.

23. Termination of Director's appointment¹⁶

A person ceases to be a Director as soon as:

- (a) that person ceases to be a Director by virtue of any provision of the Companies Act 2006, or is prohibited from being a Director by law;
- (b) a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least one Director will remain in office when such resignation has taken effect); or
- (e) the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason.
- (f) the Director ceases to be a member.

24. Directors' remuneration¹⁷

24.1 Directors may undertake any services for the Company that the Directors decide.

24.2 Directors are entitled to such remuneration as the Directors determine:

- (a) for their services to the Company as Directors; and
- (b) for any other service which they undertake for the Company.

24.3 Subject to the Articles, a Director's remuneration may:

- (a) take any form; and
- (b) include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.

24.4 Unless the Directors decide otherwise, Directors' remuneration accrues from day to day.

24.5 Unless the Directors decide otherwise, Directors are not accountable to the Company for any remuneration which they receive as Directors or other officers or employees

of the Company's subsidiaries or of any other body corporate in which the Company is interested.

25. Directors' expenses

25.1 The Company may pay any reasonable expenses which the Directors properly incur in connection with their attendance at:

- (a) meetings of Directors or committees of Directors;
- (b) general meetings; or
- (c) separate meetings of any class of members or of the holders of any debentures of the Company,

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

MEMBERS¹⁸

BECOMING AND CEASING TO BE A MEMBER¹⁹

26. Becoming a member²⁰

- 26.1 The subscribers to the Memorandum are the first members of the Company.
- 26.2 Such other persons as are admitted to membership in accordance with the Articles shall be members of the Company.
- 26.3 Each member of the company shall be a Director.
- 26.4 No person shall be admitted a member of the Company unless he or she is approved by the Directors.
- 26.5 Every person who wishes to become a member shall deliver to the company an application for membership in such form (and containing such information) as the Directors require and executed by him or her.

27. Termination of membership²¹

- 27.1 Membership is not transferable to anyone else.
- 27.2 Membership is terminated if:
 - 27.2.1 the member dies or ceases to exist;
 - 27.2.2 otherwise in accordance with the Articles; or
 - 27.2.3 a member ceases to be a Director.

DECISION MAKING BY MEMBERS

28. Members' meetings²²

- 28.1 The Directors may call a general meeting at any time.
- 28.2 General meetings must be held in accordance with the provisions regarding such meetings in the Companies Acts.²³
- 28.3 A person who is not a member of the Company shall not have any right to vote at a general meeting of the Company; but this is without prejudice to any right to vote on a resolution affecting the rights attached to a class of the Company's debentures.²⁴
- 28.4 Article 28.3 shall not prevent a person who is a proxy for a member or a duly authorised representative of a member from voting at a general meeting of the Company.

29. Written resolutions

- 29.1 Subject to Article 29.3, a written resolution of the Company passed in accordance with this Article 29 shall have effect as if passed by the Company in general meeting:
- 29.1.1 A written resolution is passed as an ordinary resolution if it is passed by a simple majority of the total voting rights of eligible members.
- 29.1.2 A written resolution is passed as a special resolution if it is passed by members representing not less than 75% of the total voting rights of eligible members. A written resolution is not a special resolution unless it states that it was proposed as a special resolution.
- 29.2 In relation to a resolution proposed as a written resolution of the Company the eligible members are the members who would have been entitled to vote on the resolution on the circulation date of the resolution.
- 29.3 A members' resolution under the Companies Acts removing a Director or an auditor before the expiration of his or her term of office may not be passed as a written resolution.
- 29.4 A copy of the written resolution must be sent to every member together with a statement informing the member how to signify their agreement to the resolution and the date by which the resolution must be passed if it is not to lapse. Communications in relation to written notices shall be sent to the Company's auditors in accordance with the Companies Acts.
- 29.5 A member signifies their agreement to a proposed written resolution when the Company receives from him or her an authenticated Document identifying the resolution to which it relates and indicating his or her agreement to the resolution.
- 29.5.1 If the Document is sent to the Company in Hard Copy Form, it is authenticated if it bears the member's signature.

- 29.5.2 If the Document is sent to the Company by Electronic Means, it is authenticated if it bears the member's signature or if the identity of the member is confirmed in a manner agreed by the Directors or if it is accompanied by a statement of the identity of the member and the Company has no reason to doubt the truth of that statement or if it is from an email Address notified by the member to the Company for the purposes of receiving Documents or information by Electronic Means.
- 29.6 A written resolution is passed when the required majority of eligible members have signified their agreement to it.
- 29.7 A proposed written resolution lapses if it is not passed within 28 days beginning with the circulation date.

ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS

30. Means of communication to be used

- 30.1 Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for Documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Company.
- 30.2 Subject to the Articles, any notice or Document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or Documents for the time being.
- 30.3 A Director may agree with the Company that notices or Documents sent to that Director in a particular way are to be deemed to have been received within an agreed time of their being sent, and for the agreed time to be less than 48 hours.

31. Irregularities

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not referred to in the notice unless a provision of the Companies Acts specifies that such informality, irregularity or want of qualification shall invalidate it.

32. Minutes

- 32.1 The Directors must cause minutes to be made in books kept for the purpose:
- 32.1.1 of all appointments of officers made by the Directors;
- 32.1.2 of all resolutions of the Company and of the Directors (including, without limitation, decisions of the Directors made without a meeting); and

32.1.3 of all proceedings at meetings of the Company and of the Directors, and of committees of Directors, including the names of the Directors present at each such meeting;

and any such minute, if purported to be signed (or in the case of minutes of Directors' meetings signed or authenticated) by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any member or Director of the Company, be sufficient evidence of the proceedings.

32.2 The minutes must be kept for at least ten years from the date of the meeting, resolution or decision.

33. Records and accounts²⁵

The Directors shall comply with the requirements of the Companies Acts as to maintaining a members' register, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Regulator of:

33.1 annual reports;

33.2 annual returns; and

33.3 annual statements of account.

33.4 Except as provided by law or authorised by the Directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or Documents merely by virtue of being a member.

34. Indemnity

34.1 Subject to Article 34.2, a relevant Director of the Company or an associated company may be indemnified out of the Company's assets against:

(a) any liability incurred by that Director in connection with any negligence, default, breach of duty or breach of trust in relation to the Company or an associated company;

(b) any liability incurred by that Director in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006); and

(c) any other liability incurred by that Director as an officer of the Company or an associated company.

34.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

34.3 In this Article:

- (a) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and
- (b) a “relevant Director” means any Director or former Director of the Company or an associated company.

35. Insurance

35.1 The Directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant Director in respect of any relevant loss.

35.2 In this Article:

- (a) a “relevant Director” means any Director or former Director of the Company or an associated company;
- (b) a “relevant loss” means any loss or liability which has been or may be incurred by a relevant Director in connection with that Director’s duties or powers in relation to the Company, any associated company or any pension fund or employees’ share scheme of the company or associated company; and
- (c) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

36. Exclusion of model articles

The relevant model articles for a company limited by guarantee are hereby expressly excluded.

SCHEDULE
INTERPRETATION

Defined terms

1. In the Articles, unless the context requires otherwise, the following terms shall have the following meanings:

<u>Term</u>	Meaning
1.1 “Address”	includes a number or address used for the purposes of sending or receiving Documents by Electronic Means;
1.2 “Articles”	the Company’s articles of association;
1.3 “asset-locked body”	means (i) a community interest company, a charity ²⁶ or a Permitted Industrial and Provident Society; or (ii) a body established outside the United Kingdom that is equivalent to any of those;
1.4 “bankruptcy”	includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
1.5 “Chair”	has the meaning given in Article 10;
1.6 “Circulation Date”	in relation to a written resolution, has the meaning given to it in the Companies Acts;
1.7 “Clear Days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
1.8 “community”	is to be construed in accordance with accordance with Section 35(5) of the Company’s (Audit) Investigations and Community Enterprise) Act 2004;
1.9 “Companies Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company;
1.10 “Company”	The Neighbourhood Project C.I.C.;
1.11 “Conflict of Interest”	any direct or indirect interest of a Director (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Company;

1.12	“Director”	a director of the Company, and includes any person occupying the position of director, by whatever name called;
1.13	“Document”	includes, unless otherwise indicated, any document sent or supplied in Electronic Form;
1.14	“Electronic Form” and “Electronic Means”	have the meanings respectively given to them in Section 1168 of the Companies Act 2006;
1.15	“Hard Copy Form”	has the meaning given to it in the Companies Act 2006;
1.16	“Memorandum”	the Company’s memorandum of association;
1.17	“participate”	in relation to a Directors’ meeting, has the meaning given in Article 14;
1.18	“Permitted Industrial and Provident Society”	an industrial and provident society which has a restriction on the use of its assets in accordance with Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations 2006 or Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006;
1.19	“the Regulator”	means the Regulator of Community Interest Companies;
1.20	“Secretary”	the secretary of the Company (if any);
1.21	“specified”	means specified in the memorandum or articles of association of the Company for the purposes of this paragraph;
1.22	“subsidiary”	has the meaning given in section 1159 of the Companies Act 2006;
1.23	“transfer”	includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest in, or right over, any property; and
1.24	“Writing”	the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in Electronic Form or otherwise.

2. **Subject to clause 3** of this Schedule, any reference in the Articles to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it.
3. Unless the context otherwise requires, other words or expressions contained in these Articles bear the same meaning as in the Companies Acts as in force on the date when these Articles become binding on the Company.

¹ On articles of association generally, see [Part 5] of the Regulator’s information and guidance notes. If you are an existing company wishing to become a community interest company, there is no need to adopt completely new articles, but you must comply with the requirements of the Community Interest Company Regulations 2005 (as amended) (“the Regulations”) by including the provisions set out in Schedule 1 to the Regulations in the articles of your company.

² See [Part 6] of the Regulator’s information and guidance notes. Inclusion of the provisions contained in article 3.1 to 3.3 is mandatory, reflecting sub-paragraphs (1) to (3) of paragraph 1 of Schedule 1 to the Regulations

³ See regulation 23 of the Regulations and [Parts 6 and 10] of the Regulator’s information and guidance notes. If the company does not specify that the remaining residual assets are to be transferred to a particular Asset Locked Body, an appropriate recipient will be chosen by the Regulator, in consultation with the company’s directors and members.

⁴ On the specification of the company’s objects, see [Part 5] of the Regulator’s information and guidance notes

⁵ On limited liability, see [Part 3] of the Regulator’s information and guidance notes. On guarantees generally see [Chapter 3.2] of the Regulator’s information and guidance notes.

⁶ Note that although this model constitution assumes that all Directors are Members and all Members are Directors, and the Directors are given wide powers, under the Articles (and company law more generally) there are still some decisions which Members must make as Members (either in general meeting under the Companies Act 2006 (article 28.2), or by written resolution in accordance with article 29). [See in general the Companies House guidance booklet, “Resolutions” (available online at <http://www.companieshouse.gov.uk/about/gbhtml/gba7.shtml>).].

⁷ Article 11 permits the Directors to delegate any of their functions. Delegation may take the form of, for instance, the Directors giving a managing director general authority to run the company’s day to day business, or responsibility for specific matters being delegated to particular directors (e.g. financial matters to a finance director); or it may be equally appropriate to delegate matters to persons other than Directors. In all cases, it is important to remember that delegation does not absolve Directors of their general duties towards the company and their overall responsibility for its management. This means that, amongst other things, Directors must be satisfied that those to whom responsibilities are delegated are competent to carry them out.

⁸ Article 12 states that the Directors must make decisions by majority at a meeting in accordance with article 14; or unanimously if taken in accordance with article 18.

⁹ Article 14.2 is designed to facilitate the taking of decisions by the directors communicating via telephone or video conference calls. Note the requirement to keep a written record of meetings and decisions (article 32).

¹⁰ The quorum may be fixed in absolute terms (e.g. “two Directors”) or as a proportion of the total number of Directors (e.g. “one third of the total number of Directors”). You may even wish to stipulate that particular named Directors, or Directors representing particular stakeholder interests, must be present to constitute a quorum.

¹¹ Article 17 reflects paragraph 4 of Schedule 1 to the Regulations, which is required to be included in the articles of all community interest companies.

¹² You may wish to include a provision which gives the chair of the board a casting vote. This will enable the directors to resolve any deadlock at board level.

¹³ Article 18 is designed to facilitate the taking of decisions by directors following discussions in the form of, for example, email exchanges copied to all the directors. Note the requirements as to recording the decision in articles 18.2 and 32.

¹⁴ The provisions in articles 19 and 20 reflect the position under the Companies Act 2006. However, it is recommended that, as a matter of good practice, all actual and potential conflicts of interest are disclosed in writing or at a meeting, as the case may be.

¹⁵ Private companies are obliged to have at least one director. Provisions can be inserted into the articles providing for a minimum number of directors. Where the company has just one director, that director must be a natural person. Article 12 notes that, where there is only one director, a majority decision is reached when that director makes a decision. In the case of a single director, the quorum provisions (article 15) will need to be amended accordingly.

¹⁶ The board of directors cannot remove a director other than in accordance with the provisions in article 23 and the Companies Act 2006.

¹⁷ See the guidance on directors’ remuneration in [Part 9] of the Regulator’s information and guidance notes.

¹⁸ See section 112 of the Companies Act 2006. A company’s members are (i) the subscribers to its memorandum; and (ii) every other person who agrees to become a member of the company and whose name is entered in its register of members.

¹⁹ There is no need for all those who wish to become Members to subscribe to the Memorandum on incorporation; they can become Members and be entered in the register of Members after the company has been

formed. However, since this model constitution assumes that all Members are also Directors, all Members will also have to be validly appointed as Directors under article 22.

²⁰ Inclusion of the provisions in article 26 (other than 26.3) is mandatory and reflects paragraphs 2(1)-(4) of Schedule 1 to the Regulations. [Directors should ensure that the information to be included on an application form includes all the information which will be required to fill in Companies House Form [288a] on the appointment of the new Member as a Director (see:

<http://www.companieshouse.gov.uk/forms/generalForms/288A.pdf>.)] Article 26.3 provides that the Directors are also members of the company.

²¹ Inclusion of the provisions of article 27.1 and 27.2.1 – 27.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

²² The Companies Act 2006 has removed the need for private companies to hold annual general meetings and therefore these Articles follow suit; however, if you wish, you can insert an additional provision which obliges the company to hold annual general meetings.

²³ Article 28.2 provides that general meetings must be held in accordance with the provisions of the Companies Act 2006. You may insert additional provisions that specify how many Members are required to be present to hold a valid general meeting. The quorum may be fixed in absolute terms (e.g. “four Members”) or as a proportion of the total number of Members (e.g. “three quarters of the Members from time to time”). You may even wish to stipulate that particular named Members, or Members representing particular stakeholder interests, must be present to constitute a quorum. In any event, it is recommended that the quorum should never be less than half of the total number of Members.

²⁴ Inclusion of the provisions of article 28.3 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

²⁵ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>.)] On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

²⁶ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”.

The Companies Act 2006

Community Interest Company Limited by Guarantee ¹

Memorandum of Association

of

The Neighbourhood Project C.I.C.¹¹

The Companies Act 2006
Community Interest Company Limited by Guarantee
Memorandum of Association ⁱⁱⁱ
of
The Neighbourhood Project C.I.C.

Each subscriber to this Memorandum of Association wishes to form a company under the Companies Act 2006 and agrees to become a member of the Company.

Name of each subscriber^{iv}
subscriber

Authentication by each

Mr Jonathan Derrick Crewdson



Dated

01/03/2018

ⁱ On the different limited company forms available to CICs, see [Part 3] of the Regulator's information and guidance notes.

ⁱⁱ Section 33 of the Companies (Audit Investigations and Community Enterprise) Act 2004 provides that the name of any community interest company which is not a public company must end with either the words "community interest company" or the letters "c.i.c." (or, if the articles state that the company's registered office is to be situated in Wales, with the words "cwmni buddiant cymunedol" or the initials "c.b.c.").

ⁱⁱⁱ For companies incorporated after 1 October 2009 the memorandum of association will consist only of the names of the subscribers of the company. If you are an existing company incorporated prior to 1 October 2009 and wishing to become a community interest company, you will need to incorporate the relevant provisions of your current memorandum into the articles of the community interest company.

^{iv} For illustration, space for one subscriber has been supplied here. There is no upper limit to the number of subscribers and further entries may be added as appropriate.

The Companies Act 2006

Community Interest Company Limited by Guarantee

Articles of Association¹

of

The Neighbourhood Project C.I.C.

(CIC Limited by Guarantee, Schedule 1, Small Membership)

**The Companies Act 2006
Community Interest Company Limited by Guarantee**

INDEX TO THE ARTICLES

INTERPRETATION.....	1
1. Defined Terms	1
2. Community Interest Company	1
3. Asset Lock	1
4. Not for profit	2
OBJECTS, POWERS AND LIMITATION OF LIABILITY	2
5. Objects	2
6. Powers	2
7. Liability of members	2
DIRECTORS	2
DIRECTORS' POWERS AND RESPONSIBILITIES	2
8. Directors' general authority	2
9. Members' reserve power	2
10. Chair	3
11. Directors may delegate	3
DECISION-MAKING BY DIRECTORS	3
12. Directors to take decisions collectively	3
13. Calling a Directors' meeting	3
14. Participation in Directors' meetings	4
15. Quorum for Directors' meetings	4
16. Chairing of Directors' meetings	4
17. Decision-making at meetings	5
18. Decisions without a meeting	5
19. Conflicts of interest	5
20. Directors' power to authorise a conflict of interest	6
21. Register of Directors' interests	6
APPOINTMENT AND RETIREMENT OF DIRECTORS	6
22. Methods of appointing Directors	6
23. Termination of Director's appointment	7
24. Directors' remuneration	7
25. Directors' expenses	8
MEMBERS	8
BECOMING AND CEASING TO BE A MEMBER.....	8
26. Becoming a member	8
27. Termination of membership	8
DECISION MAKING BY MEMBERS	9
28. Members' meetings	9
29. Written resolutions	9
ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS	10
30. Means of communication to be used	10
31. Irregularities	10
32. Minutes	10
33. Records and accounts	11
34. Indemnity	11
35. Insurance	12

36. Exclusion of model articles..... 12
SCHEDULE..... 13

The Companies Act 2006
Articles of Association
of
The Neighbourhood Project C.I.C.

INTERPRETATION

1. Defined Terms

1.1 The interpretation of these Articles is governed by the provisions set out in the Schedule at the end of the Articles.

COMMUNITY INTEREST COMPANY AND ASSET LOCK

2. Community Interest Company

The Company is to be a community interest company.

3. Asset Lock²

3.1 The Company shall not transfer any of its assets other than for full consideration.

3.2 Provided the conditions in Article 3.3 are satisfied, Article 3.1 shall not apply to:

- (a) the transfer of assets to any specified asset-locked body, or (with the consent of the Regulator) to any other asset-locked body; and
- (b) the transfer of assets made for the benefit of the community other than by way of a transfer of assets into an asset-locked body.

3.3 The conditions are that the transfer of assets must comply with any restrictions on the transfer of assets for less than full consideration which may be set out elsewhere in the memorandum and Articles of the Company.

3.4 If:

3.4.1 the Company is wound up under the Insolvency Act 1986; and

3.4.2 all its liabilities have been satisfied

any residual assets shall be given or transferred to the asset-locked body specified in Article 3.5 below.

3.5 For the purposes of this Article 3, the following asset-locked body is specified as a potential recipient of the Company's assets under Articles 3.2 and 3.4:

Name: The Scurrah Wainwright Charity

Charity Registration Number: 1002755

Registered Office: 19 Wadsworth Lane, Hebden Bridge, West Yorkshire, HX7 8DL ³

4. Not for profit

4.1 The Company is not established or conducted for private gain: any surplus or assets are used principally for the benefit of the community.

OBJECTS, POWERS AND LIMITATION OF LIABILITY

5. Objects⁴

The objects of the Company are to carry on activities which benefit the community and in particular, but without limitation, to promote the sustainable environmental, social and economic well-being of neighbourhoods through encouraging self-help and community enterprise.

6. Powers

6.1 To further its objects the Company may do all such lawful things as may further the Company's objects and, in particular, but, without limitation, may borrow or raise and secure the payment of money for any purpose including for the purposes of investment or of raising funds.

7. Liability of members⁵

The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- 7.1 payment of the Company's debts and liabilities contracted before he or she ceases to be a member;
- 7.2 payment of the costs, charges and expenses of winding up; and
- 7.3 adjustment of the rights of the contributories among themselves.

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES⁶

8. Directors' general authority

Subject to the Articles, the Directors are responsible for the management of the Company's business, for which purpose they may exercise all the powers of the Company.

9. Members' reserve power

- 9.1 The members may, by special resolution, direct the Directors to take, or refrain from taking, specific action.
- 9.2 No such special resolution invalidates anything which the Directors have done before the passing of the resolution.

10. Chair

The Directors may appoint one of their number to be the chair of the Directors for such term of office as they determine and may at any time remove him or her from office.

11. Directors may delegate⁷

11.1 Subject to the Articles, the Directors may delegate any of the powers which are conferred on them under the Articles or the implementation of their decisions or day to day management of the affairs of the Company:

11.1.1 to such person or committee;

11.1.2 by such means (including by power of attorney);

11.1.3 to such an extent;

11.1.4 in relation to such matters or territories; and

11.1.5 on such terms and conditions;

as they think fit.

11.2 If the Directors so specify, any such delegation of this power may authorise further delegation of the Directors' powers by any person to whom they are delegated.

11.3 The Directors may revoke any delegation in whole or part, or alter its terms and conditions.

DECISION-MAKING BY DIRECTORS

12. Directors to take decisions collectively⁸

Any decision of the Directors must be either a majority decision at a meeting or a decision taken in accordance with Article 18. In the event of the Company having only one Director, a majority decision is made when that single Director makes a decision.

13. Calling a Directors' meeting

13.1 One Director may (and the Secretary, if any, must at the request of one Director) call a Directors' meeting.

13.2 A Directors' meeting must be called by at least seven Clear Days' notice unless either:

13.2.1 all the Directors agree; or

13.2.2 urgent circumstances require shorter notice.

13.3 Notice of Directors' meetings must be given to each Director.

- 13.4 Every notice calling a Directors' meeting must specify:
- 13.4.1 the place, day and time of the meeting; and
 - 13.4.2 if it is anticipated that Directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 13.5 Notice of Directors' meetings need not be in Writing.
- 13.6 Notice of Directors' meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

14. Participation in Directors' meetings

- 14.1 Subject to the Articles, Directors participate in a Directors' meeting, or part of a Directors' meeting, when:
- 14.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 14.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 14.2 In determining whether Directors are participating in a Directors' meeting, it is irrelevant where any Director is or how they communicate with each other.⁹
- 14.3 If all the Directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

15. Quorum for Directors' meetings¹⁰

- 15.1 At a Directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 15.2 The quorum for Directors' meetings may be fixed from time to time by a decision of the Directors, but it must never be less than one, and unless otherwise fixed it is one.
- 15.3 If the total number of Directors for the time being is less than the quorum required, the Directors must not take any decision other than a decision:
- 15.3.1 to appoint further Directors; or
 - 15.3.2 to call a general meeting so as to enable the members to appoint further Directors.

16. Chairing of Directors' meetings

The Chair, if any, or in his or her absence another Director nominated by the Directors present shall preside as chair of each Directors' meeting.

17. Decision-making at meetings¹¹

17.1 Questions arising at a Directors' meeting shall be decided by a majority of votes.

17.2 In all proceedings of Directors each Director must not have more than one vote.¹²

17.3 In case of an equality of votes, the Chair shall have a second or casting vote.

18. Decisions without a meeting¹³

18.1 The Directors may take a unanimous decision without a Directors' meeting in accordance with this Article by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Director or to which each Director has otherwise indicated agreement in Writing.

18.2 A decision which is made in accordance with Article 18.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

18.2.1 approval from each Director must be received by one person being either such person as all the Directors have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may, for the avoidance of doubt, be one of the Directors;

18.2.2 following receipt of responses from all of the Directors, the Recipient must communicate to all of the Directors by any means whether the resolution has been formally approved by the Directors in accordance with this Article 18.2;

18.2.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

18.2.4 the Recipient must prepare a minute of the decision in accordance with Article 32.

19. Conflicts of interest¹⁴

19.1 Whenever a Director finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Directors unless, or except to the extent that, the other Directors are or ought reasonably to be aware of it already.

19.2 If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Directors.

19.3 Whenever a matter is to be discussed at a meeting or decided in accordance with Article 18 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 20, he or she must:

19.3.1 remain only for such part of the meeting as in the view of the other Directors is necessary to inform the debate;

19.3.2 not be counted in the quorum for that part of the meeting; and

19.3.3 withdraw during the vote and have no vote on the matter.

19.4 When a Director has a Conflict of Interest which he or she has declared to the Directors, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

20. Directors' power to authorise a conflict of interest

20.1 The Directors have power to authorise a Director to be in a position of Conflict of Interest provided:

20.1.1 in relation to the decision to authorise a Conflict of Interest, the conflicted Director must comply with Article 19.3;

20.1.2 in authorising a Conflict of Interest, the Directors can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Director with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

20.1.3 the decision to authorise a Conflict of Interest can impose such terms as the Directors think fit and is subject always to their right to vary or terminate the authorisation.

20.2 If a matter, or office, employment or position, has been authorised by the Directors in accordance with Article 20.1 then, even if he or she has been authorised to remain at the meeting by the other Directors, the Director may absent himself or herself from meetings of the Directors at which anything relating to that matter, or that office, employment or position, will or may be discussed.

20.3 A Director shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the Directors in accordance with Article 20.1 (subject to any limits or conditions to which such approval was subject).

21. Register of Directors' interests

The Directors shall cause a register of Directors' interests to be kept. A Director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF DIRECTORS¹⁵

22. Methods of appointing Directors

22.1 Those persons notified to the Registrar of Companies as the first Directors of the Company shall be the first Directors.

22.2 Any person who is willing to act as a Director, and is permitted by law to do so, may be appointed to be a Director by a decision of the Directors.

23. Termination of Director's appointment¹⁶

A person ceases to be a Director as soon as:

- (a) that person ceases to be a Director by virtue of any provision of the Companies Act 2006, or is prohibited from being a Director by law;
- (b) a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least one Director will remain in office when such resignation has taken effect); or
- (e) the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason.
- (f) the Director ceases to be a member.

24. Directors' remuneration¹⁷

24.1 Directors may undertake any services for the Company that the Directors decide.

24.2 Directors are entitled to such remuneration as the Directors determine:

- (a) for their services to the Company as Directors; and
- (b) for any other service which they undertake for the Company.

24.3 Subject to the Articles, a Director's remuneration may:

- (a) take any form; and
- (b) include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.

24.4 Unless the Directors decide otherwise, Directors' remuneration accrues from day to day.

24.5 Unless the Directors decide otherwise, Directors are not accountable to the Company for any remuneration which they receive as Directors or other officers or employees

of the Company's subsidiaries or of any other body corporate in which the Company is interested.

25. Directors' expenses

25.1 The Company may pay any reasonable expenses which the Directors properly incur in connection with their attendance at:

- (a) meetings of Directors or committees of Directors;
- (b) general meetings; or
- (c) separate meetings of any class of members or of the holders of any debentures of the Company,

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

MEMBERS¹⁸

BECOMING AND CEASING TO BE A MEMBER¹⁹

26. Becoming a member²⁰

- 26.1 The subscribers to the Memorandum are the first members of the Company.
- 26.2 Such other persons as are admitted to membership in accordance with the Articles shall be members of the Company.
- 26.3 Each member of the company shall be a Director.
- 26.4 No person shall be admitted a member of the Company unless he or she is approved by the Directors.
- 26.5 Every person who wishes to become a member shall deliver to the company an application for membership in such form (and containing such information) as the Directors require and executed by him or her.

27. Termination of membership²¹

- 27.1 Membership is not transferable to anyone else.
- 27.2 Membership is terminated if:
 - 27.2.1 the member dies or ceases to exist;
 - 27.2.2 otherwise in accordance with the Articles; or
 - 27.2.3 a member ceases to be a Director.

DECISION MAKING BY MEMBERS

28. Members' meetings²²

- 28.1 The Directors may call a general meeting at any time.
- 28.2 General meetings must be held in accordance with the provisions regarding such meetings in the Companies Acts.²³
- 28.3 A person who is not a member of the Company shall not have any right to vote at a general meeting of the Company; but this is without prejudice to any right to vote on a resolution affecting the rights attached to a class of the Company's debentures.²⁴
- 28.4 Article 28.3 shall not prevent a person who is a proxy for a member or a duly authorised representative of a member from voting at a general meeting of the Company.

29. Written resolutions

- 29.1 Subject to Article 29.3, a written resolution of the Company passed in accordance with this Article 29 shall have effect as if passed by the Company in general meeting:
 - 29.1.1 A written resolution is passed as an ordinary resolution if it is passed by a simple majority of the total voting rights of eligible members.
 - 29.1.2 A written resolution is passed as a special resolution if it is passed by members representing not less than 75% of the total voting rights of eligible members. A written resolution is not a special resolution unless it states that it was proposed as a special resolution.
- 29.2 In relation to a resolution proposed as a written resolution of the Company the eligible members are the members who would have been entitled to vote on the resolution on the circulation date of the resolution.
- 29.3 A members' resolution under the Companies Acts removing a Director or an auditor before the expiration of his or her term of office may not be passed as a written resolution.
- 29.4 A copy of the written resolution must be sent to every member together with a statement informing the member how to signify their agreement to the resolution and the date by which the resolution must be passed if it is not to lapse. Communications in relation to written notices shall be sent to the Company's auditors in accordance with the Companies Acts.
- 29.5 A member signifies their agreement to a proposed written resolution when the Company receives from him or her an authenticated Document identifying the resolution to which it relates and indicating his or her agreement to the resolution.
 - 29.5.1 If the Document is sent to the Company in Hard Copy Form, it is authenticated if it bears the member's signature.

29.5.2 If the Document is sent to the Company by Electronic Means, it is authenticated if it bears the member's signature or if the identity of the member is confirmed in a manner agreed by the Directors or if it is accompanied by a statement of the identity of the member and the Company has no reason to doubt the truth of that statement or if it is from an email Address notified by the member to the Company for the purposes of receiving Documents or information by Electronic Means.

29.6 A written resolution is passed when the required majority of eligible members have signified their agreement to it.

29.7 A proposed written resolution lapses if it is not passed within 28 days beginning with the circulation date.

ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS

30. Means of communication to be used

30.1 Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for Documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Company.

30.2 Subject to the Articles, any notice or Document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or Documents for the time being.

30.3 A Director may agree with the Company that notices or Documents sent to that Director in a particular way are to be deemed to have been received within an agreed time of their being sent, and for the agreed time to be less than 48 hours.

31. Irregularities

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not referred to in the notice unless a provision of the Companies Acts specifies that such informality, irregularity or want of qualification shall invalidate it.

32. Minutes

32.1 The Directors must cause minutes to be made in books kept for the purpose:

32.1.1 of all appointments of officers made by the Directors;

32.1.2 of all resolutions of the Company and of the Directors (including, without limitation, decisions of the Directors made without a meeting); and

32.1.3 of all proceedings at meetings of the Company and of the Directors, and of committees of Directors, including the names of the Directors present at each such meeting;

and any such minute, if purported to be signed (or in the case of minutes of Directors' meetings signed or authenticated) by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any member or Director of the Company, be sufficient evidence of the proceedings.

32.2 The minutes must be kept for at least ten years from the date of the meeting, resolution or decision.

33. Records and accounts²⁵

The Directors shall comply with the requirements of the Companies Acts as to maintaining a members' register, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Regulator of:

33.1 annual reports;

33.2 annual returns; and

33.3 annual statements of account.

33.4 Except as provided by law or authorised by the Directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or Documents merely by virtue of being a member.

34. Indemnity

34.1 Subject to Article 34.2, a relevant Director of the Company or an associated company may be indemnified out of the Company's assets against:

(a) any liability incurred by that Director in connection with any negligence, default, breach of duty or breach of trust in relation to the Company or an associated company;

(b) any liability incurred by that Director in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006); and

(c) any other liability incurred by that Director as an officer of the Company or an associated company.

34.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

34.3 In this Article:

- (a) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and
- (b) a “relevant Director” means any Director or former Director of the Company or an associated company.

35. Insurance

35.1 The Directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant Director in respect of any relevant loss.

35.2 In this Article:

- (a) a “relevant Director” means any Director or former Director of the Company or an associated company;
- (b) a “relevant loss” means any loss or liability which has been or may be incurred by a relevant Director in connection with that Director’s duties or powers in relation to the Company, any associated company or any pension fund or employees’ share scheme of the company or associated company; and
- (c) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

36. Exclusion of model articles

The relevant model articles for a company limited by guarantee are hereby expressly excluded.

SCHEDULE
INTERPRETATION

Defined terms

1. In the Articles, unless the context requires otherwise, the following terms shall have the following meanings:

<u>Term</u>	Meaning
1.1 “Address”	includes a number or address used for the purposes of sending or receiving Documents by Electronic Means;
1.2 “Articles”	the Company’s articles of association;
1.3 “asset-locked body”	means (i) a community interest company, a charity ²⁶ or a Permitted Industrial and Provident Society; or (ii) a body established outside the United Kingdom that is equivalent to any of those;
1.4 “bankruptcy”	includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
1.5 “Chair”	has the meaning given in Article 10;
1.6 “Circulation Date”	in relation to a written resolution, has the meaning given to it in the Companies Acts;
1.7 “Clear Days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
1.8 “community”	is to be construed in accordance with accordance with Section 35(5) of the Company’s (Audit) Investigations and Community Enterprise) Act 2004;
1.9 “Companies Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company;
1.10 “Company”	The Neighbourhood Project C.I.C.;
1.11 “Conflict of Interest”	any direct or indirect interest of a Director (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Company;

1.12	“Director”	a director of the Company, and includes any person occupying the position of director, by whatever name called;
1.13	“Document”	includes, unless otherwise indicated, any document sent or supplied in Electronic Form;
1.14	“Electronic Form” and “Electronic Means”	have the meanings respectively given to them in Section 1168 of the Companies Act 2006;
1.15	“Hard Copy Form”	has the meaning given to it in the Companies Act 2006;
1.16	“Memorandum”	the Company’s memorandum of association;
1.17	“participate”	in relation to a Directors’ meeting, has the meaning given in Article 14;
1.18	“Permitted Industrial and Provident Society”	an industrial and provident society which has a restriction on the use of its assets in accordance with Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations 2006 or Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006;
1.19	“the Regulator”	means the Regulator of Community Interest Companies;
1.20	“Secretary”	the secretary of the Company (if any);
1.21	“specified”	means specified in the memorandum or articles of association of the Company for the purposes of this paragraph;
1.22	“subsidiary”	has the meaning given in section 1159 of the Companies Act 2006;
1.23	“transfer”	includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest in, or right over, any property; and
1.24	“Writing”	the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in Electronic Form or otherwise.

2. **Subject to clause 3** of this Schedule, any reference in the Articles to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it.
3. Unless the context otherwise requires, other words or expressions contained in these Articles bear the same meaning as in the Companies Acts as in force on the date when *these Articles become binding on the Company*.

¹ On articles of association generally, see [Part 5] of the Regulator's information and guidance notes. If you are an existing company wishing to become a community interest company, there is no need to adopt completely new articles, but you must comply with the requirements of the Community Interest Company Regulations 2005 (as amended) ("the Regulations") by including the provisions set out in Schedule 1 to the Regulations in the articles of your company.

² See [Part 6] of the Regulator's information and guidance notes. Inclusion of the provisions contained in article 3.1 to 3.3 is mandatory, reflecting sub-paragraphs (1) to (3) of paragraph 1 of Schedule 1 to the Regulations

³ See regulation 23 of the Regulations and [Parts 6 and 10] of the Regulator's information and guidance notes. If the company does not specify that the remaining residual assets are to be transferred to a particular Asset Locked Body, an appropriate recipient will be chosen by the Regulator, in consultation with the company's directors and members.

⁴ On the specification of the company's objects, see [Part 5] of the Regulator's information and guidance notes

⁵ On limited liability, see [Part 3] of the Regulator's information and guidance notes. On guarantees generally see [Chapter 3.2] of the Regulator's information and guidance notes.

⁶ Note that although this model constitution assumes that all Directors are Members and all Members are Directors, and the Directors are given wide powers, under the Articles (and company law more generally) there are still some decisions which Members must make as Members (either in general meeting under the Companies Act 2006 (article 28.2), or by written resolution in accordance with article 29). [See in general the Companies House guidance booklet, "Resolutions" (available online at <http://www.companieshouse.gov.uk/about/gbhtml/gba7.shtml>).].

⁷ Article 11 permits the Directors to delegate any of their functions. Delegation may take the form of, for instance, the Directors giving a managing director general authority to run the company's day to day business, or responsibility for specific matters being delegated to particular directors (e.g. financial matters to a finance director); or it may be equally appropriate to delegate matters to persons other than Directors. In all cases, it is important to remember that delegation does not absolve Directors of their general duties towards the company and their overall responsibility for its management. This means that, amongst other things, Directors must be satisfied that those to whom responsibilities are delegated are competent to carry them out.

⁸ Article 12 states that the Directors must make decisions by majority at a meeting in accordance with article 14; or unanimously if taken in accordance with article 18.

⁹ Article 14.2 is designed to facilitate the taking of decisions by the directors communicating via telephone or video conference calls. Note the requirement to keep a written record of meetings and decisions (article 32).

¹⁰ The quorum may be fixed in absolute terms (e.g. "two Directors") or as a proportion of the total number of Directors (e.g. "one third of the total number of Directors"). You may even wish to stipulate that particular named Directors, or Directors representing particular stakeholder interests, must be present to constitute a quorum.

¹¹ Article 17 reflects paragraph 4 of Schedule 1 to the Regulations, which is required to be included in the articles of all community interest companies.

¹² You may wish to include a provision which gives the chair of the board a casting vote. This will enable the directors to resolve any deadlock at board level.

¹³ Article 18 is designed to facilitate the taking of decisions by directors following discussions in the form of, for example, email exchanges copied to all the directors. Note the requirements as to recording the decision in articles 18.2 and 32.

¹⁴ The provisions in articles 19 and 20 reflect the position under the Companies Act 2006. However, it is recommended that, as a matter of good practice, all actual and potential conflicts of interest are disclosed in writing or at a meeting, as the case may be.

¹⁵ Private companies are obliged to have at least one director. Provisions can be inserted into the articles providing for a minimum number of directors. Where the company has just one director, that director must be a natural person. Article 12 notes that, where there is only one director, a majority decision is reached when that director makes a decision. In the case of a single director, the quorum provisions (article 15) will need to be amended accordingly.

¹⁶ The board of directors cannot remove a director other than in accordance with the provisions in article 23 and the Companies Act 2006.

¹⁷ See the guidance on directors' remuneration in [Part 9] of the Regulator's information and guidance notes.

¹⁸ See section 112 of the Companies Act 2006. A company's members are (i) the subscribers to its memorandum; and (ii) every other person who agrees to become a member of the company and whose name is entered in its register of members.

¹⁹ There is no need for all those who wish to become Members to subscribe to the Memorandum on incorporation; they can become Members and be entered in the register of Members after the company has been

formed. However, since this model constitution assumes that all Members are also Directors, all Members will also have to be validly appointed as Directors under article 22.

²⁰ Inclusion of the provisions in article 26 (other than 26.3) is mandatory and reflects paragraphs 2(1)-(4) of Schedule 1 to the Regulations. [Directors should ensure that the information to be included on an application form includes all the information which will be required to fill in Companies House Form [288a] on the appointment of the new Member as a Director (see: <http://www.companieshouse.gov.uk/forms/generalForms/288A.pdf>).] Article 26.3 provides that the Directors are also members of the company.

²¹ Inclusion of the provisions of article 27.1 and 27.2.1 – 27.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

²² The Companies Act 2006 has removed the need for private companies to hold annual general meetings and therefore these Articles follow suit; however, if you wish, you can insert an additional provision which obliges the company to hold annual general meetings.

²³ Article 28.2 provides that general meetings must be held in accordance with the provisions of the Companies Act 2006. You may insert additional provisions that specify how many Members are required to be present to hold a valid general meeting. The quorum may be fixed in absolute terms (e.g. “four Members”) or as a proportion of the total number of Members (e.g. “three quarters of the Members from time to time”). You may even wish to stipulate that particular named Members, or Members representing particular stakeholder interests, must be present to constitute a quorum. In any event, it is recommended that the quorum should never be less than half of the total number of Members.

²⁴ Inclusion of the provisions of article 28.3 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

²⁵ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>.) On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

²⁶ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”

Report of the Strategic Director of Corporate Services to the meeting of Bradford South Area Committee to be held on 30th January 2020 at 5.00pm at City Hall, Bradford.

Subject:

Nomination to list property as an Asset of Community Value – Bierley Recreation Ground, Bierley, Bradford

Summary statement:

The Council has received a nomination to list property known as Bierley Recreation Ground as an Asset of Community Value under the Localism Act 2011.

This report considers whether the nomination and nominated asset meet the Asset of Community Value criteria set out in the Localism Act and contains a recommendation as to whether or not the nomination should be approved.

Joanne Hyde
Strategic Director, Corporate
Resources

Portfolio:
Regeneration, Planning & Transport

Report Contact: Nigel Gillatt,
Senior Estates Surveyor
E-mail: ACVTeam@bradford.gov.uk

Overview & Scrutiny Area:
Corporate

1. SUMMARY

- 1.1 The Council has received a nomination to list property known as Bierley Recreation Ground as an Asset of Community Value under the Localism Act 2011, shown edged and shaded red on the plan in Appendix 1.
- 1.2 The nomination was made on 17th November 2019. This report considers whether the nomination and nominated asset meet the Asset of Community Value Criteria set out in the Localism Act and contains a recommendation as to whether or not the Director of Corporate Services should approve the Asset of Community Value nomination.

2. BACKGROUND

- 2.1 The Community Right to Bid provisions of the Localism Act 2011 came into effect on 21st September 2012. The purpose of the provisions is to allow communities time to prepare bids for land and property assessed as being of benefit to the community when those assets come up for disposal.

3. OTHER CONSIDERATIONS

3.1 The Community Right to Bid

- 3.1.1 Local community groups and parish councils are able to nominate privately and publicly owned land and property for inclusion on a list of assets of community value. The list is maintained by CBMDC which is also responsible for managing the process for determining whether a nomination of a property as an asset of community value is successful. At its meeting of 6th November 2012 the Executive resolved that Area Committee should recommend a determination of the nomination to the Director of Corporate Services who makes the decision.
- 3.1.2 The listing of land or property as an Asset of Community Value has the effect of preventing owners from disposing of their listed property without first notifying the Council of their intention to sell. The notification of intention to sell triggers a six week moratorium on disposal during which local community groups and parish councils are able to express an interest in bidding for the property. If no expressions of interest are received the owner is free to dispose of his property at the end of the six week period. If an expression of interest is received the initial six week moratorium extends to six months to allow community groups and parish councils to prepare to bid for the property or to negotiate with the property owner. At the end of the six month period the owner is able to sell the property to whoever they want and by whatever means they wish. If the property is not sold within 18 months of the notification of intention to sell the disposal process must start again. Once sold the property is removed from the list.

3.1.3 The Community Right to Bid provisions **do not**:

- Give community groups or parish councils a right of first refusal when listed land and buildings come up for sale.
- Give community groups or a parish council the right to purchase land and property listed as assets of community value at a reduced price i.e. less than market value.
- Compel a property owner to sell to a community group or parish council. Once the procedures set out in the Act are complied with property owners are free to sell their property to whomever they wish.
- Restrict how a property owner can use their property.

3.2 Definition of an Asset of Community Value

3.2.1 The Act provides that land or property falls within the definition of asset of community value where a current non-ancillary use furthers the social wellbeing or social interests of the local community **and** where it is realistic to think that such a use can continue, whether or not in the same way. Social interests include culture, recreation and sport. A property will also qualify when a non-ancillary use in the recent past meets the definition **and** it is realistic to think that its use may again fall within the definition within the next five years (whether or not in the same way as before).

3.2.2 The Act sets out details of certain types of land and property which are exempt from the Community Right to Bid provisions.

3.3 Who can nominate an asset to be listed

3.3.1 Nominations to list an asset as being of community value can be made by:

- A local voluntary or community group that is incorporated – this means it has a separate legal status from its members.
- A local voluntary or community group that is not incorporated but has at least 21 members who appear on the electoral roll within CBMDC or a neighbouring authority.
- A parish council.
- Neighbouring parish councils – if a parish council borders another parish council area it may nominate an asset within that area.
- Community interest groups with a local connection which has one of the following structures:
 - a) A charity
 - b) A community interest company
 - c) A company limited by guarantee that is non-profit-distributing
 - d) An industrial provident society that is non-profit-distributing

For a local group to be able to nominate it must be able to demonstrate that its activities are wholly or partly concerned with the local authority area within which the asset is located or with a neighbouring authority (which shares a boundary with Bradford).

3.4 The Nomination

3.4.1 The nomination form is included as Appendix 2.

3.4.2 Council officers have assessed the nomination to consider whether it meets the criteria set out in the Localism Act 2011, as follows:

3.4.2.1 The nominator The Neighbourhood Project CIC is a local incorporated community interest company limited by guarantee which is eligible to nominate Assets of Community Value. A copy of the articles of association are attached in Appendix 3.

3.4.2.2 The nominated asset is a recreation ground is not exempt from listing

3.4.2.3 The recreation ground furthers social well being and is therefore eligible for listing as an ACV. The Neighbourhood Project CIC states that they believe that it furthers social wellbeing because:

“Bierley Recreation Ground furthers the social wellbeing of the neighbourhood by providing grounds which residents may walk on and may exercise their dogs on due to the public right of way across the fields from Bierley Lane towards Bierley Hall Woods. According to research by the Ramblers Association, having opportunities to walk such as this allows people to exercise with the physical benefits to their health. Being off road and in a green environment also encourages them to relax which again has physical health benefits as well as mental health benefits. Opportunities to walk also provide residents with more of a chance of social interaction and to get to know their neighbours, developing social relationships and a sense of shared community. The Recreation Ground also furthers to sporting interests of the community as it provides a facility for football and other team sports to be played on. The ground has historically been used by Bierley United Football Club and Dudley Hill Rangers Football club and includes a marked-out pitch, changing rooms in a portacabin building on the ground, and benches and litter bins for spectators. It is the only remaining grassed pitch area in Bierley that can be used for playing football.”

3.4.2.4 The recreation ground is currently used as a recreation ground and it is anticipated that it will be used for that purpose for the foreseeable future.

3.4.3 Accordingly, Council officers have assessed that the criteria for listing and consider that these have been met.

3.5 Appeals & Listing

3.5.1 Property owners (but not occupiers) may appeal against the Council’s decision to list their property as an asset of community value. In the first instance the property owner should ask the Council to review its decision. If the Council upholds its decision to list, the owner may appeal to the First Tier Tribunal.

- 3.5.2 There is no provision within the Act for nominators to challenge a decision not to list a property or decision to remove a property from the list following a review. However, the Council will be required to provide nominators with reasons why their application is unsuccessful or why a property has been removed from the list.
- 3.5.3 As mentioned at 3.1.3 above, the listing of land or property as an Asset of Community Value does not prevent a land owner from changing the use of the listed asset. The Act provides that a listed asset can be removed from the list if the nature of the asset changes so that it is unrealistic to expect it to be used for social, sporting, environmental benefits in the near future. An example of substantial change would be the progression of development works.
- 3.5.4 The listing of an asset is not retrospective and has no effect on binding agreements for sale already in place at the date of listing.

4. FINANCIAL & RESOURCE APPRAISAL

In certain circumstances, a property owner may have a right to compensation for losses incurred as a result of listing.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

None

6. LEGAL APPRAISAL

6.1 Land or property may only be listed as an Asset of Community Value where it meets the criteria and definitions set out in the Localism Act 2011 and the Assets of Community Value Regulations (England) 2012.

6.2 Property owners may seek an internal review of a decision to add a property to the List of Assets of Community Value. If the decision is upheld the owners can appeal against the decision to list their property to the First Tier Tribunal.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

None

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

None

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

- 9.1 **Option 1:** Recommend that the Director of Corporate Resources accept the nomination on the grounds that it meets the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
- 9.2 **Option 2:** Recommend that the Director of Corporate Resources reject the nomination on the grounds that it does not meet the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.

10. RECOMMENDATIONS

It is recommended that in accordance with Option 1 that the Director of Corporate Resources be recommended to accept the nomination of the land known as Bierley Recreation Ground as an Asset of Community Value.

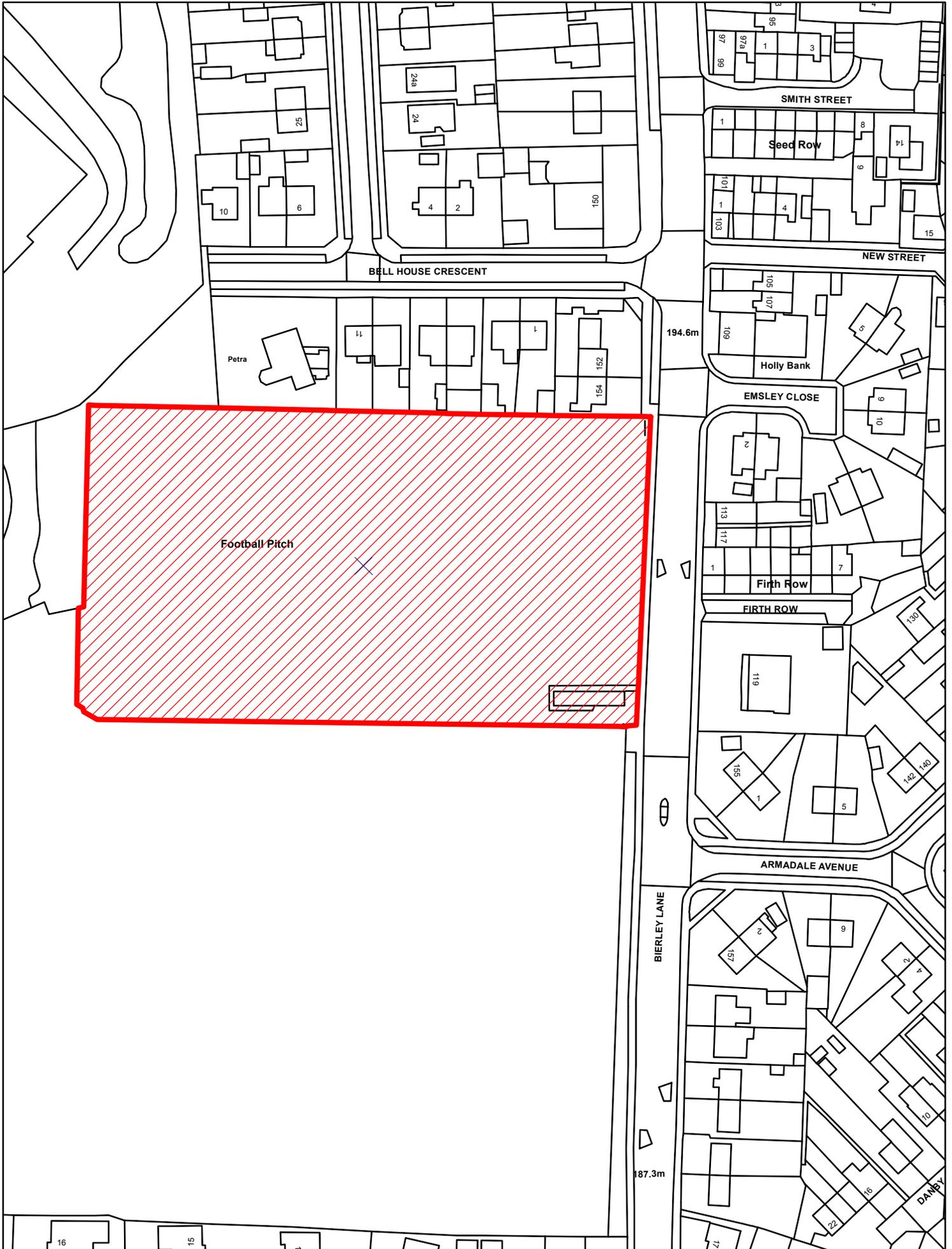
11. APPENDICES

Appendix 1 – Plan
Appendix 2 – Nomination Form (redacted)
Appendix 3 – Articles of Association
Appendix 4 – Memorandum of Association

12. BACKGROUND DOCUMENTS

Report to the Executive meeting of 6th November 2012; The Localism Act 2011 – The Community Right to Bid.

ACV 0080 - Bierley Recreation Ground



Scale at A4
1:1,250

Date: 20/11/2019

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The Localism Act 2011 Community Right to Bid

Application to Nominate Assets of Community Value

You will need to complete this application form if you wish to nominate an asset of community value for listing. The responses to the questions in your application will enable the Council to reach a decision about your nomination. In the event that the information you supply is insufficient to make a decision, your application will be rejected.

Before completing this application, **please read** the information about the Assets of Community Value provisions available on the Council website at <http://www.bradford.gov.uk/communityassets>

This information will help you to better understand whether the asset you propose to nominate meets with the definition of an 'asset of community value'. It also provides additional information about your rights to nominate and bid for assets as well as the rights of asset owners.

Your completed application should be sent, by post or email, to:

Assets of Community Value
City of Bradford Metropolitan District Council
Strategic Asset Management
1st Floor Argus Chambers,
Britannia House,
Bradford.
BD1 1HX

Nigel.Gillatt2@bradford.gov.uk.

For information, the table below summarises the assets of community value nominating and bidding process in four simple stages.

Identify an asset for nomination

If an eligible community or voluntary group thinks that a local asset meets the definition of an Asset of Community Value, they can fill in an application form and ask the Council to list the property. If the nomination meets the relevant criteria and is approved by the Council, the asset will be included on the list. The listing will last for a period of five years although the local authority has the ability to remove the asset from the list before the expiry of that period.

The owner wants to sell their asset

If the owner wants to sell their listed asset, they must notify the Council, who will then notify the community group that nominated the asset and publicise the proposed sale to the wider community. If within six weeks an eligible community interest group does not come forward, the owner is free to sell their asset for a period of eighteen months.

A designated community group wants to bid for the asset

If an eligible community interest group *does* express an interest in bidding for the asset, this group or groups will be granted extra time to prepare a business plan and gather the finance needed to purchase the asset. All in all, the time-frame for groups to put together their bids is six months starting from the time the asset owner informs the Council of their intention to sell the asset.

The point at which the asset is to be sold

The six month window of opportunity (known as 'full moratorium') is only for eligible community interest groups to put their business plans together and gather necessary funding. However, the asset owner may dispose of the property to (another) community interest group at a price agreed between the parties during the full moratorium. Once the six month window has expired, the asset owner is free to sell their property to who they want. They are under no obligation to sell the asset to any eligible community interest group or groups who bid to purchase the asset.

Section 1
Details of the land or building(s) that you are nominating

Please provide information which helps to clarify the exact location and extent of the asset being nominated. This could include:

- Where the land is registered, the Land Registry Title Information document and map with boundaries clearly marked in red (less than one month old). Provision of Land Registry information is not essential but it may help us to reach a decision on the nomination more quickly.
- A written description with ordinance survey location, and explaining where the boundaries lie, the approximate size and location of any building/s on the land and details of any roads bordering the site.
- A drawing or sketch map with boundaries clearly marked in red – websites which might help you in plotting boundaries include: <http://maps.google.co.uk>

If the boundary is not clearly defined, you may be required to submit further evidence prior to your nomination application being accepted.

Name of Asset	Bierley Recreation Ground
Address or location of the asset	Bierley Lane Bierley Bradford BD4 6AL
Description of the asset and its boundaries	A grassed public recreation ground adjacent to Bierley Lane that has historically been used for football matches as well as people walking and exercising their dogs using a right of way across the ground. Please see the attached map for further details of its boundaries.

Section 2
About You

Title	
First Name	
Surname	
Address	
Post Code	
Telephone number	
Email address	
Your relationship to the nominating organisation	

Section 3
About your Organisation

Please provide evidence that you are eligible to make a nomination.

Name of organisation	The Neighbourhood Project CIC	
Organisation type	Place a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company	X	11280216
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

Number of members registered to vote locally (unincorporated bodies)

In the case of an unincorporated body, at least 21 of its individual members must be registered to vote locally. If relevant, please confirm the number of such members and provide the names and addresses of 21 members registered to vote locally. If they are registered to vote in the area of a neighbouring local authority, rather than in Bradford District, please confirm which area that is.

N/A – we are an incorporated body.

Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bradford Council or a neighbouring local authority. In some cases this will be obvious, e.g. an organisation whose activities are confined to the city. If it is not obvious, please explain what your organisation's local connection is.

Our registered company address is in the neighbourhood of Bierley. Two out of five members of our Board of Directors are residents of Bierley and three out of five members of the Board are residents of Bradford. We deliver community learning and capacity-building services, mostly from the Life Centre in Bierley which is the local community centre. Most of our activities have to date been focused on Bierley and this will continue for the foreseeable future. All our current volunteers are also residents of Bierley. We therefore have a very strong local connection with Bierley and more generally with Bradford.

Distribution of surplus funds (*applicable to certain types of organisations only*)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that any surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (i.e. within the administrative area of Bradford or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

As a community interest company limited by guarantee, we have a statutory asset lock which prevents the distribution of surplus funds to our members and all funds must be used for the public benefit the company was set up to achieve.

More about your organisation

What are the main aims and activities of your organisation? If your organisation isn't a registered charity or company, please provide evidence of its status such as trust deed, Articles of Association, constitution where appropriate.

The mission of the Neighbourhood Project CIC is to promote the sustainable environmental, social and economic well-being of neighbourhoods through promoting self-help and community enterprise. In practice, we deliver informal training to residents on topics relating to local regeneration and environmental sustainability, e.g. local food growing, waste reducing and recycling, energy efficiency, etc. We then provide support to turn this new knowledge into action, whether people volunteer for an existing organisation or set up a new project, campaign or group. To date, this work has been focused on Bierley and will continue to do so.

We have also run digital training services that have mainly targeted vulnerable adults and older people to improve their computer skills and using the internet. These have been provided both in groups and on a one-to-one basis in people's homes.

Our aim is to up-skill and encourage active neighbourhoods where residents contribute positively towards local regeneration and sustainability.

Section 4
Owners and others with an interest in the building or land

Current owner(s)'s name and address	City of Bradford Metropolitan District Council City Hall Bradford BD1 1HY
Current leaseholder(s) name and address	N/A
Names and addresses of all current occupants of the land	N/A

Section 5
Reasons for nomination; why you think the land or building is of community value

Please note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does the use of the asset currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

** These could be cultural, recreational and/or sporting interests – please say which one(s) apply.*

Bierley Recreation Ground furthers the social wellbeing of the neighbourhood by providing grounds which residents may walk on and may exercise their dogs on due to the public right of way across the fields from Bierley Lane towards Bierley Hall Woods. According to research by the Ramblers Association, having opportunities to walk such as this allows people to exercise with the physical benefits to their health. Being off road and in a green environment also encourages them to relax which again has physical health benefits as well as mental health benefits. Opportunities to walk also provide residents with more of a chance of social interaction and to get to know their neighbours, developing social relationships and a sense of shared community.

The Recreation Ground also furthers to sporting interests of the community as it provides a facility for football and other team sports to be played on. The ground has historically been used by Bierley United Football Club and Dudley Hill Rangers Football club and includes a marked-out pitch, changing rooms in a portacabin building on the ground, and benches and litter bins for spectators. It is the only remaining grassed pitch area in Bierley that can be used for playing football.

How could the building or land be acquired and used in future?

If it is listed as an asset of community value, community interest groups (not limited to your organisation) will get the opportunity to bid for it if it comes up for sale. Please set out how you think such a group could fund the purchase of the building or land, and how they could run it for the benefit of the community.

The Neighbourhood Project CIC has links with other local community groups such as the Life Centre and, if Bierley Recreation Ground was to come up for sale, we would discuss this with them first before submitting a bid so there was a co-ordinated approach. It would be our intention to ensure that the Recreation Ground was retained for community benefit, whoever in the end owned and managed it. Our preference would be to negotiate a community asset transfer with Bradford Council, most likely on a leasehold basis where either we or another not-for-profit organisation became the leaseholder and responsible for the day-to-day management of the ground.

There are many examples of recreation grounds being run by community groups, for instance Heeley Trust in Sheffield. Often these are run mostly or exclusively by volunteers and they can vary in legal form from community interest companies through to registered charities. There are many national funders which have provided grants for the upkeep of recreation grounds depending on what they are used for and these include the National Lottery Community Fund, Sport England, the Angus Irving Playing Fields Fund, landfill tax fund distributors and various trusts and foundations. Support on managing such grounds can be provided by bodies like the National Playing Fields Association. Depending on the results of discussions with other community groups, we would be mindful to negotiate a lease with the Council. Some of our volunteers would be prepared to give their time with the day-to-day running of the Recreation Ground.

Section 6
Submitting your nomination

What to include

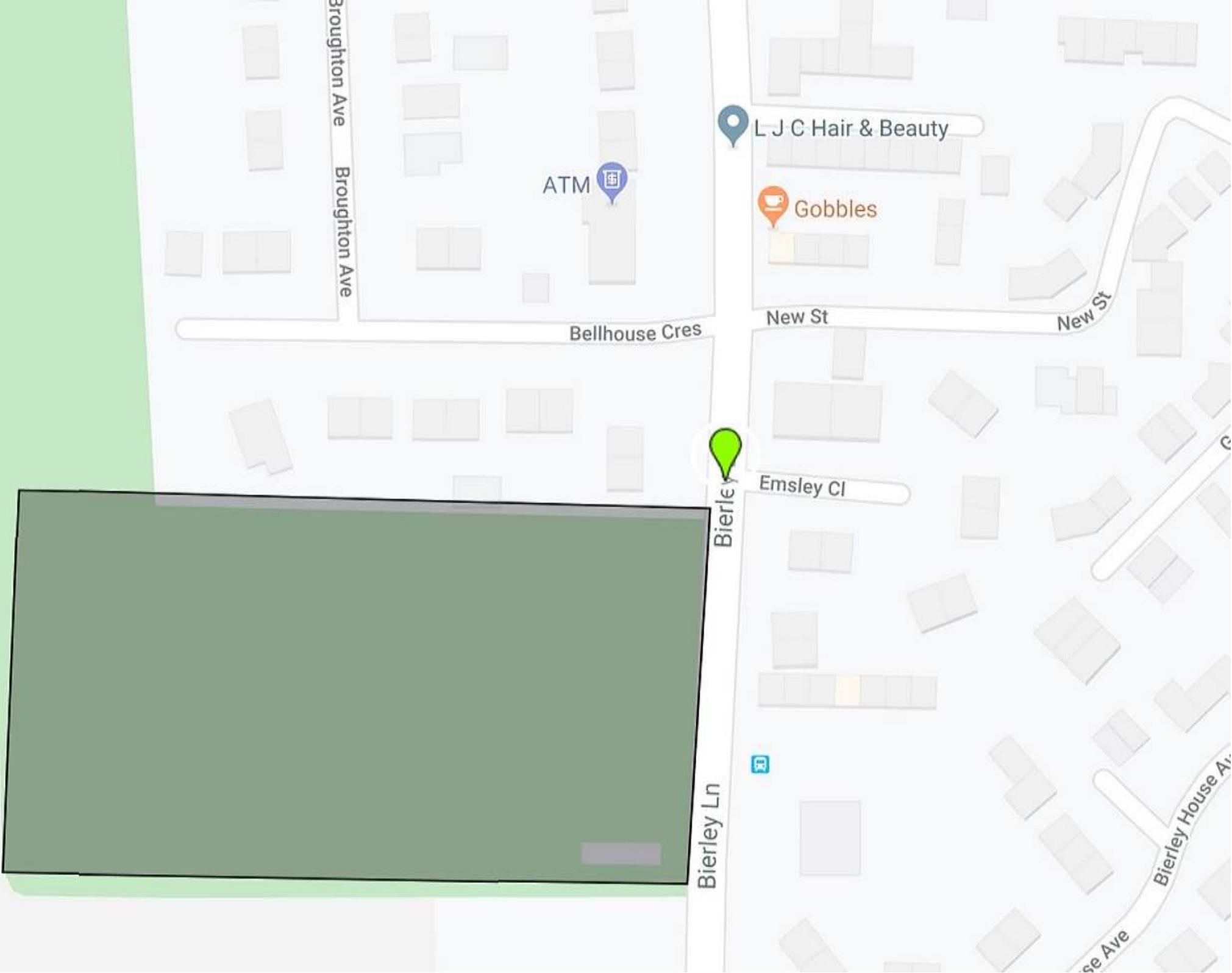
- Your organisation's constitution, Articles of Association or Trust Deed
- Your location plan of the asset that you are nominating

Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

Date 17/11/2019



The Companies Act 2006

Community Interest Company Limited by Guarantee

Articles of Association¹

of

The Neighbourhood Project C.I.C.

(CIC Limited by Guarantee, Schedule 1, Small Membership)

The Companies Act 2006
Community Interest Company Limited by Guarantee

INDEX TO THE ARTICLES

INTERPRETATION.....	1
1. Defined Terms	1
2. Community Interest Company	1
3. Asset Lock	1
4. Not for profit	2
OBJECTS, POWERS AND LIMITATION OF LIABILITY	2
5. Objects	2
6. Powers	2
7. Liability of members	2
DIRECTORS	2
DIRECTORS' POWERS AND RESPONSIBILITIES	2
8. Directors' general authority	2
9. Members' reserve power	2
10. Chair	3
11. Directors may delegate	3
DECISION-MAKING BY DIRECTORS	3
12. Directors to take decisions collectively	3
13. Calling a Directors' meeting	3
14. Participation in Directors' meetings	4
15. Quorum for Directors' meetings	4
16. Chairing of Directors' meetings	4
17. Decision-making at meetings	5
18. Decisions without a meeting	5
19. Conflicts of interest	5
20. Directors' power to authorise a conflict of interest	6
21. Register of Directors' interests	6
APPOINTMENT AND RETIREMENT OF DIRECTORS	6
22. Methods of appointing Directors	6
23. Termination of Director's appointment	7
24. Directors' remuneration	7
25. Directors' expenses	8
MEMBERS	8
BECOMING AND CEASING TO BE A MEMBER.....	8
26. Becoming a member	8
27. Termination of membership	8
DECISION MAKING BY MEMBERS	9
28. Members' meetings	9
29. Written resolutions	9
ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS	10
30. Means of communication to be used	10
31. Irregularities	10
32. Minutes	10
33. Records and accounts	11
34. Indemnity	11
35. Insurance	12

36. Exclusion of model articles	12
SCHEDULE.....	13

The Companies Act 2006
Articles of Association
of
The Neighbourhood Project C.I.C.

INTERPRETATION

1. Defined Terms

1.1 The interpretation of these Articles is governed by the provisions set out in the Schedule at the end of the Articles.

COMMUNITY INTEREST COMPANY AND ASSET LOCK

2. Community Interest Company

The Company is to be a community interest company.

3. Asset Lock²

3.1 The Company shall not transfer any of its assets other than for full consideration.

3.2 Provided the conditions in Article 3.3 are satisfied, Article 3.1 shall not apply to:

- (a) the transfer of assets to any specified asset-locked body, or (with the consent of the Regulator) to any other asset-locked body; and
- (b) the transfer of assets made for the benefit of the community other than by way of a transfer of assets into an asset-locked body.

3.3 The conditions are that the transfer of assets must comply with any restrictions on the transfer of assets for less than full consideration which may be set out elsewhere in the memorandum and Articles of the Company.

3.4 If:

3.4.1 the Company is wound up under the Insolvency Act 1986; and

3.4.2 all its liabilities have been satisfied

any residual assets shall be given or transferred to the asset-locked body specified in Article 3.5 below.

3.5 For the purposes of this Article 3, the following asset-locked body is specified as a potential recipient of the Company's assets under Articles 3.2 and 3.4:

Name: The Scurrah Wainwright Charity

Charity Registration Number: 1002755

Registered Office: 19 Wadsworth Lane, Hebden Bridge, West Yorkshire, HX7 8DL ³

4. Not for profit

4.1 The Company is not established or conducted for private gain: any surplus or assets are used principally for the benefit of the community.

OBJECTS, POWERS AND LIMITATION OF LIABILITY

5. Objects⁴

The objects of the Company are to carry on activities which benefit the community and in particular, but without limitation, to promote the sustainable environmental, social and economic well-being of neighbourhoods through encouraging self-help and community enterprise.

6. Powers

6.1 To further its objects the Company may do all such lawful things as may further the Company's objects and, in particular, but, without limitation, may borrow or raise and secure the payment of money for any purpose including for the purposes of investment or of raising funds.

7. Liability of members⁵

The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- 7.1 payment of the Company's debts and liabilities contracted before he or she ceases to be a member;
- 7.2 payment of the costs, charges and expenses of winding up; and
- 7.3 adjustment of the rights of the contributories among themselves.

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES⁶

8. Directors' general authority

Subject to the Articles, the Directors are responsible for the management of the Company's business, for which purpose they may exercise all the powers of the Company.

9. Members' reserve power

- 9.1 The members may, by special resolution, direct the Directors to take, or refrain from taking, specific action.
- 9.2 No such special resolution invalidates anything which the Directors have done before the passing of the resolution.

10. Chair

The Directors may appoint one of their number to be the chair of the Directors for such term of office as they determine and may at any time remove him or her from office.

11. Directors may delegate⁷

11.1 Subject to the Articles, the Directors may delegate any of the powers which are conferred on them under the Articles or the implementation of their decisions or day to day management of the affairs of the Company:

11.1.1 to such person or committee;

11.1.2 by such means (including by power of attorney);

11.1.3 to such an extent;

11.1.4 in relation to such matters or territories; and

11.1.5 on such terms and conditions;

as they think fit.

11.2 If the Directors so specify, any such delegation of this power may authorise further delegation of the Directors' powers by any person to whom they are delegated.

11.3 The Directors may revoke any delegation in whole or part, or alter its terms and conditions.

DECISION-MAKING BY DIRECTORS

12. Directors to take decisions collectively⁸

Any decision of the Directors must be either a majority decision at a meeting or a decision taken in accordance with Article 18. In the event of the Company having only one Director, a majority decision is made when that single Director makes a decision.

13. Calling a Directors' meeting

13.1 One Director may (and the Secretary, if any, must at the request of one Director) call a Directors' meeting.

13.2 A Directors' meeting must be called by at least seven Clear Days' notice unless either:

13.2.1 all the Directors agree; or

13.2.2 urgent circumstances require shorter notice.

13.3 Notice of Directors' meetings must be given to each Director.

- 13.4 Every notice calling a Directors' meeting must specify:
- 13.4.1 the place, day and time of the meeting; and
 - 13.4.2 if it is anticipated that Directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 13.5 Notice of Directors' meetings need not be in Writing.
- 13.6 Notice of Directors' meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

14. Participation in Directors' meetings

- 14.1 Subject to the Articles, Directors participate in a Directors' meeting, or part of a Directors' meeting, when:
- 14.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 14.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 14.2 In determining whether Directors are participating in a Directors' meeting, it is irrelevant where any Director is or how they communicate with each other.⁹
- 14.3 If all the Directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

15. Quorum for Directors' meetings¹⁰

- 15.1 At a Directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 15.2 The quorum for Directors' meetings may be fixed from time to time by a decision of the Directors, but it must never be less than one, and unless otherwise fixed it is one.
- 15.3 If the total number of Directors for the time being is less than the quorum required, the Directors must not take any decision other than a decision:
- 15.3.1 to appoint further Directors; or
 - 15.3.2 to call a general meeting so as to enable the members to appoint further Directors.

16. Chairing of Directors' meetings

The Chair, if any, or in his or her absence another Director nominated by the Directors present shall preside as chair of each Directors' meeting.

17. Decision-making at meetings¹¹

17.1 Questions arising at a Directors' meeting shall be decided by a majority of votes.

17.2 In all proceedings of Directors each Director must not have more than one vote.¹²

17.3 In case of an equality of votes, the Chair shall have a second or casting vote.

18. Decisions without a meeting¹³

18.1 The Directors may take a unanimous decision without a Directors' meeting in accordance with this Article by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Director or to which each Director has otherwise indicated agreement in Writing.

18.2 A decision which is made in accordance with Article 18.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

18.2.1 approval from each Director must be received by one person being either such person as all the Directors have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may, for the avoidance of doubt, be one of the Directors;

18.2.2 following receipt of responses from all of the Directors, the Recipient must communicate to all of the Directors by any means whether the resolution has been formally approved by the Directors in accordance with this Article 18.2;

18.2.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

18.2.4 the Recipient must prepare a minute of the decision in accordance with Article 32.

19. Conflicts of interest¹⁴

19.1 Whenever a Director finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Directors unless, or except to the extent that, the other Directors are or ought reasonably to be aware of it already.

19.2 If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Directors.

19.3 Whenever a matter is to be discussed at a meeting or decided in accordance with Article 18 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 20, he or she must:

19.3.1 remain only for such part of the meeting as in the view of the other Directors is necessary to inform the debate;

19.3.2 not be counted in the quorum for that part of the meeting; and

19.3.3 withdraw during the vote and have no vote on the matter.

19.4 When a Director has a Conflict of Interest which he or she has declared to the Directors, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

20. Directors' power to authorise a conflict of interest

20.1 The Directors have power to authorise a Director to be in a position of Conflict of Interest provided:

20.1.1 in relation to the decision to authorise a Conflict of Interest, the conflicted Director must comply with Article 19.3;

20.1.2 in authorising a Conflict of Interest, the Directors can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Director with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

20.1.3 the decision to authorise a Conflict of Interest can impose such terms as the Directors think fit and is subject always to their right to vary or terminate the authorisation.

20.2 If a matter, or office, employment or position, has been authorised by the Directors in accordance with Article 20.1 then, even if he or she has been authorised to remain at the meeting by the other Directors, the Director may absent himself or herself from meetings of the Directors at which anything relating to that matter, or that office, employment or position, will or may be discussed.

20.3 A Director shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the Directors in accordance with Article 20.1 (subject to any limits or conditions to which such approval was subject).

21. Register of Directors' interests

The Directors shall cause a register of Directors' interests to be kept. A Director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF DIRECTORS¹⁵

22. Methods of appointing Directors

22.1 Those persons notified to the Registrar of Companies as the first Directors of the Company shall be the first Directors.

22.2 Any person who is willing to act as a Director, and is permitted by law to do so, may be appointed to be a Director by a decision of the Directors.

23. Termination of Director's appointment¹⁶

A person ceases to be a Director as soon as:

- (a) that person ceases to be a Director by virtue of any provision of the Companies Act 2006, or is prohibited from being a Director by law;
- (b) a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least one Director will remain in office when such resignation has taken effect); or
- (e) the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason.
- (f) the Director ceases to be a member.

24. Directors' remuneration¹⁷

24.1 Directors may undertake any services for the Company that the Directors decide.

24.2 Directors are entitled to such remuneration as the Directors determine:

- (a) for their services to the Company as Directors; and
- (b) for any other service which they undertake for the Company.

24.3 Subject to the Articles, a Director's remuneration may:

- (a) take any form; and
- (b) include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.

24.4 Unless the Directors decide otherwise, Directors' remuneration accrues from day to day.

24.5 Unless the Directors decide otherwise, Directors are not accountable to the Company for any remuneration which they receive as Directors or other officers or employees

of the Company's subsidiaries or of any other body corporate in which the Company is interested.

25. Directors' expenses

25.1 The Company may pay any reasonable expenses which the Directors properly incur in connection with their attendance at:

- (a) meetings of Directors or committees of Directors;
- (b) general meetings; or
- (c) separate meetings of any class of members or of the holders of any debentures of the Company,

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

MEMBERS¹⁸

BECOMING AND CEASING TO BE A MEMBER¹⁹

26. Becoming a member²⁰

- 26.1 The subscribers to the Memorandum are the first members of the Company.
- 26.2 Such other persons as are admitted to membership in accordance with the Articles shall be members of the Company.
- 26.3 Each member of the company shall be a Director.
- 26.4 No person shall be admitted a member of the Company unless he or she is approved by the Directors.
- 26.5 Every person who wishes to become a member shall deliver to the company an application for membership in such form (and containing such information) as the Directors require and executed by him or her.

27. Termination of membership²¹

- 27.1 Membership is not transferable to anyone else.
- 27.2 Membership is terminated if:
 - 27.2.1 the member dies or ceases to exist;
 - 27.2.2 otherwise in accordance with the Articles; or
 - 27.2.3 a member ceases to be a Director.

DECISION MAKING BY MEMBERS

28. Members' meetings²²

- 28.1 The Directors may call a general meeting at any time.
- 28.2 General meetings must be held in accordance with the provisions regarding such meetings in the Companies Acts.²³
- 28.3 A person who is not a member of the Company shall not have any right to vote at a general meeting of the Company; but this is without prejudice to any right to vote on a resolution affecting the rights attached to a class of the Company's debentures.²⁴
- 28.4 Article 28.3 shall not prevent a person who is a proxy for a member or a duly authorised representative of a member from voting at a general meeting of the Company.

29. Written resolutions

- 29.1 Subject to Article 29.3, a written resolution of the Company passed in accordance with this Article 29 shall have effect as if passed by the Company in general meeting:
- 29.1.1 A written resolution is passed as an ordinary resolution if it is passed by a simple majority of the total voting rights of eligible members.
- 29.1.2 A written resolution is passed as a special resolution if it is passed by members representing not less than 75% of the total voting rights of eligible members. A written resolution is not a special resolution unless it states that it was proposed as a special resolution.
- 29.2 In relation to a resolution proposed as a written resolution of the Company the eligible members are the members who would have been entitled to vote on the resolution on the circulation date of the resolution.
- 29.3 A members' resolution under the Companies Acts removing a Director or an auditor before the expiration of his or her term of office may not be passed as a written resolution.
- 29.4 A copy of the written resolution must be sent to every member together with a statement informing the member how to signify their agreement to the resolution and the date by which the resolution must be passed if it is not to lapse. Communications in relation to written notices shall be sent to the Company's auditors in accordance with the Companies Acts.
- 29.5 A member signifies their agreement to a proposed written resolution when the Company receives from him or her an authenticated Document identifying the resolution to which it relates and indicating his or her agreement to the resolution.
- 29.5.1 If the Document is sent to the Company in Hard Copy Form, it is authenticated if it bears the member's signature.

- 29.5.2 If the Document is sent to the Company by Electronic Means, it is authenticated if it bears the member's signature or if the identity of the member is confirmed in a manner agreed by the Directors or if it is accompanied by a statement of the identity of the member and the Company has no reason to doubt the truth of that statement or if it is from an email Address notified by the member to the Company for the purposes of receiving Documents or information by Electronic Means.
- 29.6 A written resolution is passed when the required majority of eligible members have signified their agreement to it.
- 29.7 A proposed written resolution lapses if it is not passed within 28 days beginning with the circulation date.

ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS

30. Means of communication to be used

- 30.1 Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for Documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Company.
- 30.2 Subject to the Articles, any notice or Document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or Documents for the time being.
- 30.3 A Director may agree with the Company that notices or Documents sent to that Director in a particular way are to be deemed to have been received within an agreed time of their being sent, and for the agreed time to be less than 48 hours.

31. Irregularities

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not referred to in the notice unless a provision of the Companies Acts specifies that such informality, irregularity or want of qualification shall invalidate it.

32. Minutes

- 32.1 The Directors must cause minutes to be made in books kept for the purpose:
- 32.1.1 of all appointments of officers made by the Directors;
- 32.1.2 of all resolutions of the Company and of the Directors (including, without limitation, decisions of the Directors made without a meeting); and

32.1.3 of all proceedings at meetings of the Company and of the Directors, and of committees of Directors, including the names of the Directors present at each such meeting;

and any such minute, if purported to be signed (or in the case of minutes of Directors' meetings signed or authenticated) by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any member or Director of the Company, be sufficient evidence of the proceedings.

32.2 The minutes must be kept for at least ten years from the date of the meeting, resolution or decision.

33. Records and accounts²⁵

The Directors shall comply with the requirements of the Companies Acts as to maintaining a members' register, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Regulator of:

33.1 annual reports;

33.2 annual returns; and

33.3 annual statements of account.

33.4 Except as provided by law or authorised by the Directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or Documents merely by virtue of being a member.

34. Indemnity

34.1 Subject to Article 34.2, a relevant Director of the Company or an associated company may be indemnified out of the Company's assets against:

(a) any liability incurred by that Director in connection with any negligence, default, breach of duty or breach of trust in relation to the Company or an associated company;

(b) any liability incurred by that Director in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006); and

(c) any other liability incurred by that Director as an officer of the Company or an associated company.

34.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

34.3 In this Article:

- (a) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and
- (b) a “relevant Director” means any Director or former Director of the Company or an associated company.

35. Insurance

35.1 The Directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant Director in respect of any relevant loss.

35.2 In this Article:

- (a) a “relevant Director” means any Director or former Director of the Company or an associated company;
- (b) a “relevant loss” means any loss or liability which has been or may be incurred by a relevant Director in connection with that Director’s duties or powers in relation to the Company, any associated company or any pension fund or employees’ share scheme of the company or associated company; and
- (c) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

36. Exclusion of model articles

The relevant model articles for a company limited by guarantee are hereby expressly excluded.

SCHEDULE
INTERPRETATION

Defined terms

1. In the Articles, unless the context requires otherwise, the following terms shall have the following meanings:

<u>Term</u>	Meaning
1.1 “Address”	includes a number or address used for the purposes of sending or receiving Documents by Electronic Means;
1.2 “Articles”	the Company’s articles of association;
1.3 “asset-locked body”	means (i) a community interest company, a charity ²⁶ or a Permitted Industrial and Provident Society; or (ii) a body established outside the United Kingdom that is equivalent to any of those;
1.4 “bankruptcy”	includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
1.5 “Chair”	has the meaning given in Article 10;
1.6 “Circulation Date”	in relation to a written resolution, has the meaning given to it in the Companies Acts;
1.7 “Clear Days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
1.8 “community”	is to be construed in accordance with accordance with Section 35(5) of the Company’s (Audit) Investigations and Community Enterprise) Act 2004;
1.9 “Companies Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company;
1.10 “Company”	The Neighbourhood Project C.I.C.;
1.11 “Conflict of Interest”	any direct or indirect interest of a Director (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Company;

1.12	“Director”	a director of the Company, and includes any person occupying the position of director, by whatever name called;
1.13	“Document”	includes, unless otherwise indicated, any document sent or supplied in Electronic Form;
1.14	“Electronic Form” and “Electronic Means”	have the meanings respectively given to them in Section 1168 of the Companies Act 2006;
1.15	“Hard Copy Form”	has the meaning given to it in the Companies Act 2006;
1.16	“Memorandum”	the Company’s memorandum of association;
1.17	“participate”	in relation to a Directors’ meeting, has the meaning given in Article 14;
1.18	“Permitted Industrial and Provident Society”	an industrial and provident society which has a restriction on the use of its assets in accordance with Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations 2006 or Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006;
1.19	“the Regulator”	means the Regulator of Community Interest Companies;
1.20	“Secretary”	the secretary of the Company (if any);
1.21	“specified”	means specified in the memorandum or articles of association of the Company for the purposes of this paragraph;
1.22	“subsidiary”	has the meaning given in section 1159 of the Companies Act 2006;
1.23	“transfer”	includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest in, or right over, any property; and
1.24	“Writing”	the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in Electronic Form or otherwise.

2. **Subject to clause 3** of this Schedule, any reference in the Articles to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it.
3. Unless the context otherwise requires, other words or expressions contained in these Articles bear the same meaning as in the Companies Acts as in force on the date when these Articles become binding on the Company.

¹ On articles of association generally, see [Part 5] of the Regulator’s information and guidance notes. If you are an existing company wishing to become a community interest company, there is no need to adopt completely new articles, but you must comply with the requirements of the Community Interest Company Regulations 2005 (as amended) (“the Regulations”) by including the provisions set out in Schedule 1 to the Regulations in the articles of your company.

² See [Part 6] of the Regulator’s information and guidance notes. Inclusion of the provisions contained in article 3.1 to 3.3 is mandatory, reflecting sub-paragraphs (1) to (3) of paragraph 1 of Schedule 1 to the Regulations

³ See regulation 23 of the Regulations and [Parts 6 and 10] of the Regulator’s information and guidance notes. If the company does not specify that the remaining residual assets are to be transferred to a particular Asset Locked Body, an appropriate recipient will be chosen by the Regulator, in consultation with the company’s directors and members.

⁴ On the specification of the company’s objects, see [Part 5] of the Regulator’s information and guidance notes

⁵ On limited liability, see [Part 3] of the Regulator’s information and guidance notes. On guarantees generally see [Chapter 3.2] of the Regulator’s information and guidance notes.

⁶ Note that although this model constitution assumes that all Directors are Members and all Members are Directors, and the Directors are given wide powers, under the Articles (and company law more generally) there are still some decisions which Members must make as Members (either in general meeting under the Companies Act 2006 (article 28.2), or by written resolution in accordance with article 29). [See in general the Companies House guidance booklet, “Resolutions” (available online at <http://www.companieshouse.gov.uk/about/gbhtml/gba7.shtml>).].

⁷ Article 11 permits the Directors to delegate any of their functions. Delegation may take the form of, for instance, the Directors giving a managing director general authority to run the company’s day to day business, or responsibility for specific matters being delegated to particular directors (e.g. financial matters to a finance director); or it may be equally appropriate to delegate matters to persons other than Directors. In all cases, it is important to remember that delegation does not absolve Directors of their general duties towards the company and their overall responsibility for its management. This means that, amongst other things, Directors must be satisfied that those to whom responsibilities are delegated are competent to carry them out.

⁸ Article 12 states that the Directors must make decisions by majority at a meeting in accordance with article 14; or unanimously if taken in accordance with article 18.

⁹ Article 14.2 is designed to facilitate the taking of decisions by the directors communicating via telephone or video conference calls. Note the requirement to keep a written record of meetings and decisions (article 32).

¹⁰ The quorum may be fixed in absolute terms (e.g. “two Directors”) or as a proportion of the total number of Directors (e.g. “one third of the total number of Directors”). You may even wish to stipulate that particular named Directors, or Directors representing particular stakeholder interests, must be present to constitute a quorum.

¹¹ Article 17 reflects paragraph 4 of Schedule 1 to the Regulations, which is required to be included in the articles of all community interest companies.

¹² You may wish to include a provision which gives the chair of the board a casting vote. This will enable the directors to resolve any deadlock at board level.

¹³ Article 18 is designed to facilitate the taking of decisions by directors following discussions in the form of, for example, email exchanges copied to all the directors. Note the requirements as to recording the decision in articles 18.2 and 32.

¹⁴ The provisions in articles 19 and 20 reflect the position under the Companies Act 2006. However, it is recommended that, as a matter of good practice, all actual and potential conflicts of interest are disclosed in writing or at a meeting, as the case may be.

¹⁵ Private companies are obliged to have at least one director. Provisions can be inserted into the articles providing for a minimum number of directors. Where the company has just one director, that director must be a natural person. Article 12 notes that, where there is only one director, a majority decision is reached when that director makes a decision. In the case of a single director, the quorum provisions (article 15) will need to be amended accordingly.

¹⁶ The board of directors cannot remove a director other than in accordance with the provisions in article 23 and the Companies Act 2006.

¹⁷ See the guidance on directors’ remuneration in [Part 9] of the Regulator’s information and guidance notes.

¹⁸ See section 112 of the Companies Act 2006. A company’s members are (i) the subscribers to its memorandum; and (ii) every other person who agrees to become a member of the company and whose name is entered in its register of members.

¹⁹ There is no need for all those who wish to become Members to subscribe to the Memorandum on incorporation; they can become Members and be entered in the register of Members after the company has been

formed. However, since this model constitution assumes that all Members are also Directors, all Members will also have to be validly appointed as Directors under article 22.

²⁰ Inclusion of the provisions in article 26 (other than 26.3) is mandatory and reflects paragraphs 2(1)-(4) of Schedule 1 to the Regulations. [Directors should ensure that the information to be included on an application form includes all the information which will be required to fill in Companies House Form [288a] on the appointment of the new Member as a Director (see:

<http://www.companieshouse.gov.uk/forms/generalForms/288A.pdf>.)] Article 26.3 provides that the Directors are also members of the company.

²¹ Inclusion of the provisions of article 27.1 and 27.2.1 – 27.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

²² The Companies Act 2006 has removed the need for private companies to hold annual general meetings and therefore these Articles follow suit; however, if you wish, you can insert an additional provision which obliges the company to hold annual general meetings.

²³ Article 28.2 provides that general meetings must be held in accordance with the provisions of the Companies Act 2006. You may insert additional provisions that specify how many Members are required to be present to hold a valid general meeting. The quorum may be fixed in absolute terms (e.g. “four Members”) or as a proportion of the total number of Members (e.g. “three quarters of the Members from time to time”). You may even wish to stipulate that particular named Members, or Members representing particular stakeholder interests, must be present to constitute a quorum. In any event, it is recommended that the quorum should never be less than half of the total number of Members.

²⁴ Inclusion of the provisions of article 28.3 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

²⁵ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>.)] On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

²⁶ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”.

The Companies Act 2006

Community Interest Company Limited by Guarantee ⁱ

Memorandum of Association

of

The Neighbourhood Project C.I.C. ⁱⁱ

The Companies Act 2006
Community Interest Company Limited by Guarantee
Memorandum of Associationⁱⁱⁱ
of
The Neighbourhood Project C.I.C.

Each subscriber to this Memorandum of Association wishes to form a company under the Companies Act 2006 and agrees to become a member of the Company.

Name of each subscriber^{iv}
subscriber

Authentication by each

Mr Jonathan Derrick Crewdson

Dated

01/03/2018

ⁱ On the different limited company forms available to CICs, see [Part 3] of the Regulator’s information and guidance notes.

ⁱⁱ Section 33 of the Companies (Audit Investigations and Community Enterprise) Act 2004 provides that the name of any community interest company which is not a public company must end with either the words “community interest company” or the letters “c.i.c.” (or, if the articles state that the company’s registered office is to be situated in Wales, with the words “cwmni buddiant cymunedol” or the initials “c.b.c.”).

ⁱⁱⁱ For companies incorporated after 1 October 2009 the memorandum of association will consist only of the names of the subscribers of the company. If you are an existing company incorporated prior to 1 October 2009 and wishing to become a community interest company, you will need to incorporate the relevant provisions of your current memorandum into the articles of the community interest company.

^{iv} For illustration, space for one subscriber has been supplied here. There is no upper limit to the number of subscribers and further entries may be added as appropriate.

Report of the Strategic Director of Corporate Services to the meeting of Bradford South Area Committee to be held on 30th January 2020 at 5.00pm at City Hall, Bradford

R

Subject:

**Nomination to list property as an Asset of Community Value –
Land at Spen View Lane, Bierley, Bradford**

Summary statement:

**The Council has received a nomination to list an area of land at Spen View Lane
as an Asset of Community Value under the Localism Act 2011.**

**This report considers whether the nomination and nominated asset meet the Asset
of Community Value criteria set out in the Localism Act and contains a
recommendation as to whether or not the nomination should be approved.**

Joanne Hyde
Strategic Director, Corporate
Resources

**Portfolio:
Regeneration, Planning & Transport**

Report Contact: Nigel Gillatt,
Senior Estates Surveyor
E-mail: ACVTeam@bradford.gov.uk

**Overview & Scrutiny Area:
Corporate**

1. SUMMARY

- 1.1 The Council has received a nomination to list an area of land at Spen View Lane as an Asset of Community Value under the Localism Act 2011 which is shown edged and shaded red on the attached plan attached in Appendix 1.
- 1.2 The nomination was made on 17th November 2019. This report considers whether the nomination and nominated asset meet the Asset of Community Value Criteria set out in the Localism Act and contains a recommendation as to whether or not the Director of Corporate Services should approve the Asset of Community Value nomination.

2. BACKGROUND

- 2.1 The Community Right to Bid provisions of the Localism Act 2011 came into effect on 21st September 2012. The purpose of the provisions is to allow communities time to prepare bids for land and property assessed as being of benefit to the community when those assets come up for disposal.
- 2.2 Part of the site previously was subject to a planning application to develop it for housing, which was withdrawn.
- 2.3 It has been announced that another part of the site is being considered by the Council for the siting of a crematorium.

3. OTHER CONSIDERATIONS

3.1 The Community Right to Bid

- 3.1.1 Local community groups and parish councils are able to nominate privately and publicly owned land and property for inclusion on a list of assets of community value. The list is maintained by CBMDC which is also responsible for managing the process for determining whether a nomination of a property as an asset of community value is successful. At its meeting of 6th November 2012 the Executive resolved that Area Committee should recommend a determination of the nomination to the Director of Corporate Services who makes the decision.
- 3.1.2 The listing of land or property as an Asset of Community Value has the effect of preventing owners from disposing of their listed property without first notifying the Council of their intention to sell. The notification of intention to sell triggers a six week moratorium on disposal during which local community groups and parish councils are able to express an interest in bidding for the property. If no expressions of interest are received the owner is free to dispose of his property at the end of the six week period. If an expression of interest is received the initial six week moratorium extends to six months to allow community groups and parish councils to prepare to bid for the property or to negotiate with the property owner. At the end of the six month period the owner is able to sell the property to whoever they want and by whatever means they wish. If the property is not sold within 18 months of the

notification of intention to sell the disposal process must start again. Once sold the property is removed from the list.

3.1.3 The Community Right to Bid provisions **do not**:

- Give community groups or parish councils a right of first refusal when listed land and buildings come up for sale.
- Give community groups or a parish council the right to purchase land and property listed as assets of community value at a reduced price i.e. less than market value.
- Compel a property owner to sell to a community group or parish council. Once the procedures set out in the Act are complied with property owners are free to sell their property to whomever they wish.
- Restrict how a property owner can use their property.

3.2 Definition of an Asset of Community Value

3.2.1 The Act provides that land or property falls within the definition of asset of community value where a current non-ancillary use furthers the social wellbeing or social interests of the local community **and** where it is realistic to think that such a use can continue, whether or not in the same way. Social interests include culture, recreation and sport. A property will also qualify when a non-ancillary use in the recent past meets the definition **and** it is realistic to think that its use may again fall within the definition within the next five years (whether or not in the same way as before).

3.2.2 The Act sets out details of certain types of land and property which are exempt from the Community Right to Bid provisions.

3.3 Who can nominate an asset to be listed

3.3.1 Nominations to list an asset as being of community value can be made by:

- A local voluntary or community group that is incorporated – this means it has a separate legal status from its members.
- A local voluntary or community group that is not incorporated but has at least 21 members who appear on the electoral roll within CBMDC or a neighbouring authority.
- A parish council.
- Neighbouring parish councils – if a parish council borders another parish council area it may nominate an asset within that area.
- Community interest groups with a local connection which has one of the following structures:
 - a) A charity
 - b) A community interest company
 - c) A company limited by guarantee that is non-profit-distributing
 - d) An industrial provident society that is non-profit-distributing

For a local group to be able to nominate it must be able to demonstrate that its activities are wholly or partly concerned with the local authority area within which the asset is located or with a neighbouring authority (which shares a boundary with Bradford).

3.4 The Nomination

3.4.1 The nomination form is included as Appendix 2.

3.4.2 Council officers have assessed the nomination to consider whether it meets the criteria set out in the Localism Act 2011, as follows:

3.4.2.1 The nominator, The Neighbourhood Project CIC, is a local incorporated community interest company limited by guarantee which is eligible to nominate Assets of Community Value. A copy of the articles of association are attached in Appendix 3.

3.4.2.2 The current predominant use is as agricultural and pony grazing which is not exempt from being listed as an Asset of Community Value.

3.4.2.3 The nominator states: "These grassed fields further the social wellbeing of the community of Bierley by providing grounds which residents may walk on and may exercise their dogs on due to the public rights of way across the fields: one running from Spen View Lane down the side of Lockwood Barn towards the dismantled railway line and the other from Shetcliffe Lane opposite Shetcliffe Road and towards the dismantled railway line and old slate mine area. These public rights of way have been established for well over a century and appear on historic maps of Bierley. Exercising their 'right to roam' under the Countryside and Rights of Way Act 2000, many users of these fields regularly deviate from these public rights of way to walk and exercise their dogs generally across the fields. As this part of Bierley has now become built up with housing and roads, the fields provide a green escape for residents"

It is understood that the site has been used for farm land and more recently for the grazing of horses. The land is fenced with gated foot path access for the public footpaths which cross the site. The Countryside and Right of Way Act 2000 give a right to roam over certain specified classes of land. The site nominated is not one of these classes and there is no right to roam across the land. Deviating from footpaths and letting dogs run free is therefore considered a trespass.

The use for recreation is considered to be an ancillary use and is not the main use of the land. No evidence has been provided of the extent of the public use and there is no evidence that the community has maintained the land or enhanced its usability to further social wellbeing.

It is considered that the recreational use that has taken place has been unlawful and that this use has been ancillary to the primary use of the land and that the use of land does not therefore meet the requirements of an Asset of Community value.

3.4.2.4 It is considered that the current use does not meet the requirements to list and there is no evidence that this is likely to change within the next 5 years.

3.4.3 Accordingly, Council officers who have assessed that the criteria for listing these have not been met.

3.5 Appeals & Listing

3.5.1 Property owners (but not occupiers) may appeal against the Council's decision to list their property as an asset of community value. In the first instance the property owner should ask the Council to review its decision. If the Council upholds its decision to list, the owner may appeal to the First Tier Tribunal.

3.5.2 There is no provision within the Act for nominators to challenge a decision not to list a property or decision to remove a property from the list following a review. However, the Council will be required to provide nominators with reasons why their application is unsuccessful or why a property has been removed from the list.

3.5.3 As mentioned at 3.1.3 above, the listing of land or property as an Asset of Community Value does not prevent a land owner from changing the use of the listed asset. The Act provides that a listed asset can be removed from the list if the nature of the asset changes so that it is unrealistic to expect it to be used for social, sporting, environmental benefits in the near future. An example of substantial change would be the progression of development works.

3.5.4 The listing of an asset is not retrospective and has no effect on binding agreements for sale already in place at the date of listing.

4. FINANCIAL & RESOURCE APPRAISAL

In certain circumstances, a property owner may have a right to compensation for losses incurred as a result of listing.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

None

6. LEGAL APPRAISAL

6.1 Land or property may only be listed as an Asset of Community Value where it meets the criteria and definitions set out in the Localism Act 2011 and the Assets of Community Value Regulations (England) 2012.

6.2 Property owners may seek an internal review of a decision to add a property to the List of Assets of Community Value. If the decision is upheld the owners can appeal against the decision to list their property to the First Tier Tribunal.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

None

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

None

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

- 9.1 **Option 1:** Recommend that the Director of Corporate Resources accept the nomination on the grounds that it meets the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
- 9.2 **Option 2:** Recommend that the Director of Corporate Resources reject the nomination on the grounds that it does not meet the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.

10. RECOMMENDATIONS

Recommended that in accordance with Option 2 that the Director of Corporate Resources reject the nomination of the area of land at Spen View Lane to list it as an Asset of Community Value.

11. APPENDICES

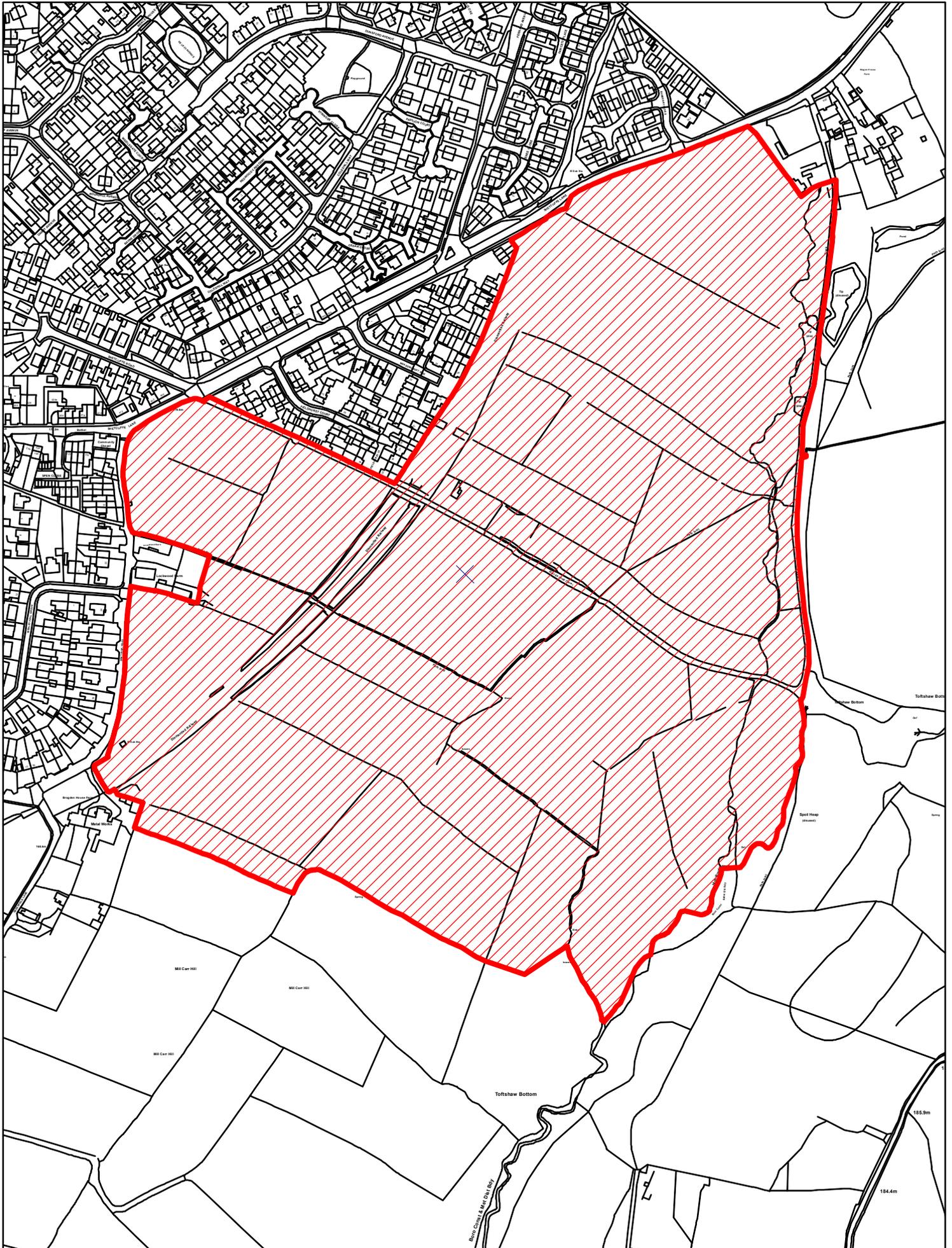
- Appendix 1 - Plan
- Appendix 2 - Nomination Form (redacted)
- Appendix 3 – Articles of Association
- Appendix 4 – Memorandum of Association

12. BACKGROUND DOCUMENTS

Report to the Executive meeting of 6th November 2012; The Localism Act 2011 – The Community Right to Bid.

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ACV 0081 - Spen View Lane Land



Scale at A4
1:4,000

Date: 20/11/2019

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The Localism Act 2011 Community Right to Bid

Application to Nominate Assets of Community Value

You will need to complete this application form if you wish to nominate an asset of community value for listing. The responses to the questions in your application will enable the Council to reach a decision about your nomination. In the event that the information you supply is insufficient to make a decision, your application will be rejected.

Before completing this application, **please read** the information about the Assets of Community Value provisions available on the Council website at <http://www.bradford.gov.uk/communityassets>

This information will help you to better understand whether the asset you propose to nominate meets with the definition of an 'asset of community value'. It also provides additional information about your rights to nominate and bid for assets as well as the rights of asset owners.

Your completed application should be sent, by post or email, to:

Assets of Community Value
City of Bradford Metropolitan District Council
Strategic Asset Management
1st Floor Argus Chambers,
Britannia House,
Bradford.
BD1 1HX

Nigel.Gillatt2@bradford.gov.uk.

For information, the table below summarises the assets of community value nominating and bidding process in four simple stages.

Identify an asset for nomination

If an eligible community or voluntary group thinks that a local asset meets the definition of an Asset of Community Value, they can fill in an application form and ask the Council to list the property. If the nomination meets the relevant criteria and is approved by the Council, the asset will be included on the list. The listing will last for a period of five years although the local authority has the ability to remove the asset from the list before the expiry of that period.

The owner wants to sell their asset

If the owner wants to sell their listed asset, they must notify the Council, who will then notify the community group that nominated the asset and publicise the proposed sale to the wider community. If within six weeks an eligible community interest group does not come forward, the owner is free to sell their asset for a period of eighteen months.

A designated community group wants to bid for the asset

If an eligible community interest group *does* express an interest in bidding for the asset, this group or groups will be granted extra time to prepare a business plan and gather the finance needed to purchase the asset. All in all, the time-frame for groups to put together their bids is six months starting from the time the asset owner informs the Council of their intention to sell the asset.

The point at which the asset is to be sold

The six month window of opportunity (known as 'full moratorium') is only for eligible community interest groups to put their business plans together and gather necessary funding. However, the asset owner may dispose of the property to (another) community interest group at a price agreed between the parties during the full moratorium. Once the six month window has expired, the asset owner is free to sell their property to who they want. They are under no obligation to sell the asset to any eligible community interest group or groups who bid to purchase the asset.

Section 1
Details of the land or building(s) that you are nominating

Please provide information which helps to clarify the exact location and extent of the asset being nominated. This could include:

- Where the land is registered, the Land Registry Title Information document and map with boundaries clearly marked in red (less than one month old). Provision of Land Registry information is not essential but it may help us to reach a decision on the nomination more quickly.
- A written description with ordinance survey location, and explaining where the boundaries lie, the approximate size and location of any building/s on the land and details of any roads bordering the site.
- A drawing or sketch map with boundaries clearly marked in red – websites which might help you in plotting boundaries include: <http://maps.google.co.uk>

If the boundary is not clearly defined, you may be required to submit further evidence prior to your nomination application being accepted.

Name of Asset	Fields adjacent to Spen View Lane and Shetcliffe Lane, Bierley, Bradford
Address or location of the asset	Shetcliffe Lane Bierley Bradford BD4 6DQ
Description of the asset and its boundaries	Grassed fields adjacent to Spen View Lane and Shetcliffe Lane that have historically been used by people walking and exercising their dogs using the rights of way across the fields. Please see the attached map for further details of its boundaries.

Section 2
About You

Title	
First Name	
Surname	
Address	
Post Code	
Telephone number	
Email address	
Your relationship to the nominating organisation	

Section 3
About your Organisation

Please provide evidence that you are eligible to make a nomination.

Name of organisation	The Neighbourhood Project CIC	
Organisation type	Place a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company	X	11280216
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

Number of members registered to vote locally (unincorporated bodies)

In the case of an unincorporated body, at least 21 of its individual members must be registered to vote locally. If relevant, please confirm the number of such members and provide the names and addresses of 21 members registered to vote locally. If they are registered to vote in the area of a neighbouring local authority, rather than in Bradford District, please confirm which area that is.

N/A – we are an incorporated body.

Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bradford Council or a neighbouring local authority. In some cases this will be obvious, e.g. an organisation whose activities are confined to the city. If it is not obvious, please explain what your organisation's local connection is.

Our registered company address is in the neighbourhood of Bierley. Two out of five members of our Board of Directors are residents of Bierley and three out of five members of the Board are residents of Bradford. We deliver community learning and capacity-building services, mostly from the Life Centre in Bierley which is the local community centre. Most of our activities have to date been focused on Bierley and this will continue for the foreseeable future. All our current volunteers are also residents of Bierley. We therefore have a very strong local connection with Bierley and more generally with Bradford.

Distribution of surplus funds (*applicable to certain types of organisations only*)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that any surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (i.e. within the administrative area of Bradford or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

As a community interest company limited by guarantee, we have a statutory asset lock which prevents the distribution of surplus funds to our members and all funds must be used for the public benefit the company was set up to achieve.

More about your organisation

What are the main aims and activities of your organisation? If your organisation isn't a registered charity or company, please provide evidence of its status such as trust deed, Articles of Association, constitution where appropriate.

The mission of the Neighbourhood Project CIC is to promote the sustainable environmental, social and economic well-being of neighbourhoods through promoting self-help and community enterprise. In practice, we deliver informal training to residents on topics relating to local regeneration and environmental sustainability, e.g. local food growing, waste reducing and recycling, energy efficiency, etc. We then provide support to turn this new knowledge into action, whether people volunteer for an existing organisation or set up a new project, campaign or group. To date, this work has been focused on Bierley and will continue to do so.

We have also run digital training services that have mainly targeted vulnerable adults and older people to improve their computer skills and using the internet. These have been provided both in groups and on a one-to-one basis in people's homes.

Our aim is to up-skill and encourage active neighbourhoods where residents contribute positively towards local regeneration and sustainability.

Section 4
Owners and others with an interest in the building or land

Current owner(s)'s name and address	
Current leaseholder(s) name and address	N/A
Names and addresses of all current occupants of the land	N/A

Section 5
Reasons for nomination; why you think the land or building is of community value

Please note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does the use of the asset currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

** These could be cultural, recreational and/or sporting interests – please say which one(s) apply.*

These grassed fields further the social wellbeing of the community of Bierley by providing grounds which residents may walk on and may exercise their dogs on due to the public rights of way across the fields: one running from Spen View Lane down the side of Lockwood Barn towards the dismantled railway line and the other from Shetcliffe Lane opposite Shetcliffe Road and towards the dismantled railway line and old slate mine area. These public rights of way have been established for well over a century and appear on historic maps of Bierley. Exercising their 'right to roam' under the Countryside and Rights of Way Act 2000, many users of these fields regularly deviate from these public rights of way to walk and exercise their dogs generally across the fields. As this part of Bierley has now become built up with housing and roads, the fields provide a green escape for residents.

According to research by the Ramblers Association, having opportunities to walk such as this allows people to exercise with the physical benefits to their health. Being off road and in a green environment also encourages them to relax which again has physical health benefits as well as mental health benefits. Opportunities to walk also provide residents with more of a chance of social interaction and to get to know their neighbours, developing social relationships and a sense of shared community.

How could the building or land be acquired and used in future?

If it is listed as an asset of community value, community interest groups (not limited to your organisation) will get the opportunity to bid for it if it comes up for sale. Please set out how you think such a group could fund the purchase of the building or land, and how they could run it for the benefit of the community.

The Neighbourhood Project CIC has links with other local community groups such as the Life Centre and, if the fields were to come up for sale, we would discuss this with them first before submitting a bid so there was a co-ordinated approach. It would be our intention to ensure that the fields were retained for community benefit and environmental protection, whoever in the end owned and managed it.

There are many examples of grounds being run by community groups, for instance Heeley Trust in Sheffield. Often these are run mostly or exclusively by volunteers and they can vary in legal form from community interest companies through to registered charities. Community benefit societies may also be incorporated as a form of not-for-profit co-operative as they allow the sale of 'community shares' as a method of raising capital towards a purchase. There are many national funders which have provided grants for the upkeep of community owned grounds depending on what they are used for and these include the National Lottery Community Fund, Sport England, the Angus Irving Playing Fields Fund, landfill tax fund distributors and various trusts and foundations. Other bodies such as Key Fund, the Social Investment Business and Cooperative Finance may lend money towards a purchase. Support on managing such grounds can be provided by bodies like the National Playing Fields Association.

Depending on the results of discussions with other community groups, we would be mindful to establish a community benefit society and sell shares as part of raising capital. Some of our directors would be prepared to become the founding members and directors of this society and some of our volunteers would be prepared to give their time with the day-to-day maintenance of the grounds.

Section 6
Submitting your nomination

What to include

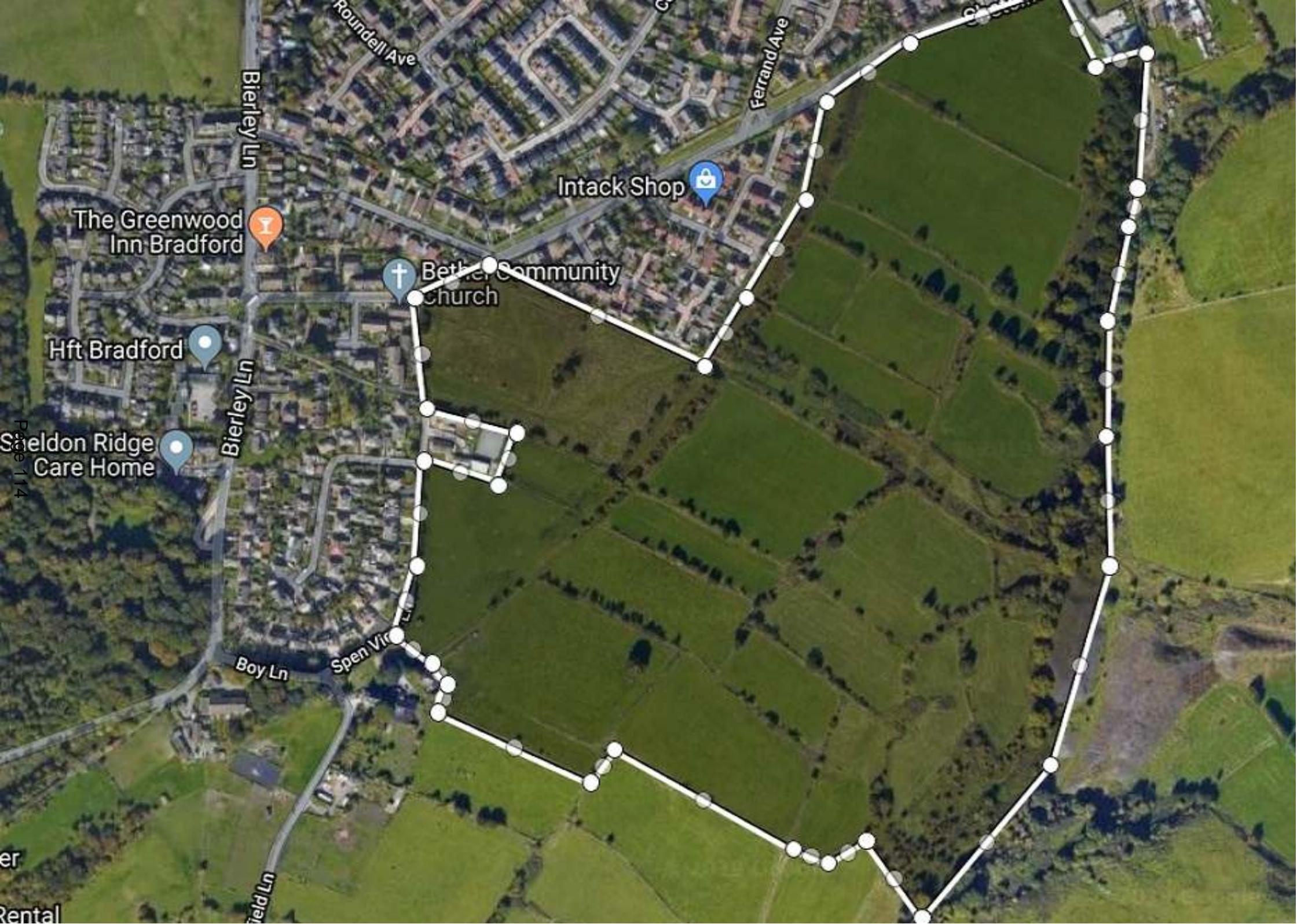
- Your organisation's constitution, Articles of Association or Trust Deed
- Your location plan of the asset that you are nominating

Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

Date 17/11/2019



The Greenwood Inn Bradford

Intack Shop

Bethel Community Church

Hft Bradford

Seldon Ridge Care Home

Boy Ln

Spen Vic Ln

Field Ln

Bierley Ln

Roundell Ave

Ferrand Ave

The Companies Act 2006

Community Interest Company Limited by Guarantee

Articles of Association¹

of

The Neighbourhood Project C.I.C.

(CIC Limited by Guarantee, Schedule 1, Small Membership)

**The Companies Act 2006
Community Interest Company Limited by Guarantee**

INDEX TO THE ARTICLES

INTERPRETATION.....	1
1. Defined Terms	1
2. Community Interest Company	1
3. Asset Lock	1
4. Not for profit	2
OBJECTS, POWERS AND LIMITATION OF LIABILITY	2
5. Objects	2
6. Powers	2
7. Liability of members	2
DIRECTORS	2
DIRECTORS' POWERS AND RESPONSIBILITIES	2
8. Directors' general authority	2
9. Members' reserve power	2
10. Chair	3
11. Directors may delegate	3
DECISION-MAKING BY DIRECTORS	3
12. Directors to take decisions collectively	3
13. Calling a Directors' meeting	3
14. Participation in Directors' meetings	4
15. Quorum for Directors' meetings	4
16. Chairing of Directors' meetings	4
17. Decision-making at meetings	5
18. Decisions without a meeting	5
19. Conflicts of interest	5
20. Directors' power to authorise a conflict of interest	6
21. Register of Directors' interests	6
APPOINTMENT AND RETIREMENT OF DIRECTORS	6
22. Methods of appointing Directors	6
23. Termination of Director's appointment	7
24. Directors' remuneration	7
25. Directors' expenses	8
MEMBERS	8
BECOMING AND CEASING TO BE A MEMBER.....	8
26. Becoming a member	8
27. Termination of membership	8
DECISION MAKING BY MEMBERS	9
28. Members' meetings	9
29. Written resolutions	9
ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS	10
30. Means of communication to be used	10
31. Irregularities	10
32. Minutes	10
33. Records and accounts	11
34. Indemnity	11
35. Insurance	12

36. Exclusion of model articles	12
SCHEDULE.....	13

The Companies Act 2006
Articles of Association
of
The Neighbourhood Project C.I.C.

INTERPRETATION

1. Defined Terms

1.1 The interpretation of these Articles is governed by the provisions set out in the Schedule at the end of the Articles.

COMMUNITY INTEREST COMPANY AND ASSET LOCK

2. Community Interest Company

The Company is to be a community interest company.

3. Asset Lock²

3.1 The Company shall not transfer any of its assets other than for full consideration.

3.2 Provided the conditions in Article 3.3 are satisfied, Article 3.1 shall not apply to:

- (a) the transfer of assets to any specified asset-locked body, or (with the consent of the Regulator) to any other asset-locked body; and
- (b) the transfer of assets made for the benefit of the community other than by way of a transfer of assets into an asset-locked body.

3.3 The conditions are that the transfer of assets must comply with any restrictions on the transfer of assets for less than full consideration which may be set out elsewhere in the memorandum and Articles of the Company.

3.4 If:

3.4.1 the Company is wound up under the Insolvency Act 1986; and

3.4.2 all its liabilities have been satisfied

any residual assets shall be given or transferred to the asset-locked body specified in Article 3.5 below.

3.5 For the purposes of this Article 3, the following asset-locked body is specified as a potential recipient of the Company's assets under Articles 3.2 and 3.4:

Name: The Scurrah Wainwright Charity

Charity Registration Number: 1002755

Registered Office: 19 Wadsworth Lane, Hebden Bridge, West Yorkshire, HX7 8DL ³

4. Not for profit

4.1 The Company is not established or conducted for private gain: any surplus or assets are used principally for the benefit of the community.

OBJECTS, POWERS AND LIMITATION OF LIABILITY

5. Objects⁴

The objects of the Company are to carry on activities which benefit the community and in particular, but without limitation, to promote the sustainable environmental, social and economic well-being of neighbourhoods through encouraging self-help and community enterprise.

6. Powers

6.1 To further its objects the Company may do all such lawful things as may further the Company's objects and, in particular, but, without limitation, may borrow or raise and secure the payment of money for any purpose including for the purposes of investment or of raising funds.

7. Liability of members⁵

The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

- 7.1 payment of the Company's debts and liabilities contracted before he or she ceases to be a member;
- 7.2 payment of the costs, charges and expenses of winding up; and
- 7.3 adjustment of the rights of the contributories among themselves.

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES⁶

8. Directors' general authority

Subject to the Articles, the Directors are responsible for the management of the Company's business, for which purpose they may exercise all the powers of the Company.

9. Members' reserve power

- 9.1 The members may, by special resolution, direct the Directors to take, or refrain from taking, specific action.
- 9.2 No such special resolution invalidates anything which the Directors have done before the passing of the resolution.

10. Chair

The Directors may appoint one of their number to be the chair of the Directors for such term of office as they determine and may at any time remove him or her from office.

11. Directors may delegate⁷

11.1 Subject to the Articles, the Directors may delegate any of the powers which are conferred on them under the Articles or the implementation of their decisions or day to day management of the affairs of the Company:

11.1.1 to such person or committee;

11.1.2 by such means (including by power of attorney);

11.1.3 to such an extent;

11.1.4 in relation to such matters or territories; and

11.1.5 on such terms and conditions;

as they think fit.

11.2 If the Directors so specify, any such delegation of this power may authorise further delegation of the Directors' powers by any person to whom they are delegated.

11.3 The Directors may revoke any delegation in whole or part, or alter its terms and conditions.

DECISION-MAKING BY DIRECTORS

12. Directors to take decisions collectively⁸

Any decision of the Directors must be either a majority decision at a meeting or a decision taken in accordance with Article 18. In the event of the Company having only one Director, a majority decision is made when that single Director makes a decision.

13. Calling a Directors' meeting

13.1 One Director may (and the Secretary, if any, must at the request of one Director) call a Directors' meeting.

13.2 A Directors' meeting must be called by at least seven Clear Days' notice unless either:

13.2.1 all the Directors agree; or

13.2.2 urgent circumstances require shorter notice.

13.3 Notice of Directors' meetings must be given to each Director.

- 13.4 Every notice calling a Directors' meeting must specify:
- 13.4.1 the place, day and time of the meeting; and
 - 13.4.2 if it is anticipated that Directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 13.5 Notice of Directors' meetings need not be in Writing.
- 13.6 Notice of Directors' meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

14. Participation in Directors' meetings

- 14.1 Subject to the Articles, Directors participate in a Directors' meeting, or part of a Directors' meeting, when:
- 14.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 14.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 14.2 In determining whether Directors are participating in a Directors' meeting, it is irrelevant where any Director is or how they communicate with each other.⁹
- 14.3 If all the Directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

15. Quorum for Directors' meetings¹⁰

- 15.1 At a Directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 15.2 The quorum for Directors' meetings may be fixed from time to time by a decision of the Directors, but it must never be less than one, and unless otherwise fixed it is one.
- 15.3 If the total number of Directors for the time being is less than the quorum required, the Directors must not take any decision other than a decision:
- 15.3.1 to appoint further Directors; or
 - 15.3.2 to call a general meeting so as to enable the members to appoint further Directors.

16. Chairing of Directors' meetings

The Chair, if any, or in his or her absence another Director nominated by the Directors present shall preside as chair of each Directors' meeting.

17. Decision-making at meetings¹¹

17.1 Questions arising at a Directors' meeting shall be decided by a majority of votes.

17.2 In all proceedings of Directors each Director must not have more than one vote.¹²

17.3 In case of an equality of votes, the Chair shall have a second or casting vote.

18. Decisions without a meeting¹³

18.1 The Directors may take a unanimous decision without a Directors' meeting in accordance with this Article by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Director or to which each Director has otherwise indicated agreement in Writing.

18.2 A decision which is made in accordance with Article 18.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

18.2.1 approval from each Director must be received by one person being either such person as all the Directors have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may, for the avoidance of doubt, be one of the Directors;

18.2.2 following receipt of responses from all of the Directors, the Recipient must communicate to all of the Directors by any means whether the resolution has been formally approved by the Directors in accordance with this Article 18.2;

18.2.3 the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

18.2.4 the Recipient must prepare a minute of the decision in accordance with Article 32.

19. Conflicts of interest¹⁴

19.1 Whenever a Director finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Directors unless, or except to the extent that, the other Directors are or ought reasonably to be aware of it already.

19.2 If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Directors.

19.3 Whenever a matter is to be discussed at a meeting or decided in accordance with Article 18 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 20, he or she must:

19.3.1 remain only for such part of the meeting as in the view of the other Directors is necessary to inform the debate;

19.3.2 not be counted in the quorum for that part of the meeting; and

19.3.3 withdraw during the vote and have no vote on the matter.

19.4 When a Director has a Conflict of Interest which he or she has declared to the Directors, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

20. Directors' power to authorise a conflict of interest

20.1 The Directors have power to authorise a Director to be in a position of Conflict of Interest provided:

20.1.1 in relation to the decision to authorise a Conflict of Interest, the conflicted Director must comply with Article 19.3;

20.1.2 in authorising a Conflict of Interest, the Directors can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Director with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

20.1.3 the decision to authorise a Conflict of Interest can impose such terms as the Directors think fit and is subject always to their right to vary or terminate the authorisation.

20.2 If a matter, or office, employment or position, has been authorised by the Directors in accordance with Article 20.1 then, even if he or she has been authorised to remain at the meeting by the other Directors, the Director may absent himself or herself from meetings of the Directors at which anything relating to that matter, or that office, employment or position, will or may be discussed.

20.3 A Director shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the Directors in accordance with Article 20.1 (subject to any limits or conditions to which such approval was subject).

21. Register of Directors' interests

The Directors shall cause a register of Directors' interests to be kept. A Director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF DIRECTORS¹⁵

22. Methods of appointing Directors

22.1 Those persons notified to the Registrar of Companies as the first Directors of the Company shall be the first Directors.

22.2 Any person who is willing to act as a Director, and is permitted by law to do so, may be appointed to be a Director by a decision of the Directors.

23. Termination of Director's appointment¹⁶

A person ceases to be a Director as soon as:

- (a) that person ceases to be a Director by virtue of any provision of the Companies Act 2006, or is prohibited from being a Director by law;
- (b) a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least one Director will remain in office when such resignation has taken effect); or
- (e) the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason.
- (f) the Director ceases to be a member.

24. Directors' remuneration¹⁷

24.1 Directors may undertake any services for the Company that the Directors decide.

24.2 Directors are entitled to such remuneration as the Directors determine:

- (a) for their services to the Company as Directors; and
- (b) for any other service which they undertake for the Company.

24.3 Subject to the Articles, a Director's remuneration may:

- (a) take any form; and
- (b) include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.

24.4 Unless the Directors decide otherwise, Directors' remuneration accrues from day to day.

24.5 Unless the Directors decide otherwise, Directors are not accountable to the Company for any remuneration which they receive as Directors or other officers or employees

of the Company's subsidiaries or of any other body corporate in which the Company is interested.

25. Directors' expenses

25.1 The Company may pay any reasonable expenses which the Directors properly incur in connection with their attendance at:

- (a) meetings of Directors or committees of Directors;
- (b) general meetings; or
- (c) separate meetings of any class of members or of the holders of any debentures of the Company,

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

MEMBERS¹⁸

BECOMING AND CEASING TO BE A MEMBER¹⁹

26. Becoming a member²⁰

- 26.1 The subscribers to the Memorandum are the first members of the Company.
- 26.2 Such other persons as are admitted to membership in accordance with the Articles shall be members of the Company.
- 26.3 Each member of the company shall be a Director.
- 26.4 No person shall be admitted a member of the Company unless he or she is approved by the Directors.
- 26.5 Every person who wishes to become a member shall deliver to the company an application for membership in such form (and containing such information) as the Directors require and executed by him or her.

27. Termination of membership²¹

- 27.1 Membership is not transferable to anyone else.
- 27.2 Membership is terminated if:
 - 27.2.1 the member dies or ceases to exist;
 - 27.2.2 otherwise in accordance with the Articles; or
 - 27.2.3 a member ceases to be a Director.

DECISION MAKING BY MEMBERS

28. Members' meetings²²

- 28.1 The Directors may call a general meeting at any time.
- 28.2 General meetings must be held in accordance with the provisions regarding such meetings in the Companies Acts.²³
- 28.3 A person who is not a member of the Company shall not have any right to vote at a general meeting of the Company; but this is without prejudice to any right to vote on a resolution affecting the rights attached to a class of the Company's debentures.²⁴
- 28.4 Article 28.3 shall not prevent a person who is a proxy for a member or a duly authorised representative of a member from voting at a general meeting of the Company.

29. Written resolutions

- 29.1 Subject to Article 29.3, a written resolution of the Company passed in accordance with this Article 29 shall have effect as if passed by the Company in general meeting:
- 29.1.1 A written resolution is passed as an ordinary resolution if it is passed by a simple majority of the total voting rights of eligible members.
- 29.1.2 A written resolution is passed as a special resolution if it is passed by members representing not less than 75% of the total voting rights of eligible members. A written resolution is not a special resolution unless it states that it was proposed as a special resolution.
- 29.2 In relation to a resolution proposed as a written resolution of the Company the eligible members are the members who would have been entitled to vote on the resolution on the circulation date of the resolution.
- 29.3 A members' resolution under the Companies Acts removing a Director or an auditor before the expiration of his or her term of office may not be passed as a written resolution.
- 29.4 A copy of the written resolution must be sent to every member together with a statement informing the member how to signify their agreement to the resolution and the date by which the resolution must be passed if it is not to lapse. Communications in relation to written notices shall be sent to the Company's auditors in accordance with the Companies Acts.
- 29.5 A member signifies their agreement to a proposed written resolution when the Company receives from him or her an authenticated Document identifying the resolution to which it relates and indicating his or her agreement to the resolution.
- 29.5.1 If the Document is sent to the Company in Hard Copy Form, it is authenticated if it bears the member's signature.

- 29.5.2 If the Document is sent to the Company by Electronic Means, it is authenticated if it bears the member's signature or if the identity of the member is confirmed in a manner agreed by the Directors or if it is accompanied by a statement of the identity of the member and the Company has no reason to doubt the truth of that statement or if it is from an email Address notified by the member to the Company for the purposes of receiving Documents or information by Electronic Means.
- 29.6 A written resolution is passed when the required majority of eligible members have signified their agreement to it.
- 29.7 A proposed written resolution lapses if it is not passed within 28 days beginning with the circulation date.

ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS

30. Means of communication to be used

- 30.1 Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for Documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Company.
- 30.2 Subject to the Articles, any notice or Document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or Documents for the time being.
- 30.3 A Director may agree with the Company that notices or Documents sent to that Director in a particular way are to be deemed to have been received within an agreed time of their being sent, and for the agreed time to be less than 48 hours.

31. Irregularities

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not referred to in the notice unless a provision of the Companies Acts specifies that such informality, irregularity or want of qualification shall invalidate it.

32. Minutes

- 32.1 The Directors must cause minutes to be made in books kept for the purpose:
- 32.1.1 of all appointments of officers made by the Directors;
- 32.1.2 of all resolutions of the Company and of the Directors (including, without limitation, decisions of the Directors made without a meeting); and

32.1.3 of all proceedings at meetings of the Company and of the Directors, and of committees of Directors, including the names of the Directors present at each such meeting;

and any such minute, if purported to be signed (or in the case of minutes of Directors' meetings signed or authenticated) by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any member or Director of the Company, be sufficient evidence of the proceedings.

32.2 The minutes must be kept for at least ten years from the date of the meeting, resolution or decision.

33. Records and accounts²⁵

The Directors shall comply with the requirements of the Companies Acts as to maintaining a members' register, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Regulator of:

33.1 annual reports;

33.2 annual returns; and

33.3 annual statements of account.

33.4 Except as provided by law or authorised by the Directors or an ordinary resolution of the Company, no person is entitled to inspect any of the Company's accounting or other records or Documents merely by virtue of being a member.

34. Indemnity

34.1 Subject to Article 34.2, a relevant Director of the Company or an associated company may be indemnified out of the Company's assets against:

(a) any liability incurred by that Director in connection with any negligence, default, breach of duty or breach of trust in relation to the Company or an associated company;

(b) any liability incurred by that Director in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006); and

(c) any other liability incurred by that Director as an officer of the Company or an associated company.

34.2 This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

34.3 In this Article:

- (a) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and
- (b) a “relevant Director” means any Director or former Director of the Company or an associated company.

35. Insurance

35.1 The Directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant Director in respect of any relevant loss.

35.2 In this Article:

- (a) a “relevant Director” means any Director or former Director of the Company or an associated company;
- (b) a “relevant loss” means any loss or liability which has been or may be incurred by a relevant Director in connection with that Director’s duties or powers in relation to the Company, any associated company or any pension fund or employees’ share scheme of the company or associated company; and
- (c) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

36. Exclusion of model articles

The relevant model articles for a company limited by guarantee are hereby expressly excluded.

SCHEDULE
INTERPRETATION

Defined terms

1. In the Articles, unless the context requires otherwise, the following terms shall have the following meanings:

<u>Term</u>	Meaning
1.1 “Address”	includes a number or address used for the purposes of sending or receiving Documents by Electronic Means;
1.2 “Articles”	the Company’s articles of association;
1.3 “asset-locked body”	means (i) a community interest company, a charity ²⁶ or a Permitted Industrial and Provident Society; or (ii) a body established outside the United Kingdom that is equivalent to any of those;
1.4 “bankruptcy”	includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
1.5 “Chair”	has the meaning given in Article 10;
1.6 “Circulation Date”	in relation to a written resolution, has the meaning given to it in the Companies Acts;
1.7 “Clear Days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
1.8 “community”	is to be construed in accordance with accordance with Section 35(5) of the Company’s (Audit) Investigations and Community Enterprise) Act 2004;
1.9 “Companies Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company;
1.10 “Company”	The Neighbourhood Project C.I.C.;
1.11 “Conflict of Interest”	any direct or indirect interest of a Director (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Company;

1.12	“Director”	a director of the Company, and includes any person occupying the position of director, by whatever name called;
1.13	“Document”	includes, unless otherwise indicated, any document sent or supplied in Electronic Form;
1.14	“Electronic Form” and “Electronic Means”	have the meanings respectively given to them in Section 1168 of the Companies Act 2006;
1.15	“Hard Copy Form”	has the meaning given to it in the Companies Act 2006;
1.16	“Memorandum”	the Company’s memorandum of association;
1.17	“participate”	in relation to a Directors’ meeting, has the meaning given in Article 14;
1.18	“Permitted Industrial and Provident Society”	an industrial and provident society which has a restriction on the use of its assets in accordance with Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations 2006 or Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006;
1.19	“the Regulator”	means the Regulator of Community Interest Companies;
1.20	“Secretary”	the secretary of the Company (if any);
1.21	“specified”	means specified in the memorandum or articles of association of the Company for the purposes of this paragraph;
1.22	“subsidiary”	has the meaning given in section 1159 of the Companies Act 2006;
1.23	“transfer”	includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest in, or right over, any property; and
1.24	“Writing”	the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in Electronic Form or otherwise.

2. **Subject to clause 3** of this Schedule, any reference in the Articles to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it.
3. Unless the context otherwise requires, other words or expressions contained in these Articles bear the same meaning as in the Companies Acts as in force on the date when these Articles become binding on the Company.

¹ On articles of association generally, see [Part 5] of the Regulator’s information and guidance notes. If you are an existing company wishing to become a community interest company, there is no need to adopt completely new articles, but you must comply with the requirements of the Community Interest Company Regulations 2005 (as amended) (“the Regulations”) by including the provisions set out in Schedule 1 to the Regulations in the articles of your company.

² See [Part 6] of the Regulator’s information and guidance notes. Inclusion of the provisions contained in article 3.1 to 3.3 is mandatory, reflecting sub-paragraphs (1) to (3) of paragraph 1 of Schedule 1 to the Regulations

³ See regulation 23 of the Regulations and [Parts 6 and 10] of the Regulator’s information and guidance notes. If the company does not specify that the remaining residual assets are to be transferred to a particular Asset Locked Body, an appropriate recipient will be chosen by the Regulator, in consultation with the company’s directors and members.

⁴ On the specification of the company’s objects, see [Part 5] of the Regulator’s information and guidance notes

⁵ On limited liability, see [Part 3] of the Regulator’s information and guidance notes. On guarantees generally see [Chapter 3.2] of the Regulator’s information and guidance notes.

⁶ Note that although this model constitution assumes that all Directors are Members and all Members are Directors, and the Directors are given wide powers, under the Articles (and company law more generally) there are still some decisions which Members must make as Members (either in general meeting under the Companies Act 2006 (article 28.2), or by written resolution in accordance with article 29). [See in general the Companies House guidance booklet, “Resolutions” (available online at <http://www.companieshouse.gov.uk/about/gbhtml/gba7.shtml>).].

⁷ Article 11 permits the Directors to delegate any of their functions. Delegation may take the form of, for instance, the Directors giving a managing director general authority to run the company’s day to day business, or responsibility for specific matters being delegated to particular directors (e.g. financial matters to a finance director); or it may be equally appropriate to delegate matters to persons other than Directors. In all cases, it is important to remember that delegation does not absolve Directors of their general duties towards the company and their overall responsibility for its management. This means that, amongst other things, Directors must be satisfied that those to whom responsibilities are delegated are competent to carry them out.

⁸ Article 12 states that the Directors must make decisions by majority at a meeting in accordance with article 14; or unanimously if taken in accordance with article 18.

⁹ Article 14.2 is designed to facilitate the taking of decisions by the directors communicating via telephone or video conference calls. Note the requirement to keep a written record of meetings and decisions (article 32).

¹⁰ The quorum may be fixed in absolute terms (e.g. “two Directors”) or as a proportion of the total number of Directors (e.g. “one third of the total number of Directors”). You may even wish to stipulate that particular named Directors, or Directors representing particular stakeholder interests, must be present to constitute a quorum.

¹¹ Article 17 reflects paragraph 4 of Schedule 1 to the Regulations, which is required to be included in the articles of all community interest companies.

¹² You may wish to include a provision which gives the chair of the board a casting vote. This will enable the directors to resolve any deadlock at board level.

¹³ Article 18 is designed to facilitate the taking of decisions by directors following discussions in the form of, for example, email exchanges copied to all the directors. Note the requirements as to recording the decision in articles 18.2 and 32.

¹⁴ The provisions in articles 19 and 20 reflect the position under the Companies Act 2006. However, it is recommended that, as a matter of good practice, all actual and potential conflicts of interest are disclosed in writing or at a meeting, as the case may be.

¹⁵ Private companies are obliged to have at least one director. Provisions can be inserted into the articles providing for a minimum number of directors. Where the company has just one director, that director must be a natural person. Article 12 notes that, where there is only one director, a majority decision is reached when that director makes a decision. In the case of a single director, the quorum provisions (article 15) will need to be amended accordingly.

¹⁶ The board of directors cannot remove a director other than in accordance with the provisions in article 23 and the Companies Act 2006.

¹⁷ See the guidance on directors’ remuneration in [Part 9] of the Regulator’s information and guidance notes.

¹⁸ See section 112 of the Companies Act 2006. A company’s members are (i) the subscribers to its memorandum; and (ii) every other person who agrees to become a member of the company and whose name is entered in its register of members.

¹⁹ There is no need for all those who wish to become Members to subscribe to the Memorandum on incorporation; they can become Members and be entered in the register of Members after the company has been

formed. However, since this model constitution assumes that all Members are also Directors, all Members will also have to be validly appointed as Directors under article 22.

²⁰ Inclusion of the provisions in article 26 (other than 26.3) is mandatory and reflects paragraphs 2(1)-(4) of Schedule 1 to the Regulations. [Directors should ensure that the information to be included on an application form includes all the information which will be required to fill in Companies House Form [288a] on the appointment of the new Member as a Director (see:

<http://www.companieshouse.gov.uk/forms/generalForms/288A.pdf>.)] Article 26.3 provides that the Directors are also members of the company.

²¹ Inclusion of the provisions of article 27.1 and 27.2.1 – 27.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

²² The Companies Act 2006 has removed the need for private companies to hold annual general meetings and therefore these Articles follow suit; however, if you wish, you can insert an additional provision which obliges the company to hold annual general meetings.

²³ Article 28.2 provides that general meetings must be held in accordance with the provisions of the Companies Act 2006. You may insert additional provisions that specify how many Members are required to be present to hold a valid general meeting. The quorum may be fixed in absolute terms (e.g. “four Members”) or as a proportion of the total number of Members (e.g. “three quarters of the Members from time to time”). You may even wish to stipulate that particular named Members, or Members representing particular stakeholder interests, must be present to constitute a quorum. In any event, it is recommended that the quorum should never be less than half of the total number of Members.

²⁴ Inclusion of the provisions of article 28.3 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

²⁵ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>.)] On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

²⁶ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”.

The Companies Act 2006

Community Interest Company Limited by Guarantee ⁱ

Memorandum of Association

of

The Neighbourhood Project C.I.C. ⁱⁱ

The Companies Act 2006
Community Interest Company Limited by Guarantee
Memorandum of Associationⁱⁱⁱ
of
The Neighbourhood Project C.I.C.

Each subscriber to this Memorandum of Association wishes to form a company under the Companies Act 2006 and agrees to become a member of the Company.

Name of each subscriber^{iv}
subscriber

Authentication by each

Mr Jonathan Derrick Crewdson

Dated

01/03/2018

ⁱ On the different limited company forms available to CICs, see [Part 3] of the Regulator’s information and guidance notes.

ⁱⁱ Section 33 of the Companies (Audit Investigations and Community Enterprise) Act 2004 provides that the name of any community interest company which is not a public company must end with either the words “community interest company” or the letters “c.i.c.” (or, if the articles state that the company’s registered office is to be situated in Wales, with the words “cwmni buddiant cymunedol” or the initials “c.b.c.”).

ⁱⁱⁱ For companies incorporated after 1 October 2009 the memorandum of association will consist only of the names of the subscribers of the company. If you are an existing company incorporated prior to 1 October 2009 and wishing to become a community interest company, you will need to incorporate the relevant provisions of your current memorandum into the articles of the community interest company.

^{iv} For illustration, space for one subscriber has been supplied here. There is no upper limit to the number of subscribers and further entries may be added as appropriate.



Report of the Programme Director (Bradford Opportunity Area) to the meeting of Bradford South Area Committee to be held on 30 January 2020

S

Subject:

Bradford Opportunity Area: Bradford South

Summary statement:

As an 'Opportunity Area', DfE funds a small team to work with Bradford, to agree and deliver priorities in improving social mobility. Its work is driven by an Opportunity Area board made up of key stakeholders from across Bradford. This group identified four priority areas to work on:

- Strengthening school leadership and the quality of teaching,
- Improving literacy and oracy (spoken English), including a focus on parental engagement
- Helping young people access rewarding careers,
- Removing health-related barriers to learning.

We have invested in a wide range of activity of which is outlined in Appendix 1 which specifically focuses on the Bradford South Area.

Mark Douglas
Strategic Director of Children's Services

Portfolio:

Education, Employment and Skills

Report Contact: Kathryn Loftus
Phone: (01274) 434590
E-mail: kathryn.loftus@bradford.gov.uk

Overview & Scrutiny Area:

Children's Services

1. SUMMARY

1.1 As an 'Opportunity Area', DfE funds a small team to work with Bradford, to agree and deliver priorities in improving social mobility. Its work is driven by an Opportunity Area board made up of key stakeholders from across Bradford. This group identified four priority areas to work on:

- Strengthening school leadership and the quality of teaching,
- Improving literacy and oracy (spoken English), including a focus on parental engagement,
- Helping young people access rewarding careers,
- Removing health-related barriers to learning.

1.2 We have invested in a wide range of activity of which is outlined in Appendix 1 which specifically focuses on the Bradford South Area.

2. BACKGROUND

2.1 The Department for Education (DfE) published its Bradford Opportunity Area plan in January 2018. With this plan, DfE committed an extra £6m of funding and a tilting of more national programmes into Bradford until 2020. Bradford has received £4.85m to date with a further £1.4m due before the end of March 2020 (total £6.25m). On top of this, Bradford also received £5.6m in Essential Life Skills funding.

2.2 By the end of August 2020, Bradford schools will have been direct recipients of over £9m additional funding since the start of the Opportunity Area programme.

3. OTHER CONSIDERATIONS

3.1 None.

4. FINANCIAL & RESOURCE APPRAISAL

4.1 The Opportunity Area investment has totalled £12m (from 2017 – 2020) through a grant from the Department for Education. This included in excess of £6m for the main Opportunity Area grant (with an extra £500K committed in summer 2019), in excess of £5.5m for Essential Life skills funding with the remainder made up of support from national partners and prioritised funding for other government initiatives. This investment has been across the entire Education sector in Bradford and not all of the funding has passed through the Council, with grants awarded directly to schools for some activities and programmes.

4.2 It is currently expected that all Opportunity Area related expenditure will be met from the grant available and there has been no call on Council's funding.

4.3 Specific initiatives such as the school to school support programme are being reported in line with Council procedures.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

5.1 None.

6. LEGAL APPRAISAL

- 6.1 Section 31 of the Local Government Act 2003 provides that a Minister of the Crown may pay a grant to a local authority in England towards expenditure incurred or to be incurred by it. The amount of a grant under this section and the manner of its payment are determined by the Minister but may include conditions such as provision as to the use of the grant and provision as to circumstances in which the whole or part of the grant must be repaid. In the case of a grant to a local authority in England, the powers under this section are exercisable with the consent of the Treasury.
- 6.2 Section 31 is a wide-ranging power to enable any minister to make a grant for any purpose, capital or revenue, to any local authority. The power is designed to allow authorities more flexibility in the use of such resources.
- 6.3 The Council can spend this grant to promote activity in the Opportunity Area that will improve the social mobility outcomes of children and young people. It can choose how to spend the money in order to best meet local need, however it expected that all decisions on spending will be informed by the actions and commitments made in the local OA delivery plan.
- 6.4 Any procurement activity must be undertaken in accordance with Council's Contract Standing Orders and in line with internal governance requirements.
- 6.5 The Local Authority must also have regard to its public sector equality duties under section 149 of the Equality Act 2010 when exercising its functions and making any decisions. A local authority must carry out an Equalities Impact Assessment to enable intelligent consideration of any equality and diversity implications when commissioning services
- 6.6 The Public Services (Social Value) Act requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The Act applies to the pre - procurement stage of contracts for services. Commissioners should consider social value before the procurement starts because this can inform the whole shape of the procurement approach and the design of the services required.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

7.1.1 Not applicable as this report is for information only.

7.2 SUSTAINABILITY IMPLICATIONS

7.2.1 Not applicable as this report is for information only.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

7.3.1 Not applicable as this report is for information only.

7.4 COMMUNITY SAFETY IMPLICATIONS

7.4.1 Not applicable as this report is for information only.

7.5 HUMAN RIGHTS ACT

7.5.1 Not applicable as this report is for information only.

7.6 TRADE UNION

7.6.1 Not applicable as this report is for information only.

7.7 WARD IMPLICATIONS

7.7.1 All Wards affected.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

7.8.1 Not applicable as this report is for information only.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

7.9.1 There may be a need for partner agencies to share data however this would only be with the express permission of the service user in the full knowledge of why and what it would be used for. General Data Protection Regulation (GDPR) principles relating to any individuals data and rights under the Data Protection Act 2018 will be respected.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None.

9. OPTIONS

9.1 There are no options as the programme of delivery is underway and being overseen by the Opportunity Area Partnership Board.

10. RECOMMENDATIONS

10.1 It is recommended that the programme progress be noted for information and the use of the Social Mobility Dashboard be endorsed to support the work of the Area Committee.

11. APPENDICES

11.1 Appendix 1: Bradford Opportunity Area - Bradford South Briefing

11.2 Appendix 2: Bradford Opportunity Area Board Membership

11.3 Appendix 3: Bradford South Social Mobility Index

12. BACKGROUND DOCUMENTS

12.1 Bradford Opportunity Area Delivery Plan

(<https://www.gov.uk/government/publications/social-mobility-and-opportunity-areas>)



**Bradford Opportunity Area:
Bradford South Briefing
Date: 30 January 2020**

Report Author: Kathryn Loftus, Programme Director
Kathryn.loftus@bradford.gov.uk

Bradford's Opportunity Area

The Department for Education (DfE) published its Bradford Opportunity Area plan in January 2018. With this plan, DfE committed an extra £6m of funding and a tilting of more national programmes into Bradford until 2020. Bradford has received £4.85m to date with a further £1.4m due before the end of March 2020 (total £6.25m). On top of this, Bradford also received £5.6m in Essential Life Skills funding.

By the end of August 2020, Bradford schools will have been direct recipients of over £9m additional funding since the start of the Opportunity Area programme.

As an 'Opportunity Area', DfE funds a small team to work with Bradford, to agree and deliver priorities in improving social mobility. Its work is driven by an Opportunity Area board made up of key stakeholders from across Bradford (see Appendix 2 for full list). This group identified four priority areas to work on:

- strengthening school leadership and the quality of teaching,
- improving literacy and oracy (spoken English), including a focus on parental engagement
- helping young people access rewarding careers,
- removing health-related barriers to learning.

We have invested in a wide range of activity, which includes some of the below results:

Improving the quality of our schools and outcomes for Bradford pupils

1. Support of up to £60,000 each for 26 schools across Bradford, to improve results and support better opportunities for pupils and teachers. Five of the schools we have supported have already improved in their Ofsted judgement. We will update the board on progress throughout this project.
2. 31 primary schools are also receiving £17,500 each to improve literacy outcomes, supported by evidence-based practice in literacy.

3. On top of this support for literacy, we have invested £63k in a new phonics scheme, training and books for five Bradford primary schools. All five schools have significantly improved their phonics results (between 4% - 15% percentage points improvement) and are now at or above the national average of 82%.
4. In addition, in partnership with Bradford's English Hub (at Burley Woodhead CofE Primary School), we are making a further £175,000 available to help improve phonics outcomes in Bradford.
5. We have invested in school leadership, and have funded over 300 school leaders and senior leaders to access high-quality, accredited leadership training. This will help Bradford to develop its next set of school leaders. We have also provided experienced mentors to 70 new and aspiring Bradford headteachers. These new heads receive personalised coaching and mentoring as they adjust to headship. These heads also receive headteacher masterclasses.
6. Bradford teachers at the start of their career will benefit from additional funded support through the Early Career Framework. New teachers will be funded to have extra planning time, and will have access to high-quality teaching materials and lesson plans. Their mentors will get extra training and funding to support new teachers. Bradford is one of only four areas nationally to get this support in September 2020, a year before the rest of the country.
7. In 2020, Bradford will have a new Teaching School Hub, with around £200k of funding to support school improvement across the district. This is just one example of the local education infrastructure that Bradford has gained in its status as an Opportunity Area. Bradford has also been chosen to host:
 - a Research School at Dixons Academy Trust, which supports schools to engage with educational research and evidence, to give the best chance of success with new programmes
 - an English hub at Burley and Woodhead CE Primary, which supports schools with phonics and early reading, including funding for resources
 - a computing hub at Bingley Grammar School, which will support computing teachers across Bradford, including providing high quality training

Enriching children's lives and their opportunities for personal development

1. Our Essential Life Skills funding supported over 600 school commissioned activities for children to improve essential skills such as resilience, teamwork and self-control.
2. We want young people to forge greater links to their communities. This is why we worked with the National Citizenship Service to deliver over 40,000 hours of social action in Bradford in 2018/19.

3. From schools and employers we hear about a lack of aspiration in Bradford, which is reflected in a low progression rate to highly selective universities and under-employment of some graduate groups. We want children and parents in Bradford to have better opportunities, and more importantly, how they can access these opportunities themselves through good careers guidance. That is why we are working with, and investing in, the Careers and Enterprise Company (CEC). CEC is creating a support network of co-ordinators and advisors to help schools to deliver the Gatsby Foundation's benchmarks of good careers guidance. To date, 80% of Bradford secondaries and sixth forms are linked with their own 'Enterprise Advisor'.
4. We have empowered young people to be active in their community. We have issued over 150 grants of up to a £1,000 each via youth panels, for young people to improve their own life chances and those of their peers. We have launched a youth empowerment programme with Citizens UK and the Youth Service to give young people a greater voice in, and ownership of, decision making in Bradford.
5. We have led by example. The Council, the Opportunity Area and the other organisations represented by Opportunity Area board members have to date offered 36 paid internships for undergraduates from disadvantaged backgrounds from Bradford to improve their employability skills and options upon graduation. We will be working with businesses to do the same next year.

Building stronger relationships and working with partners to strengthen Bradford's offer to children

1. The creation of a Centre for Applied Educational Research (CAER) has brought in over £1m in additional funding for school-based health interventions. These include interventions ensuring that children with eyesight issues have the glasses they need, and motor skill interventions to develop handwriting. CAER has also paid a key role in wider bids that have brought in an extra further £25m of applied research funding to Bradford. This will support Bradford to be a global leader of applied research.
2. The Careers and Enterprise Company – part funded by the OA programme – have recruited a network of employers to boost the offer of 'employer encounters' to young people. This project will deliver 150,000 opportunities for young people in Bradford to experience the world of work, by summer 2020, equivalent to 3 such experiences for every 14-19 year old in the district, over that period.
3. The network – which is working alongside Bradford's ICE programme – is led by 5 'cornerstone' employers, who contribute their own staff as volunteers to work with schools, and encourage other employers to get involved. PwC is one of the cornerstone employers. PwC estimate that they have reached over 2000 pupils during the 2018/19 academic year with a range of engagement activities.
4. PwC are also a good example of how getting involved in this kind of project can act as a catalyst for employers, to increase their stake in the district. Having got involved

in Bradford through the Opportunity Area, PwC have now opened their newest office on Godwin Street, with recruitment policies deliberately designed to attract young people from disadvantaged backgrounds in the district.

Social Mobility Index by Constituency

The House of Commons have produced a briefing on social mobility by constituency (based on the indicators in the SMI) – can be found here:

<http://researchbriefings.files.parliament.uk/documents/CBP-8400/CBP-8400.pdf>

The dashboard for Bradford South can be found in Appendix 3, and here:

https://commonslibrary.parliament.uk/economy-business/work-incomes/constituency-data-social-mobility-index/#compare_constituencies

Bradford South School Overview

The wards included in Bradford South are:

- South-Western edge of City ward
- Great Horton
- Queensbury
- Royds
- Tong (including Holme Wood)
- Wibsey
- Wyke

There are 36 schools in Bradford South:

- **29** primaries.
- **5** secondaries.
- **1** all-through school
- **1** special school

Ofsted profile of schools in Bradford South:

- 3 outstanding
- 22 good
- 8 requires improvement
- 1 inadequate school (Queensbury Academy)
- 2 recently sponsored schools with no judgement (1 was previously RI – Appleton Academy; and 1 was previously judged inadequate – Southmere Primary Academy)

Opportunity Area priorities: summary of activity

The OA [plan](#) set out four priorities. These are summarised below with reference to activity taking place in Bradford South.

Priority 1 - Strengthening school leadership and the quality of teaching

School to School Support

£1.5m to improve the quality of school leadership in 26 schools rated RI or inadequate at publication of the OA plan. Support provided by 'system leaders' (National Leaders of Education or those with equivalent experience) from the district or surrounding region. System leaders matched to schools through a brokerage process including the Local Authority and the Regional Schools Commissioner.

Each school is supported by a National Leader of Education able to draw £60k of resources to deliver an improvement plan. Every NLE and school leader on the programme gets 3.5 days training from Bradford Research School at Dixons Trust on effective implementation.

The OA is providing support to 12 schools in Bradford South:

- Appleton Academy
- Buttershaw Business & Enterprise College Academy
- Carrwood Primary School
- Co-op Academy Grange
- Knowleswood Primary School
- Queensbury Academy
- Reevy Hill Primary School
- Ryecroft Primary Academy
- Shirley Manor Primary School
- Southmere Primary Academy
- Tong Leadership Academy
- Woodside Academy

On top of the above, the OA is providing additional support to Queensbury Academy, in recognition of the significant challenges the school faces. We are working with the team at the school and Feversham Academy Trust to develop an effective school improvement plan. We will invest up to £150,000 to accelerate improvement at the school, with oversight and challenge provided by a Challenge Panel of local experts and stakeholders.

4 Bradford South primary schools are receiving £17,500 each to improve literacy at their school, supported by research and evidence. The 4 schools are:

- Brackenhill Primary School
- Farfield Primary and Nursery School
- Lidget Green Primary School
- St Oswald's Church of England Primary Academy

The OA is also working with schools and the local authority to put in place an offer of support for governing bodies. Details will be made available as they become available.

As an Opportunity Area, Bradford's schools have also been eligible for support through the DfE's (national) Strategic School Improvement Programme and Teaching, Leadership and Innovation Fund.

- 10 schools in Bradford South have benefitted from the Strategic School Improvement fund programmes.
- 8 schools are/have received support from the Teaching and Leadership Innovation Fund.
- 7 Bradford South schools are eligible for further support from the Department's school improvement offer, which includes a total of £104k of additional funding and support from a National Leader of Education.
- 6 new or aspiring Bradford South Headteachers are receiving coaching, mentoring and masterclass support
- 12 schools are accessing funded support through the West Yorkshire Maths Hub

In total, 75% of Bradford South's schools are receiving extra support through the Department's national programmes and/or Bradford OA.

Priority 2 – Parents and Place: Literacy and Learning

The OA has invested £500K to test community based approaches to reaching disengaged parents in three of Bradford's most disadvantaged wards, to improve their relationship with school, and their confidence and skills in supporting their children's learning. We are targeting improvements in pupil attendance and literacy, in particular reading. The three wards are:

- **Tong & Bowling (with a focus on Holme Wood)– National Literacy Trust**
- Keighley Central – National Literacy Trust
- Eccleshill and Idle – Ravenscliffe Community Association

The Inspiring Parents Tong Bowling programme has continued to mobilise parent champions to run fun and engaging evidence based activities with year 6 parents, designed with clear outcomes around strengthening parental engagement and achieving measurable improvements in reading for pleasure among children. This has included sessions on cooking, fun with newspapers and comic strips, creating family story books, DIY projects as well as book clubs and author visit events. These have been delivered as part of 6-weekly cycles running in schools as well as one-off engagement events scattered in amongst the cycle of activity. Working closely with 5 schools (St Mary's St Peter's, Fearnville, Knowleswood, Carrwood and Bradford Academy) our project officer has been involved in the recruitment and training of parent champions as well as supporting them to be involved in the design and delivery of activity. Parent champions in each of the schools are currently developing plans for session delivery over the next 2-3 months.

In a bid to work holistically and continue to nudge and encourage attendance from hard to reach families in these areas we have also taken our activity out into community venues to encourage more reluctant parents to engage in the activities. This includes a recipe and cooking session as well as a karaoke themed event for children and parents where books were gifted and parents were able to see the value and explore content of sessions taking place back in school. Where the challenge of family attendance at activities has arisen the project officer has tuned into motivations of the community to try and make the offer more interesting. Another example of this is how engagement was encouraged in the family stories activity through linking it to WW2 and remembrance day. As part of the research for this session families researched their own links back to the war through grandparents and created their own representations of these stories in their journals.

The lead up to Christmas included a range of book gifting events at all of the schools which was a way to celebrate and reward the efforts of parents and children. In the same period we were also able to host day 2 of three of our Parental engagement CPD which was attended by 16 schools in the locality who each have taken a piece of action research back into school to develop further. Day 3 will take place on March 20th which will be a sharing of practice developed and lessons learned event. Over the coming few months schools will continue to have cycles of activity and as part of our supplemented campaign work we will be enlisting the support of local performance poet Kirsty Taylor in supporting parents and children to create a production and creatively record their experiences including a focus on world book day.

We are also aiming to increase by a quarter (c 40 schools) the number of primary schools adopting EEF best practice guidance on parental engagement, by summer 2020. This is expected to build on the practice identified by the survey of all primary and nursery schools, which considers the effectiveness of their parental engagement activity. Support will be led by Exceed Academies Trust (as the contracted provider). The offer will be designed with schools from September 2019.

Priority 3 – Improving access to rewarding careers

Essential Life Skills delivery in Bradford Opportunity Area

As the largest Opportunity Area, Bradford received £5.5m from DfE to develop Essential Life Skills (ELS) including resilience, team work and self-control for Bradford children. Every Bradford school (207 schools) received ELS funding, equating to £4.6million. Funding was weighted towards schools with the largest number of disadvantaged pupils).

- Over £950,000 in school commissioned activity has been delivered in Bradford South.

Furthermore, a guide to best practice in supporting pupils to develop Essential Skills has been produced by the Research School. The Research School and the Industrial Centres of Excellence (ICE) team are developing a CPD programme for teachers around implementation of this best practice.

Careers and Enterprise Company (CEC) support

Every secondary school and post-16 provider in Bradford is receiving support and resources through the Careers and Enterprise Company, including the option to buy-in tailored support from the CEC 'rate card' providers, to improve Careers Education, Information, Advice and Guidance, and employer engagement. These rate card providers and CEC are working with Bradford's 'ICE', to align work with employers and maximise the impact of the offer to schools.

Primary Careers

The OA is investing in networking events for primary school leaders and employers and an "aspiration fund" to support employer contacts and primary careers education in the most disadvantaged wards. The latter includes access to consultancy support for embedding employer contacts in curricula, through the organisation 'Education and Employers'.

- All primary schools in Bradford South are eligible to attend the networking events.
- All primary schools in Tong, Great Horton and Royds wards are eligible for the "aspiration fund".

Quality in Careers Standard funding and Careers Leader training

All secondary schools in Bradford are eligible for funding to cover the cost of taking the Quality in Careers Standard, along with a fully funded training place for their Careers Leader through the Careers and Enterprise Company.

These measures will support schools to meet the Gatsby Benchmarks – the government backed standards of quality careers education.

- To date, 2 schools in Bradford South have applied for and been awarded Quality in Careers Standard funding. These are Dixons Kings Academy and Buttershaw Business and Enterprise Academy.

Youth Grants

Grants of up to £1000 (total budget c£100k) have been awarded to young people to run projects to improve essential life skills and social mobility in Bradford. Applications were assessed by panels of young people in each of the constituencies in the Opportunity Area. This is ELS funded activity so cannot run beyond summer 2019.

- £20,000 worth of grants were ring fenced for young people in Bradford South

In addition, under our Youth Empowerment programme, being delivered by Citizens UK and the Youth Service, a panel of young people in each constituency will be supported to identify their priorities to improve social mobility in their communities. They will then be helped to realise these priorities through engagement with key decision makers in Bradford and a £10,000 budget in each constituency.

Priority 4 – Using evidence and research to remove barriers to learning

The OA has invested to create a Centre of Applied Educational Research (CAER) in Bradford.

Research by the 'Born in Bradford' longitudinal study, which tracks the experiences and outcomes of over 13,500 school pupils in Bradford, has identified a range of physical and cognitive issues that are limiting pupils' learning.

The Centre for Applied Education Research (CAER) has been created to help schools and health services better understand and tackle these developmental issues. CAER's Opportunity Area-funded trials are currently running in over 130 Bradford schools, working with teachers and health workers to test practical tools and guidance aimed at improving early interventions.

One two-stage trial responds to research showing that a child's early years foundation stage (EYFS) profile could act as an early indicator for Autism. The trial, run in 10 schools, involved teacher-led, in-school screening of 600 pupils to identify 'at risk' pupils faster and more accurately. It has identified 35 children who would benefit from formal assessment. Each school has been visited by a multi-agency team including CAMHS and educational psychology services to help make these formal assessments quickly and share information instantly with clinicians and parents.

A second CAER led trial, 'Glasses in Classes', is funded by a £750,000 EEF grant and is running across 100 Bradford schools. It is testing the impact on children's literacy of providing pupils with two pairs of glasses; one for home, and one to be kept in the classroom. This follows evidence from Born in Bradford showing a correlation between untreated eye problems and underperformance in reading, and data showing that around a quarter of the 9,500 children in Bradford with eyesight problems do not visit their optician.

For more information on CAER see <http://caerbradford.org/>

Improving our understanding of social mobility

As you will be aware, the House of Commons Library holds constituency level versions of the Social Mobility Index 2016 (See appendix 2).

In a district as large and diverse as Bradford, a constituency level view can be more helpful in identifying specific social mobility concerns, as well as a useful comparison to performance in other constituencies. The index may also be helpful in engaging and mobilising people and partners to take action on key issues.

However, the data within the Index is now several years old and, in our view, could be improved further by including indicators on additional themes known to impact on or boost social mobility.

The Opportunity Area team is developing an updated constituency level social mobility dashboard, which will include additional indicators covering health and crime. We will also ensure that all data used is and will be accessible locally, so that the dashboard can be kept up to date. If the Committee is keen, we would like to bring this new dashboard back to you for discussion at a later meeting.

Appendix 2: Bradford Opportunity Area Board Membership

- **Anne-Marie Canning, Independent Chair of Bradford Opportunity Area and Director of Social Mobility and Student Success, King's College London**
- Duncan Jacques CBE, CEO of Exceed Academies Trust
- Daniel Copley, Executive Headteacher at St Cuthbert & The First Martyrs' Catholic Primary School and St Francis Catholic Primary School.
- Janice Stephenson, former Headteacher, Newby Primary School
- Christian Bunting, Director, Bradford Birth to 19 Teaching School Alliance
- Corinne Templeman, Regional Lead, North East, Careers and Enterprise Company
- Prof Shirley Congdon, Deputy Vice-Chancellor (Academic), University of Bradford
- Kersten England, Chief Executive of Bradford Council
- Will Richardson, Senior Partner, Price Waterhouse Cooper (PwC)
- Sir Nick Weller, CEO and Executive Principal of Dixons Academies Trust, including Bradford's Research School
- Cllr Imran Khan, Deputy Leader and Portfolio Holder for Education, Bradford Council
- Prof Mark Mon-Williams, Professor of Cognitive Psychology and Professor of Psychology, Bradford Institute of Health Research
- Vicky Beer, Regional Schools Commissioner for Lancashire and West Yorkshire

The meetings are also attended by the DfE head of delivery and area lead, who advise and support the partnership board.

Appendix 3: Bradford South Social Mobility Index

INDEX RANKINGS & SCORES COMPARISON											
Rankings based on weighted index scores produced using data after outlier imputation											
	Constituency	rank	Rankings by life stage				index	Weighted index scores			
			Early	School	Youth	Adult		Early	School	Youth	Adult
Highest 5	Cities of London and Westminster	1	1	2	10	176	132.30	41.33	41.31	44.49	5.16
	Chelsea and Fulham	2	37	3	13	209	109.20	23.46	40.87	41.95	2.91
	Altrincham and Sale West	3	191	8	22	12	103.85	4.22	39.31	36.86	23.45
	Tooting	4	57	40	14	63	100.34	19.50	26.48	39.87	14.49
	East Ham	5	6	9	1	530	100.21	32.97	38.91	57.44	-29.12
	Bradford South	520	252	533	478	462	-73.26	0.37	-41.01	-20.27	-12.36
Lowest 5	Hemsworth	529	531	471	484	360	-92.23	-45.52	-19.42	-21.29	-6.00
	Nottingham North	530	491	490	519	506	-97.43	-24.02	-23.49	-30.99	-18.93
	Walsall North	531	498	531	503	493	-106.13	-26.85	-38.09	-24.78	-16.40
	Derby South	532	528	514	515	333	-108.47	-43.54	-30.57	-29.58	-4.78
	South Dorset	533	522	530	451	512	-112.20	-38.87	-37.45	-15.85	-20.03

Life stage	Variable	In the area	Rank	Average (mean)	Range of all indicator values	Variable description	Is an outlier?
Early Years	Early years stage ranking is 252 of 533 constituencies						
	Nursery quality	95%	138	93%	(72% - 100%)	% of non-domestic childcare providers rated 'outstanding' or 'good' by Ofsted	
	Early years attainment	50%	372	53%	(37% - 71%)	% of children eligible for FSM achieving a 'good level of development' at the end of Early Years Foundation Stage	
School	School stage ranking is 533 of 533 constituencies						
	Primary school quality	55%	528	83%	(45% - 100%)	% of children eligible for FSM attending a primary school rated 'outstanding' or 'good' by Ofsted	YES
	Primary school attainment	34%	381	39%	(18% - 62%)	% of children eligible for FSM achieving at least the expected level in reading, writing and maths at the end of Key Stage 2	
	Secondary school quality	20%	522	72%	(0% - 100%)	% of children eligible for FSM attending a secondary school rated 'outstanding' or 'good'	
	Secondary school attainment	35	444	39	(27 - 54)	Average attainment 8 score for pupils eligible for children eligible for FSM	
Youth	Youth stage ranking is 478 of 533 constituencies						
	Positive destination after KS4	85%	437	88%	(76% - 95%)	% of young people eligible for FSM that are in education, employment or training (positive destination) after completing KS4	
	Average A-level or equivalent points score	22	469	26	(3 - 43)	Average points score per entry for young people eligible for FSM at age 15 taking A-level or equivalent qualifications	
	A-levels or equivalent by age 19	28%	337	34%	(19% - 65%)	% of young people eligible for FSM at age 15 achieving 2 or more A-levels or equivalent qualifications by the age of 19	
Adulthood	Adulthood stage ranking is 462 of 533 constituencies						
	Average earnings	£372	475	£443	(£312 - £750)	Median weekly salary of employees who live in the local area (Full-time and part-time)	
	Housing affordability	4	33	8	(3 - 31)	Average house prices compared to median annualised weekly salary of employees who live in the local area	
	Managerial and professional jobs	19%	503	30%	(14% - 54%)	% of people in the local area who are in managerial / professional occupations (SOC1 &2)	
	Living wage	31%	429	25%	(9% - 47%)	% of jobs that are paid less than the applicable Living Wage Foundation living wage	
	Home ownership	63%	352	65%	(17% - 87%)	% of families with dependent children who are owner occupiers (incl. shared & full ownership)	



Report of the Director of Place to the meeting of the Bradford South Area Committee to be held on 30th January 2020

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Subject:

Parks and Green Spaces Annual Report

Summary statement:

The operational management and maintenance of Bradford District's Parks and Green Spaces is a service devolved to Area Committees. The service merged with the Street Cleansing Service in April 2019. This report seeks to review the activity during the past year and the trends and direction options where available for future service delivery.

Steve Hartley
Strategic Director, Place

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Portfolio:

Healthy People and Places

Overview and Scrutiny Area:

Regeneration and Environment

1. SUMMARY

- 1.1 The operational management and maintenance of Bradford District's Parks and Green Spaces is a service devolved to Area Committees. The service merged with the Street Cleansing Service in April 2019. This report seeks to review the activity during the past year and the trends and direction options where available for future service delivery.

2. BACKGROUND

- 2.1 In April 2019 the management structure of Parks and Green Spaces merged with the Street Cleansing Service. This followed the 'lift and shift' of the Parks and Green Spaces operation from Sport and Culture to Neighbourhood and Customer Services in September 2018. There are five Parks and Street Cleansing Managers who report to an Area Coordinator and oversee the operation of both Parks and Street Cleansing services. The individual staff teams have not yet amalgamated to the same operating locations. However, the intention is to do so and work is currently ongoing with Estates.
- 2.2 The Parks and Green Space Development, Technical and Play Officers remain within Sport and Culture; a summary of their work is detailed in section 3.
- 2.3 There are over 188 named parks, playing fields, recreation grounds and pleasure gardens throughout the district. Operation and maintenance of these sites falls to the devolved service via the Area Coordinators and the Parks and Street Cleansing Managers. These sites range from district wide destination parks with a wide range of facilities and large sporting hubs, to parks and open spaces provided for local communities.
- 2.4 Facilities within the parks and green spaces include a wide range of buildings and structures, many of which have 'listed' status. These include operational depots, lodges, changing rooms, pavilions, cafes, statues, bridges, memorials, walls, gates and fences in addition to lakes, paths, signage and seating.
- 2.5 Operation of these sites including the coordination of their use and the direction of development is in collaboration with the 'Friends Of' groups. Other user groups include bowling, football, rugby and cricket teams, and regular users such as Park Run, fitness classes, cycle training, and model engineering clubs.
- 2.6 The service books and facilitates an annual cycle of fun fairs, circuses and band concerts across the district. The service also provides venues within the parks and green spaces for over 200 events each year. These events range from Friends Of events, and events provided by, or aimed at the local communities, to large events with a district wide appeal.
- 2.7 In addition to the operation and maintenance of the Park's sites the service also oversees the highway weed spraying contract and provides a grounds maintenance service to the council's varied estate. This includes the civic spaces in town and city centres, roundabouts and urban highway verges, cemeteries, social residential care facilities, libraries, sports centres, museums, public open space and other grassed open spaces. The combined total area of the grass maintained by the service is in

excess of 7.5 million square metres; the equivalent of 1043 Wembley Stadium pitches. The service also plays a major role in the winter gritting programme.

2.8 The service operates in committee areas with each area retaining its own staffing profile and budget. Some service delivery across boundaries occurs due to geographic practicalities, skill set and service demand. This enhances service efficiency. The service operational staff base is currently 72 gardeners and 21 seasonal workers. Included in the base line are nine vacancies which are currently being covered with additional agency staff and tendered contracts for grass cutting operations this summer. Rationalising the area budgets taking into account previous and future budget savings will enable the service to rebase staffing for next year.

2.9 District wide Parks Depots Budget

Expenditure	2019-20 £'000	Income by Source	2019-20 £'000
Employees	2,810	Other incl.	(594)
Premises	571	(Fees and charges)	
Transport	811		
Supplies and services	244		
Third Party Payments	(933)		
Gross Cost	3,502	Total Income	(594)
Net Council Base Budget			2,908

2.10 Recent budget savings focus on alternative management and maintenance models of sites and facilities. This has and is likely to continue to include community asset transfers, licences, leases and service level agreements. Ward Members are consulted as part of the process.

2.11 Maintenance standards across the Bradford District reflect the staffing level and previous budget savings. Previous reductions in the service level have included reduction in the maintenance frequency of all grass areas, bowling greens, shrub beds during the mowing season and the reduction of annual floral displays.

2.12 Grass cutting related complaints April to September 2019 district-wide:

Area	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Change 18/ 19	Change %
East	69	51	48	164	145	191	72	86	70	95	66	-29	-31%
Keighley	58	44	65	93	60	87	71	70	73	31	57	26	84%
Shipley	42	38	64	77	58	69	56	48	24	48	42	-6	-13%
South	83	78	61	349	186	222	97	175	104	256	92	-164	-64%
West	52	36	37	97	53	62	41	37	33	36	36	0	0%
Multiple Areas	16	4	9	43	35	25	13	24	21	27	23	-4	-15%
Unknown	9	21	17	43	30	40	19	29	17	23	9	-14	-61%
Total	329	272	301	866	567	696	369	469	342	516	325	-191	-37%

- 2.13 The table shows even with the significant change in management structure, complaints reduced by 37% overall from 2018 to 2019 with levels in Bradford South reducing by 64%.

Bradford South Overview

- 2.14 Bradford South has a mix of provision from large parks which includes Wibsey and Harold Parks to heavily used smaller sites such as Russell Hall Park.
- 2.15 There is a focus on grass sports pitches in Bradford South with multi-pitch facilities at Horsfall Playing Fields and the new facilities at Sedbergh (Odsal) Playing Fields to single pitch locations including Fifth Street Recreation Ground and Beldon Lane Rugby Pitch.
- 2.16 There are numerous other parks and green spaces across the area including but not limited to:

Albert Road Recreation Ground, Arkwright Street Recreation Ground, Asa Briggs Recreation Ground, Bierley Various, Bierley Lane Recreation Ground, Brackenhill Park, Carr Bottom Road Recreation Ground, Carr Lane Recreation Ground (Low Moor), Cooper Lane Recreation Ground, Dane Hill Drive Recreation Ground, Emsleys Recreation Ground, Farfield Avenue Recreation Ground (Buttershaw Rec), Fenwick Drive Play Area, Foxhill Park, Grouse Moor Lane Play Area, Knowles Lane Recreation Ground, Littlemoor Park, Moor Close Lane Recreation Ground, Odsal Recreation Ground, Parkside Road Recreation Ground, Pit Hill, St. Margaret's Avenue Recreation Ground, Stirling Crescent Open Space, Victoria Park (Oakenshaw), Wesley Place Recreation Ground, Wibsey Fair Site, Woodlands Recreation Ground / Country Park, Wyke Lane Recreation Area, Wyke Recreation Ground, Wyke Village Green

Operational Review

Horticultural and Maintenance review 2019

- 2.17 Service performance can fluctuate due to staff absence and variation in seasonal patterns. However, the mowing operation achieved the targeted 10 cuts this season. Other horticultural seasonal works over the autumn and winter are expected to be completed as per schedule.
- 2.18 Grass cutting related complaints April to September 2019 in Bradford South by ward:

Ward Sort	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
South: Across Multiple Wards	13	5	6	71	12	13	9	18	11	43	5
South: Great Horton	9	8	12	35	20	30	11	11	7	10	6
South: Queensbury	9	7	4	26	19	22	14	22	15	15	8
South: Royds	18	24	7	71	30	46	17	40	16	70	18
South: Tong	16	18	14	64	44	41	22	32	25	70	17
South: Wibsey	7	4	10	37	23	19	10	17	13	27	22
South: Wyke	11	12	8	45	38	51	14	35	17	21	16

Litter in Parks and Green Spaces

- 2.19 Bradford South has 198 litter bins across its parks and green spaces. Two gardeners rotate around the area emptying bins and litter picking each site weekly. It is hoped over time when staff move together into area depots that closer working operations will further improve services.
- 2.20 Five solar powered smart bins have been located at Foxhill Park, Woodlands Recreation Ground and Wyke Recreation Ground to help assist with capacity and frequency of visits. These bins hold nine times more litter than standard bins, compacting the litter to increase the amount that can be deposited before they require emptying. Managers are alerted automatically by email when the bins are full.
- 2.21 The control of litter within park sites can be problematic due to peaks in demand during periods of good weather. Where possible, other gardeners assist the dedicated team to control the spike in demand but this removes them from their normal horticultural duties.

Awards

- 2.22 Harold Park was visited by two Green Flag Award judges this spring and subsequently retained the Green Flag Award. The judges commented “overall Harold Park is really excellent; it is well maintained and managed and is an asset to the local community”.
- 2.23 Friends of Harold Park were awarded a Gold Award in Yorkshire in Bloom’s Yorkshire Rose Parks, Gardens and Cemeteries category. The judge was particularly impressed with the sensory garden.

Events

- 2.24 Events taking place in Parks and Green Spaces in Bradford South this year included fun fairs at Bracken Hill Park, Knowles Park and Wibsey Fair Site.
- 2.25 Friends Of groups organised events in Bracken Hill Park, Harold Park, Littlemoor Park, Wibsey Park and Wyke Recreation Ground. Other community events included Family Fun events at Blackshaw Beck, the Great Get Together at Knowles Park and Oakenshaw Residents Association events in Victoria Park.
- 2.26 Ward Officers supported groups and organisations across Bradford South to organise events and activities throughout the year across a range of parks and green spaces, for further details see Appendix 11.1.

Direction and Trends

- 2.27 The service has a commitment to continue to engage with clubs and community groups to encourage them to take over the management and maintenance of playing pitches and bowling greens. The service remains open to Community Asset Transfers of facilities to Town and Parish Councils.

- 2.28 There is an increased desire within the district and a trend nationally, towards more 'nature friendly' parks. This leads us towards reducing the amount of chemicals used in parks and green spaces and increasing the amount of space managed with nature in mind, providing habitats for plants and animals. Chemicals are currently used to manage weeds on hard surfaces and grass growth around obstacles and vertical edges.
- 2.29 Moving in this direction requires a mind shift in relation to what is considered a well maintained park or green space. Areas of long grass under trees, on bankings and in designated areas, would be considered the norm. Plants previously considered as weeds would be welcomed as diverse flora.
- 2.30 The Friends of Peel Park have been instrumental in assisting officers to test a nature friendly approach this summer. Agreed areas in the park have received differential grass land maintenance this summer. The trial will continue whilst we assess the environmental and social impact.

3. OTHER CONSIDERATIONS

Parks and Green Spaces Development

Sport Pitches Investment Programme (SPIP)

- 3.1 The Council's Sports Pitches Investment Programme will deliver the District's new 2019 Playing Pitch Strategy to provide a hierarchy of outdoor playing pitch and ancillary facilities, which meets current and future demand. This will seek to address declining playing numbers within the key sports of football, cricket, rugby (both league and union), tennis and athletics.
- 3.2 The capital spend of £15m, approved by the Project Approval Group and the Council Executive will be partnered by other external grant funding from National Governing Bodies and partners. This will deliver three district wide multi-sports hubs, five local multi-sports hubs and a number of single pitch improvements, creating opportunity for everyone to participate in physical activity and sport to improve outcomes across the District relating to health, well-being and community cohesion.
- 3.3 The sites within Bradford South are currently being assessed; however Wyke Community Sports Village has been identified as a District Wide Hub. Investment will be made in a new All-Weather Pitch for football and rugby a 1.7km cycle track and changing facilities with community space.

Play Areas

Maintenance

- 3.4 Officers continue to carry out regular operational inspections of all play areas, multi-use games areas, wheeled sports facilities and other play facilities across the district. An annual independent play inspection was last carried out in July 2019. A team of two playground maintenance operatives carry out emergency and on-going maintenance repairs. They prioritise high-risk safety issues and also undertake a

programme of routine maintenance and repairs as required by the individual site.

- 3.5 The Council has an indicative maintenance budget for children's play areas for the whole of the district of £100,200. This budget funds the maintenance operatives who repair the 308 facilities and allows a spend of £39,300 on replacement materials and equipment.
- 3.6 The play team have received and responded to 12 complaints via the Council's contact centre relating to facilities in Bradford South. Six of the cases were passed onto the Police due to criminal damage. The majority of cases were to report damage to which our maintenance team responded. The cases related to Asa Briggs Recreation Ground, Bierley House Avenue, Brackenhill Park, Emsley's Recreation Ground, Harold Park, Russell Hall Park, Scholemoor, Wibsey Park and Woodlands Recreation Ground.

Bradford South Play Assets

27 playgrounds
2 BMX track
3 skate parks
8 multi-use games areas
1 climbing area
4 Five-a-side facilities
6 outdoor gyms
4 trim trails
3 teen shelters
1 natural plan (rocks etc)

Playable Spaces Strategy (PSS)

- 3.7 The PSS is still in development, but will provide a strategic policy document against which new play facility requests can be measured and assessed in an objective manner to ensure a needs proportionate distribution of facilities across all parts of the district. This will deliver a strategic and detailed plan for a network of play facilities that are financially sustainable within existing revenue maintenance budgets.

Development Projects

3.8 Recently Completed Projects

Albert Road Recreation Ground

Improvements to the site entrance including surfacing and dry stone walling.

Russell Hall Park

Development of the old tennis courts into a community garden. Installation of a teen shelter and picnic tables.

(Partnership with schools and Friends of Russell Hall Park)

The Valley

Clean up works and fencing with The Valley Project.

Wibsey Park

Master plan of the site, new outdoor gym and measured mile walking route.
(Friends of Wibsey Park)

3.9 On Going Projects**Albert Rd Community Hub (ARCH)**

Development of the building and of the playing fields.

Brackenhill Park

Master plan with improvements to the tennis courts and Multi use Games Area.
(Friends of Brackenhill Park)

Emsley's Recreation Ground

Improvements to the playing fields.
Works started spring 2019 completion due 2020.

Farfield Recreation Ground

Pump (cycle) track and entrance improvements.
(Friends of Farfield Recreation Ground)

Foxhill Park

Wheeled sports facility (Skatepark).

Littlemoor Park

Future development of footpaths and signage.
(Friends of Littlemoor Park)

Knowles Park

Walking route with outdoor gym equipment.

Russell Hall Park

Installation of outdoor gym equipment.

Osborne Drive

2 sets of goal posts.

Sedbergh Sports Centre

Planting to screen resident's properties.

Wibsey Park

Installation of nature trail with footpath improvements and 3 pieces of timber trim trail equipment.
(Friends of Wibsey Park)

Yateholm Drive Play Area

Installation of a zipwire, wheelchair accessible roundabout and a climbing frame.

4. FINANCIAL AND RESOURCE APPRAISAL

- 4.1 Bradford South operations has a notional net budget of £221,500. The transport recharges, prudential borrowing costs and district wide services within Bradford South are accounted for separately.
- 4.2 The budget saving for Parks and Green spaces district wide for 2020/21 is £50,000, to be achieved by reducing the number of sports pitches directly managed by the service.
- 4.3 Rationalising the area budgets, taking into account previous and future budget savings will enable the service to rebase staffing for next year.
- 4.4 Staffing base level for the area is 14 gardeners and five seasonal workers.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 There are no serious risk or governance issues associated with this report.

6. LEGAL APPRAISAL

- 6.1 The contents of this report are in accordance with the decisions of the Executive on 9 October 2012 and 16 April 2013.
- 6.2 The Council has various powers to provide parks, pleasure grounds and other recreational facilities but is under no obligation to do so. The management of such facilities is a matter for the Council, subject to its general duties under Occupiers Liability legislation or Health and Safety.

7. OTHER IMPLICATIONS

7.1 EQUALITY AND DIVERSITY

- 7.1.1 None.

7.2 SUSTAINABILITY IMPLICATIONS

- 7.2.1 Increased local decision making has the potential to create more sustainable solutions to local issues. 'Nature friendly' parks increase diversity and sustainability of wildlife.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

- 7.3.1 The service provides a pro-active approach in the reduction of greenhouse gas emissions through the local deployment of its maintenance teams. Teams are based in local areas to reduce travelling times, with its fleet/plant resulting in reduced fuel consumption. In addition to this parks and recreation grounds/trees/woodlands etc provide communities with 'green lungs' which can naturally assist with the filtering of polluted air.

7.4 COMMUNITY SAFETY IMPLICATIONS

7.4.1 There are no community safety implications arising from this report.

7.5 HUMAN RIGHTS ACT

7.5.1 There are no Human Rights Act implications arising from this report.

7.6 TRADE UNION

7.6.1 Trade Unions at all levels are engaged in regular consultations with management.

7.7 WARD IMPLICATIONS AND WARD PLANS

7.7.1 This report concerns all wards in the Bradford South area.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

7.8.1 There are no implications arising from this report

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

7.9.1 There are no privacy impact issues arising from this report.

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None.

9. OPTIONS

9.1 The area committee may wish to confirm its view on trialling or expanding the concept of 'nature friendly' parks within Bradford South; or express a preference for maintaining the traditional concept of parks and green spaces.

10. RECOMMENDATIONS

10.1 That the Bradford South Area Committee welcomes the content of this report and the smooth merger of the operational management and maintenance of Parks and Green Spaces with the Street Cleansing Service, whilst reducing the number of complaints to the service over the summer.

11. APPENDICES

Appendix 1 Events in parks and green spaces supported by the Bradford South Area Co-ordinators office.

12. BACKGROUND DOCUMENTS

- 12.1 'Parks and Green Spaces Service Annual Report', Document O, Report of the Director of Place to the meeting of Bradford South Area Committee, 29 November 2018.
- 12.2 'Parks and Green Spaces Service Annual Report', Document J, Report of the Director of Place to the meeting of Bradford South Area Committee, 21 September 2017.

Appendix 1

Details from the Ward Officers of events in parks and green spaces supported by the Bradford South Area Co-ordinators office.

Wibsey and Royds wards

Blackshaw Beck, clean-ups and family fun afternoon.

For the first time in a while, an event was organised in Blackshaw Beck urban park by the ward officer supported by a range of partners. This follows regular clean-ups over almost 18 months and efforts to raise the profile and value of the park locally, also attempting to tackle ASB issues including fires and nuisance bikes.

The event on August 5 was a great success, attracting over 100 people of all ages, and was supported by Youth Service, Sandale Trust, Incommunities, Police and Bradford Park Avenue.



The poster features logos for 'AVENUE IN THE COMMUNITY', 'Bradford Park Avenue Trust', 'West Yorkshire Fire & Rescue', 'WEST YORKSHIRE POLICE', 'Incommunities', and 'City of BRADFORD'. Two yellow starburst graphics with the word 'FREE!' are placed on either side of the main title. The title reads 'Blackshaw Beck family fun afternoon!' followed by the date and time '1.30 - 4pm Monday 5 August'. Below this, it lists activities: '* Football and multi sports * Smoothy bike & free food * Facepainting'. Three small images show people playing football, food on a grill, and a child with face paint. At the bottom, it states 'Blackshaw Beck park entrances on Farfield Ave, Cooper Lane and Edge End Rd.'

The clean up on November 16 was supported by Yorkshire Wildlife Trust.

Partners have agreed this should be a regular event and will also discuss working on something for Easter too.





Wibsey Park Summer of Fun

The Area Co-ordinator's office worked with Friends of Wibsey Park and a wide range of partners to deliver a programme of summer activities in Wibsey Park, following on from a pilot programme last summer.

The Summer of Fun successfully attracted families into the park throughout the six week holidays, with activities provided by organisations that use the park all year including the Community Gardens, Yorkshire Wildlife Trust, Bradford Model Engineering Society, Walking for Health and Wibsey Warriors Rugby Club, plus sessions from Bradford Park Avenue, Bradford Bikery and Yorkshire Cricket Foundation.

A team from Friends of Wibsey Park joined Council wardens to help at the Bradford Park Avenue sessions, where numbers were high (up to 50 per session).

Flyers were distributed through every primary school in the area, also daily updates on social media, posters taken to local shops and banners at two park entrances and the village car park

**Wibsey Park
Summer
of Fun**

Wibsey Park is hosting a huge range of **FREE** activities this summer with something for everyone, from a gentle stroll to gardening crafts, team sports and cycling!

The summer programme is being run in partnership with the Friends of Wibsey Park and Bradford Council, and aims to get as many people using the park as possible over the summer, from Monday July 22 until the end of August.

For more details and any changes please find us on Facebook at www.facebook.com/friendsofwibseypark and www.facebook.com/groups/BradfordSouthNews or call Bradford South Area Co-ordinator's Office on 01274 431155.

The wording in this publication can be made available in other formats such as large print. Please call 01274 431155

City of **BRADFORD**
METROPOLITAN DISTRICT COUNCIL

Description	Activity provider	Dates	Time and Place	Contact
Gardening arts and crafts, age 5 – 11 years BOOKING ESSENTIAL Adult volunteering	Wibsey Community Garden	Mondays July 22, 29, Aug. 5, 12 Thursdays July 25, Aug 1, 8, 15	10.30 – 3.30 Community Garden	jenwhite@bradrepaint.co.uk 07909 224609
Walks from and around the park	Walking for Health	Every Monday Morning	11am Meet at Beacon Road entrance	
Football and multi sports for all ages	Bradford Park Avenue FC	Tuesday afternoons July 23,30 August, 6,13, 20, 27	2 – 4.30pm Park sports field	jayne.spencer@bpaafc.com 07807 011948
Rugby – Wibsey Warriors age 2 – 5 Mixed girls and boys training age 6-10. Boys and Girls teams under 12s to under 18s	Wibsey Warriors Rugby Club	Tues and Thurs evenings – July 23/25, 30/1 August 6/8, 13/15, 20/22, 27/29	6-7pm and 7-8pm Park sports fields	Steph 07547 392853 Chris 07775 761789 wibseywarriorsecretary@gmail.com
Cycling skills course, bikes to borrow, free bike health check	Big Bike Revival, Bradford Bikery	Wednesday 24 July	1.30 – 4 pm Park sports fields	07541 093650 bradfordbikery@gmail.com
Pop up Cricket	Yorkshire Cricket Foundation	Wednesdays July 31, Aug 7, Aug 14, Aug 21	2 – 3 pm park sports field	Contact Shannon at tarandj@gmail.com
Nature play sessions for under 13's (under 6's must be accompanied by an adult)	Yorkshire Wildlife Trust	Thursday August 6, 22, 29	12 – 4 pm, meet at the gate to Wibsey Community Garden	Sarah.goldsmith@ywt.org.uk 07557 001271 or 01484 663185
Model boating	Bradford Model Engineering Club	Every Sunday Morning	10.30am Park Lake	

Feedback from public: Quotes from parents who attended sessions:

“It’s definitely worth doing this again – I found out about it through the community garden and our grandson came to two of the football sessions.”

“The boys have loved it, it’s been nice that it’s local so we can walk, it keeps them active. When the boys know it’s Tuesday, they say “Can we go to the park this afternoon ?”, and Harry has started to show a real interest in playing at home now.”

“My kids (age 3 and 5 yrs) have absolutely loved all of it – we’ve been to a couple of football sessions and the nature play. The volunteers have been fantastic”

“My son’s not really played football before, but now he’s just wanting to kick a ball about.”

“Next year we’d absolutely be here again – anything outdoors and free, with nice community spirit, we won’t miss it !”

Wyke Ward & Tong Ward wards

Wyke Recreation Ground

The friends of Wyke Recreation Ground continue to meet regularly at the Veterans’ Pavilion, supported by the Ward Officer, the three Wyke Ward Councillors and other partners. They work with other users of the recreation area (Wyke Veterans’ Bowling Club, Wyke Rugby Club, the Youth Service, the Community Health Partnership) and support activities that take place here. They also work with the Neighbourhood Policing Team and Neighbourhood Wardens to promote the recently established Wyke Contact Point held in the Veterans’ Pavilion.

Community Litter Pick

On May 7, the Friends of Wyke Recreation Ground carried out a litter pick with young people from the area, supported by the Youth Service and Ward Officer. It was a great way to meet other users of the space, such as dog walkers, and young people using the

play area with parents. Most comments were positive and it was evident that the space continues to be well used by all ages.



The Great Get Together

This event, held on June 22 was held at the Recreation Ground in partnership with Sunnybank Medical Centre, Wyke Rugby Club and the local allotments. The day comprised of several stalls in the park and also guided tours of the allotments to encourage people to take more physical activity. The lads from the Rugby Club loved pedalling the bike to see how much juice they could make. The event was well attended and certainly raised the profile of the green space and the allotments.

Victoria Park (Oakenshaw)

Oakenshaw Residents' Association have had a busy calendar of events in the park this past year, with support from the Ward officer and Neighbourhood Warden. The Police and Community Contact Point is now open once a week, on Mondays and is always busy with local people calling to report issues and sometimes for a friendly chat and a cup of tea. 'Lambs in the park' at Easter time was a popular event, particularly enjoyed by the younger residents in Oakenshaw.

Spring Clean Day

The Annual Village/Park Spring clean took place on March 23 this year and attracted 12 new people from Oakenshaw - some were litter picking in the park and others were bulb planting.



Painting the Gate

The newly painted decorative fence was installed and painted by volunteers from the residents' group, making a welcome entrance to the car park, to what used to be rather overgrown access and uninviting.



Remembrance

Remembrance commemorations were held on 10 and 11 November, at the war memorial in the park. This year, horse riders from the local riding school, (Bridgefield Stables) attended, carrying purple colours to remember animals lost in the wars. A bugler led a two minute silence to remember the 46 men who gave their lives in two worlds. Children from Woodlands Primary school attended and laid a wreath here.

Knowles Park

Great Get Together June 2020

The friends of Holme Wood organised a picnic in the park with parents and youth children from Holme Wood. The children were encouraged to play, walk and have fun in the park. They all enjoyed using the new play equipment. Similarly, Healthy Lifestyle held a picnic in the park for an elderly group of residents from the local area where they were encouraged and shown the benefits of taking a short stroll in the park.

Summer Activities Programme.

The Friends of Holme Wood organised an active programme of events for parents and young children during the summer holidays - this included regular trips to Knowles Park, encouraging families to use the facilities. They conducted mini walks with young children and mums with prams.



Great Horton and Queensbury wards

Friends of Brackenhill Park

The Friends of Brackenhill Park Committee Group with the support from the Ward Officer secured funding of £1,000 from Asset Based Community Development Fund to undertake a community consultation about the facilities in the Park. This was carried out by Your Back Yard, a social enterprise during Spring 2019. A report and action plan has now been produced that will be used to apply for funding to improve the facilities and activities in the park to encourage children and families to use this local and natural resource.

In partnership with Your Back Yard and Brackenhill Primary School we organised activities for Father's Day on Thursday 13th June 2019 in the park. This included fathers and children undertaking activities together and also giving their views on facilities at the park and improvements they would like to see.

The Annual Party in the Park event was held on Saturday 6th July 2019. Thanks to funding from Great Get Together and Community Chest from Bradford South Area Co-

ordinator's Office which enabled us to provide a whole range of activities such as information stalls, climbing tower, face painting, mehndi, football coaching, yoga and lots of activities for families and children. This was another successful community event.



Friends of Russell Hall Park

The Friends of Russell Hall Park have been working with the Council to undertake improvements at the Park. The Community Garden project was funded from the Section 106 monies and consists of a performance space with linking paths, a sculptural curved seating wall with provision for planting, regrading and seeding works of grassed areas and landforms and a pop –up electrical point for events

In summer 2019, the teen shelter and 4 steel picnic benches (including one for wheel chair access) were installed in the park. These were funded from the West Yorkshire Combined Authority's Local Transport Plan and cost approx. £16.000.



Friends of Littlemoor Park

The Friends of Littlemoor Park has developed a 5 year plan that has been approved by the Council. This park used by a large no of people as a place for quiet contemplation of nature and of course the large dog walking community.

The Bradford South Area Co-ordinator's Office has supported the Group with the provision hi viz jackets, littlepickers, gloves and bags for community littepickers and also the Neighbourhood Wardens have installed signs to prevent dog fouling.

Regular Working Party events -Depending on what needs to doing but includes planting trees/ hedgerows/bulbs etc, clearing and maintaining pathways and overgrown areas (copice), eliminating himalayan balsam, surveying and litterpicks. Also reporting any issues to council which they need to be aware of

Yoga in the Park.was held on 4th June, 21st June, 22nd June and 6th August.

Creating Bog Garden - In partnership with National Citizen Service this project was held in July and involved young people working with the Group to design and create a Bog Garden

Picnic in the Park - As part of the Great Together Events across the district, Picnic in the Park was held on 18th August from 11am – 2pm. As well homemade cakes, there was a guided nature trails, face painting and games.

Several local organisations use the Park on an ad lib/ad hoc basis for 'gatherings' ie running club, walking club, Brownies, Scouts etc.





Report of the Area Co-ordinator to the meeting of the Bradford South Area Committee to be held on 30 January 2020

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Subject:

STREET CLEANSING - PERFORMANCE AND CHANGES TO SERVICE
DELIVERY.

Summary statement:

This report updates Members on the Street Cleansing service including detailed information on complaints and performance in relation to litter and flytipping. The report also provides information on recent major changes including the merger with Parks and Green spaces, service redesign and the recent recruitment of new staff.

Steve Hartley
Strategic Director Place

Portfolio:
**Neighbourhoods and Community
Safety/
Environment, Sport and Culture**

Damian Fisher, Area Co-ordinator
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Overview and Scrutiny Area:
**Corporate /
Regeneration & Environment**

1.0 SUMMARY

- 1.1 This report updates Members on the Street Cleansing service including detailed information on complaints and performance in relation to litter and flytipping. The report also provides information on recent major changes including the merger with Parks and Green spaces, service redesign and the recent recruitment of new staff.

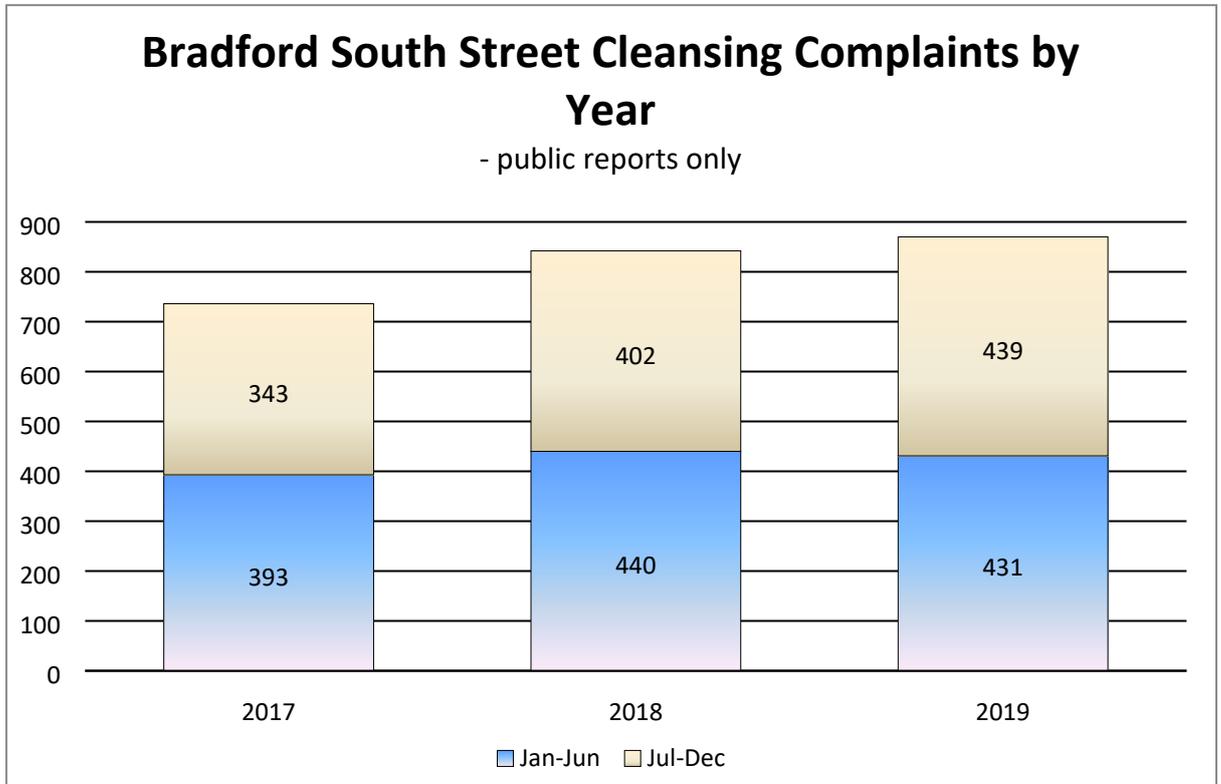
2.0 BACKGROUND

- 2.1 Since April 2019 there have been two major changes to the Street Cleansing service. Firstly the merger of the management structure of Parks & Green Spaces and secondly the redesign how the service is operated.
- 2.2 On 31 January 2019 this committee resolved 'That the service redesign for gateways be adopted.' Since June the clean teams have started earlier to clean the essential strategic networks in the constituency before moving into their respective wards to keep estates clean. The design of the gateway routes allow staff from Keighley and Shipley to cover longer routes which cross the Area-boundaries, allowing staff in Bradford South to focus only on a smaller number of more highly littered gateways within South. The new working pattern has been a major change for all staff and is still bedding in.
- 2.3 To coincide with these changes the Parks operation merged with Street Cleansing. It has been a smooth transition but has been a steep learning curve for the five managers and all have adapted to the changes very successfully. Area Coordinators and managers are currently looking at how both operations can link together in the future including assessments of all roles and responsibilities, joint depot locations and maximise any joined up working including:
- Litter bin emptying, grass cutting, strimming, clearing snickets
 - Winter maintenance
 - Weed control
 - Leaf clearance
 - Ability to work together with Britain in Bloom and Green Flag awards
 - Economies of scale re purchasing
 - Ward Officer Contacts / WOT Partnerships

Street Cleansing Complaints

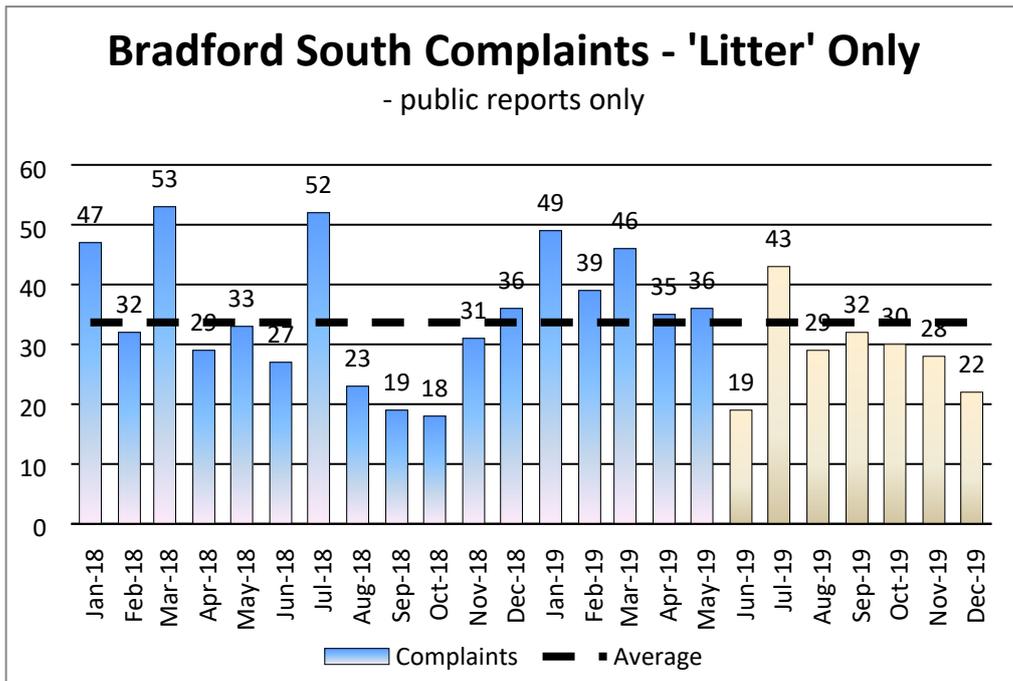
- 2.4 Street cleansing complaints logged with Council Contact include litter, leaves, dog fouling and overflowing litter bins amongst other things. The totals should always be looked at in perspective of the time period across the entire ward eg how many cases per day across an entire ward. Note that since 2012 a growing amount of contact for the cleansing service is made through online contact rather than the traditional telephony channel, in some wards more than 50% of contact comes via online reporting and it has meant that many cases are created outside of normal working hours.

2.5 The level of complaints reported for Street Cleansing in Bradford South has seen a small rise over the last three years. The reduction in resources available for the second half of 2019 and the significant changes in service delivery must be considered when making any comparison with 2018.

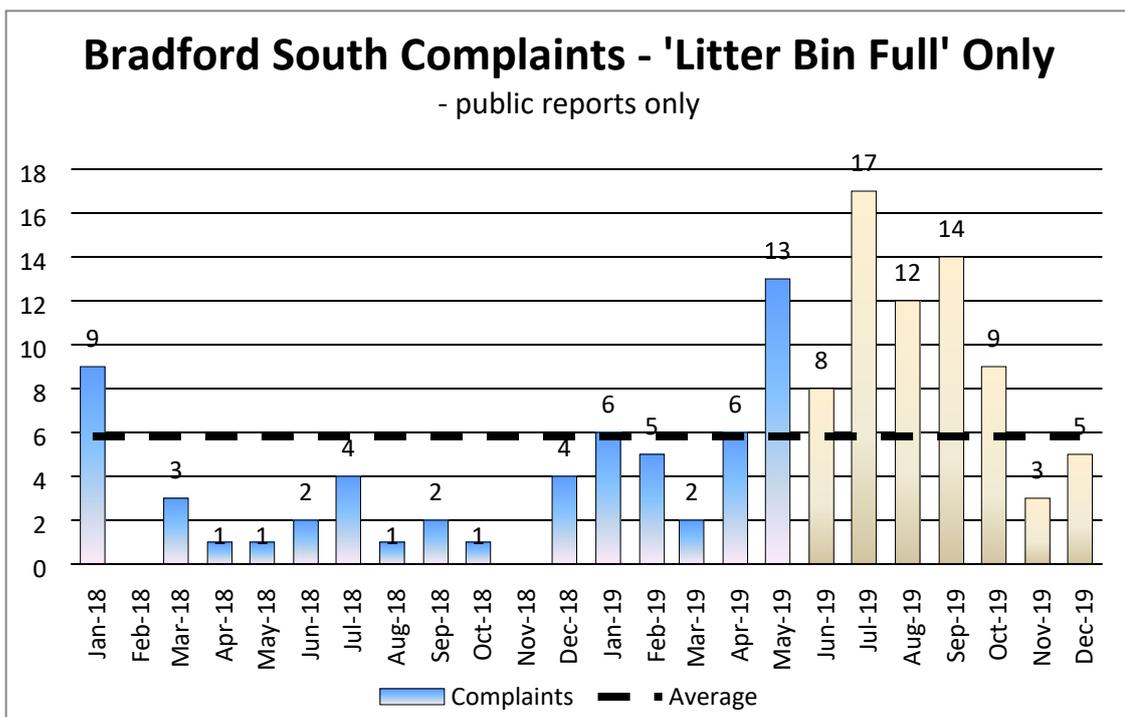


2.6 The complaints reported to street cleansing cover a wide range of issues and the table below shows the overall totals received from the public over 2018 and 2019. The months since the changes in service have been highlighted.

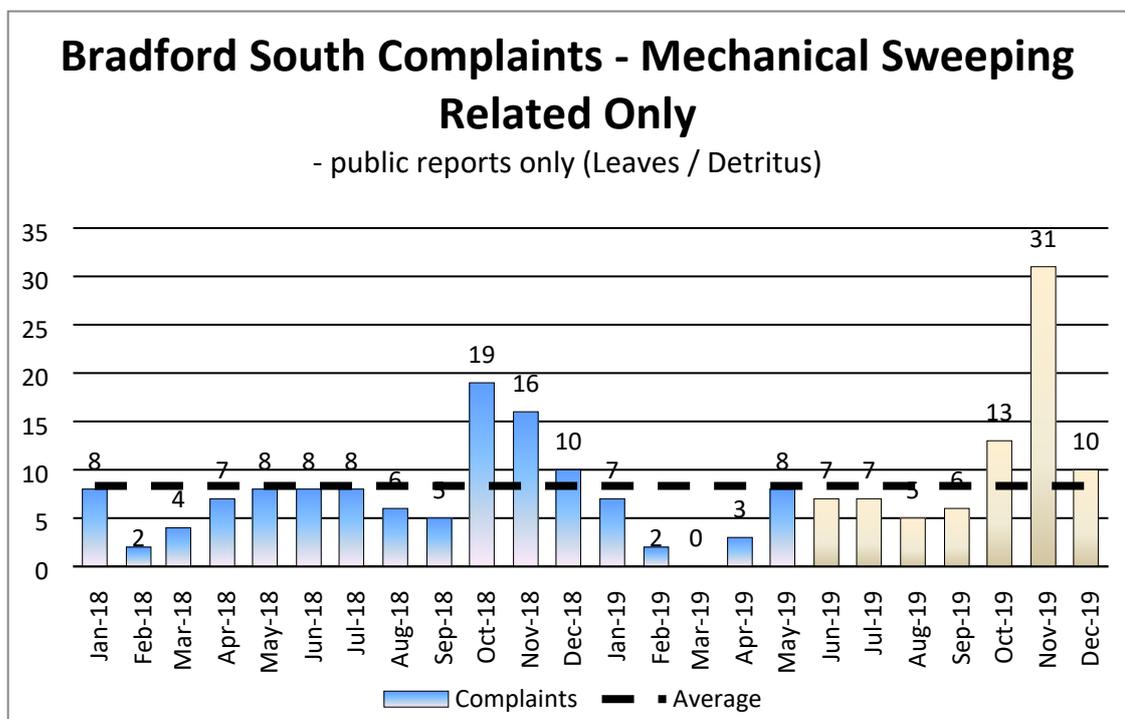
2.7 The table over breaks down the above data and presents the number of 'Litter' specific complaints within Bradford South for 2018 and 2019. In the seven months since the changes in service delivery were introduced, only one month has been above the average number of complaints received in the past two years. Interestingly that month (July) saw a lower number of complaints than the equivalent month in the previous year.



2.8 Looking at the same time period but at those complaints specifically received for 'Litter Bin Full' shows how the changes in routes and work patterns did temporarily disrupt the servicing of litter bins and saw an increase in the level of complaints received. This was not unexpected and service changes usually disrupt any frequency based service, particularly when drivers are operating on different routes to what they have been doing for a significant period of time. In November and December the number of complaints received has fallen to the level below the period average and are comparable with levels being received prior to the changes.



2.9 The next chart looks at those complaint types that relate to mechanical sweeping across Bradford South. On the whole the performances have remained fairly stable; however there was a larger spike in November 2019 compared to November 2018. The total for the Oct-Dec period where leaf clearance is carried out was 54 in 2019 and 45 in 2018. In light of the district-wide reduction to the mechanical sweeping fleet, the on-going performance of these categories will be monitored.



2.10 It is important to look at what the changes are in slightly more detail and the tables below show the complaints by ward across the last three calendar years. The complaints have been grouped to try and highlight where changes have occurred:

- leaves, blossom, mud and detritus have been grouped under Mechanical Sweeping
- litter, litter bin full and green bags not collected have been grouped under Clean Team
- dog fouling, human excrement and any miscellaneous contact have been grouped under Other

Great Horton	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	11	5	7	15	6	20	14
Clean Team	27	25	64	58	71	77	6
Other	23	24	27	29	23	44	21
Total	61	54	98	102	100	141	41

Queensbury	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	12	5	5	11	3	12	9
Clean Team	22	17	24	20	24	14	-10
Other	20	8	12	15	39	15	-24
Total	54	30	41	46	66	41	-25

Royds	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	1	7	3	5	1	6	5
Clean Team	21	19	28	16	22	14	-8
Other	15	23	19	23	15	9	-6
Total	37	49	50	44	38	29	-9

Tong	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	8	10	10	10	5	7	2
Clean Team	63	52	71	64	84	51	-33
Other	23	28	42	35	30	20	-10
Total	94	90	123	109	119	78	-41

Wibsey	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	10	7	7	7	6	7	1
Clean Team	20	7	21	13	17	44	27
Other	21	23	32	17	11	8	-3
Total	51	37	60	37	34	59	25

Wyke	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	3	9	3	9	3	11	8
Clean Team	20	11	19	10	26	22	-4
Other	34	21	17	12	12	14	2
Total	57	41	39	31	41	47	6

Across Multiple Wards	2017		2018		2019		Changes last 6mths
	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	Jan-Jun	Jul-Dec	
Mech Swpr	3	7	2	7	3	9	6
Clean Team	16	18	16	15	20	23	3
Other	20	17	11	11	10	12	2
Total	39	42	29	33	33	44	11

Bfd South Total	393	343	440	402	431	439	8
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- 2.11 The operational changes in Bradford South involved a move to early morning gateway routes in late May 2019 and then the adoption of the prescriptive cleansing routes across the whole Area later in June 2019.
- 2.12 Increases in complaints of Mechanical Sweeping were expected with reductions in sweepers and no alternative options available meaning longer turn-around times on mechanical sweeper routes
- 2.13 The two issues for further analysis are:
- a) the increase in Other in Great Horton
Looking at the breakdown of these 44 cases:
14 relate to other services e.g. refuse collection / highways / grounds
7 should have been recorded as fly tips
8 were miscellaneous reports or emergencies
3 were duplicates
12 were relating to the Clean Team or Mechanical Sweeping services
 - b) the increase in Clean Team complaints in Wibsey
The data shows that 21 of the 44 Clean Team complaints received between July and December 2019 were about just 5 streets within Wibsey, suggesting specific localised issues that needed addressing following the changes. There was only 1 complaint for the Clean Teams reported in December 2019 suggesting that the cause for the spike has been understood and addressed.
- 2.14 Charts showing the total number of complaints for each ward by month can be found in Appendices 1-7.

Litter Monitoring

- 2.15 The service has conducted visual audits of each Area for several years now, using a methodology devised by the Keep Britain Tidy Group. Streets were randomly selected within a target area and then monitored by an officer not directly involved with cleansing operations in that Area. The results expressed as the percentage of streets surveyed deemed to be failing to meet an acceptable standard. What constitutes a pass or a fail is defined by the standards as laid down in the Code of Practice for Litter and Waste.

- 2.16 In summer 2018/19 a new opportunity arose to conduct the monitoring in a much swifter fashion utilising technology. The monitoring is now called Land Audit Management System (LAMS) and can be used for parks, grounds and cemeteries as well as public highways if so desired.
- 2.17 The results are still expressed as the percentage of streets surveyed deemed to be failing to meet an acceptable standard, and as with the previous method of monitoring what constitutes a pass or a fail is defined by the standards as laid down in the Code of Practice for Litter and Waste.
- 2.18 The scores for Bradford South are shown below:

2018/19	A	B	C	D	Grand Total	% Fail
Great Horton Ward	1	9			10	0.00%
Queensbury Ward	5	8	1		14	7.14%
Royds Ward	1	9			10	0.00%
Tong Ward	1	11	1		13	7.69%
Wibsey Ward	2	8			10	0.00%
Wyke Ward	4	6			10	0.00%
South Area Total	14	51	2	0	67	2.99%

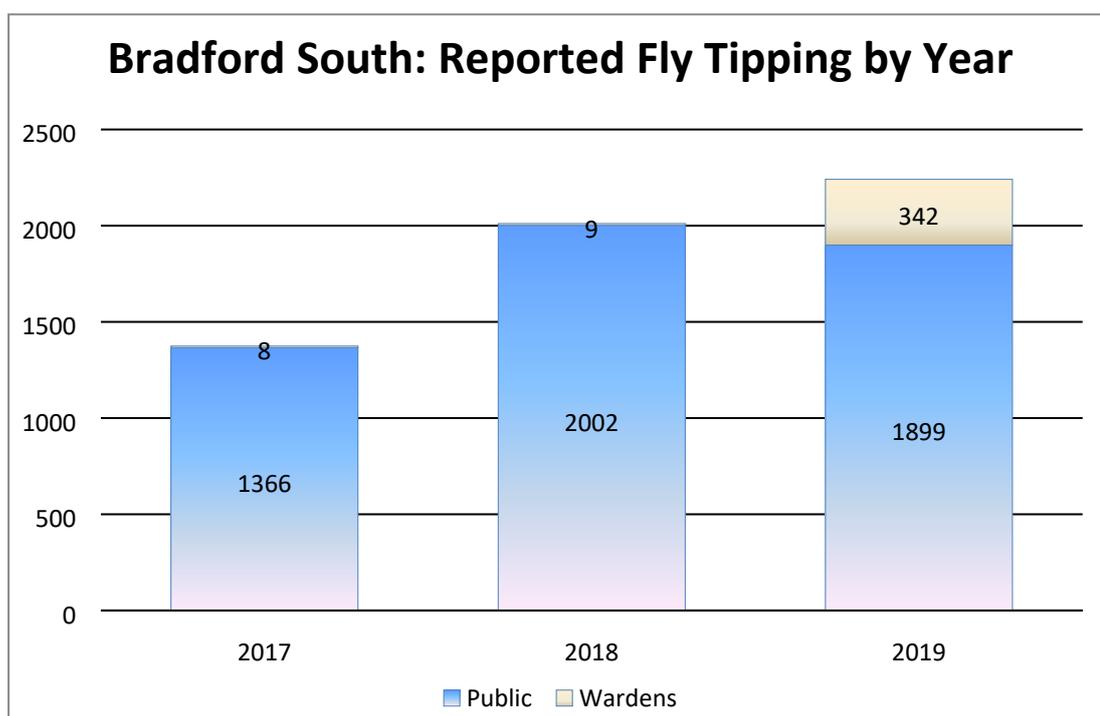
2019/20	A	B	C	D	Grand Total	% Fail
Great Horton Ward		9	3		12	25.00%
Queensbury Ward	3	9			12	0.00%
Royds Ward	2	7	2		11	18.18%
Tong Ward		10	2		12	16.67%
Wibsey Ward		13			13	0.00%
Wyke Ward	3	9			12	0.00%
South Area Total	8	57	7	0	72	9.72%

- 2.19 Great Horton, as the ward with the most perceived environmental issues, had no streets failing upon inspection in 2018/19 which has had a significant impact on Bradford South overall; with one more round of monitoring to be carried out this financial year there will be a higher degree of confidence in this year's outturn which will be larger than in 2018/19.
- 2.20 Analysing the seven fails to be recorded in Bradford South in 2019/20, four of the fails occurred in the months prior to the changes to working arrangements and three in the months after the changes to working arrangements suggesting the cause is an underlying one and not directly related to the work-patterns at this stage.
- 2.21 As district-wide scores are very similar to last year's levels, as well as the national benchmarking indicating outturns of an expected level there is a good degree of confidence in the grading process overall. At a ward level the sample size is relatively small and therefore more heavily influenced by the timing of the random visits so can see more variation between years than the overall district scores. There is another round of monitoring due before the

end of the financial year and by increasing the sample size it will provide a clearer picture of what the general state of streets in the Wards and Area are like as well as giving the new permanent staff the time to make a difference.

Fly Tipping Complaints

2.22 DEFRA data shows that there has been a continuous upward trend in the number of fly tips being recorded each year across the country. In 2018/19 the national increase was 8% and the Bradford district also experienced an increase during this period. Against this backdrop the number of Fly Tipping cases reported from the public in Bradford South has remained similar to 2018.



2.23 In July 2019 there was a change to how the service records warden related cases; the impact of the changes to how wardens record fly tipping can be seen above. It must be stressed that the cases recorded by wardens do not represent a growth in actual cases handled by the service, but the result of formalising those fly tipping cases that were handled unofficially through telephone calls and emails from council staff or Councillors and the cleansing crews.

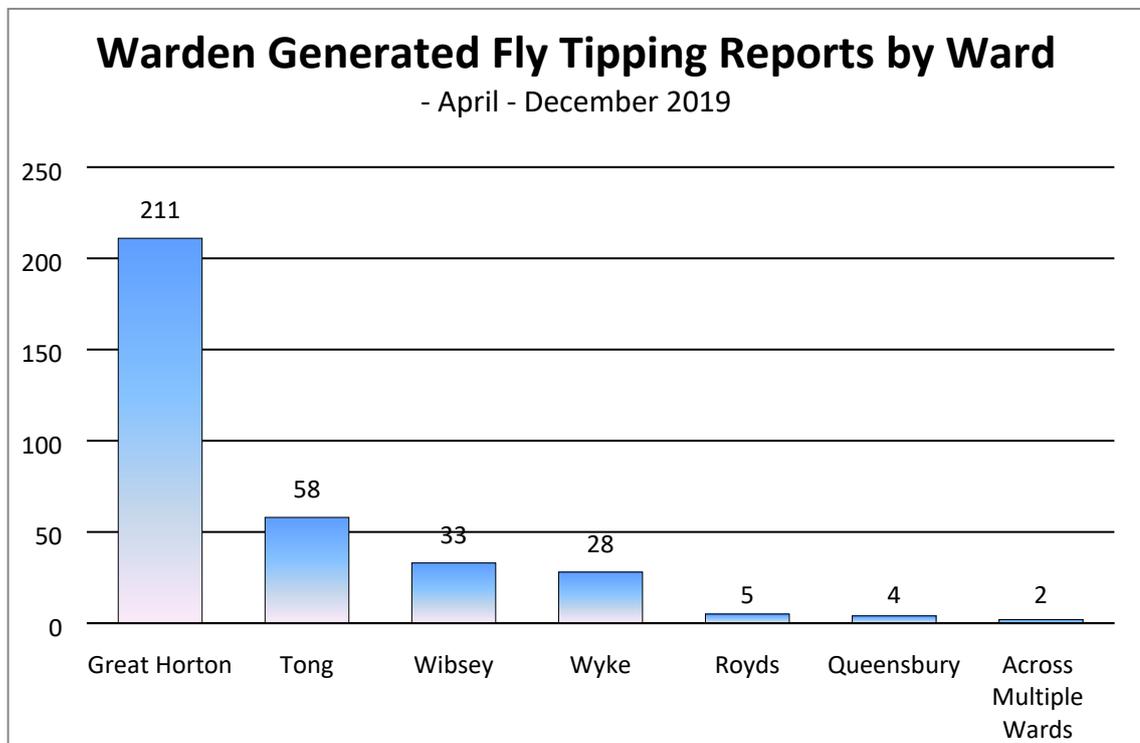
2.24 This move has been made to better allow an understanding of the scope of the problem in each ward or area, but to also improve the chances of identifying patterns for education or enforcement action further down the line.

2.25 The table below shows the changes in public reports for fly tipping by ward across the past 3 years

Ward	2017	2018	2019	Change
Across Multiple Wards	94	165	90	-75
Great Horton	320	549	535	-14
Queensbury	134	132	175	43
Royds	159	224	147	-77
Tong	415	597	614	17
Wibsey	132	186	208	22
Wyke	112	149	130	-19
Grand Total	1366	2002	1899	-103

2.26 Monthly totals for public reported fly-tipping by ward can be seen in Appendices 8-14.

2.27 The table below shows the fly tipping cases recorded by wardens and ward officers across Bradford South between April and December 2019. Great Horton has seen 62% of all Warden generated fly tipping reports across Bradford South.



2.28 The table below allows perspective of the combined levels of reporting of fly tipping by ward following the changes to warden procedures for April to September 2019

Ward	Public	Wardens	Total	Tips p/wk
Great Horton	415	211	626	15.9
Tong	403	58	461	11.7
Wibsey	175	33	208	5.3
Wyke	106	28	134	3.4
Royds	112	5	117	3.0
Queensbury	121	4	125	3.2
Across Multiple Wards	70	2	72	1.8
Total	1402	341	1743	44.4

Behaviour Change

2.29 Within the scope of reduced resources, there is an increased need to encourage more people and communities to take on more personal responsibility and for our services to support people who volunteer to help.

2.30 To maintain clean streets and neighbourhoods we need to get the balance right between the following approaches:

- Deployment of an efficient street cleansing service and increased use of technology and data to target problem areas
- Enforcement of the law where people drop litter, fly tip or cause other environmental issues eg rubbish in gardens, uncontained waste
- Raising awareness within the public of the possible implications of irresponsible behaviour
- Encouraging residents to volunteer and take action themselves

2.31 The current Neighbourhood model does deliver all these aspects to varying degrees depending on the needs of each Area. Parks & Cleansing Managers, Ward Officers and staff from Environmental Enforcement engage with local residents or community groups to support projects the communities want to run. It is acknowledged there is much more that could be done in an ideal situation; however with a finite level of resources any further expectations should not be to the detriment of other work already being undertaken within the broad spectrum of services that Neighbourhoods are expected to deliver.

2.32 An example of how Ward Officers and Street Cleansing are supporting community activity within Bradford South can be seen in Appendix 15, a schedule of all the organised activities around the Great Bradford Spring Clean in 2019.

Publicity and Marketing

2.33 Neighbourhood Services are currently in partnership with Keep Britain Tidy Group regards hard hitting and sustained anti- fly tipping, litter and dog fouling campaigns. The programme of campaigns since 2017/2018 has continued to focus on different themes eg chewing gum, car litter, householders duty of care and City centre littering with illustrations shown below. The most recent campaign, 'Don't Be A Tosser', is aimed at people who throw their waste out of car windows. A third of people are not aware that the registered keeper of the vehicle can now be fined up to £100 if rubbish is seen being thrown out of a car window. The campaign has been designed to send a hard-hitting message to drivers and their passengers that littering from cars is totally unacceptable in terms of behaviour and the damage to the environment and our wildlife.



2.34

Publicity and Marketing unit is also involved in promoting maximum publicity for

3.0 OTHER CONSIDERATIONS

3.1 None.

4.0 FINANCIAL AND RESOURCE APPRAISAL

4.1 The Street Cleansing budget is currently £4.8m. Within the scope of reduced resources, there is an increased need to encourage more people and communities to take on more personal responsibility and for our services to support people who volunteer to help.

4.2 In terms of staffing resources, in Bradford South there is one cleansing manager, six driver co-ordinators, eleven clean team operatives and two mechanical sweeper drivers.

5.0 RISK MANAGEMENT AND GOVERNANCE ISSUES

5.1 The financial risks posed are limited by the nature of the expenditure delegated.

6.0 LEGAL APPRAISAL

6.1 No specific issues.

7.0 OTHER IMPLICATIONS

7.1 EQUALITY AND DIVERSITY

7.1.1 Area Committee decisions will need to be made in line with Equal Rights legislation. This will require Area Committees to assess the potential equality impact of any decisions they make.

7.2 SUSTAINABILITY IMPLICATIONS

7.2.1 Increased local decision-making has the potential to create more sustainable solutions to local issues.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

7.3.1 No specific issues.

7.4 COMMUNITY SAFETY IMPLICATIONS

7.4.1 No specific issues.

7.5 HUMAN RIGHTS ACT

7.5.1 There are no Human Rights Act implications arising from this report.

7.6 TRADE UNION IMPLICATIONS

7.6.1 Trade unions are regularly consulted at levels 1, 2 and 3 with regards to Street Cleansing operations and staffing issues.

7.7 WARD AND WARD PLAN IMPLICATIONS

7.7.1 The information in this report is relevant to all Wards in Bradford South.

8.0 NOT FOR PUBLICATION DOCUMENTS

8.1 There are no not for publication documents.

9.0 OPTIONS

9.1 Bradford South Area Committee can decide how to shape the Service with the resources available.

10.0 RECOMMENDATIONS

10.1 Bradford South Area Committee notes the information in this report, particularly the major changes to the service, the information on complaints and monitoring of cleanliness standards and the community involvement in reducing litter.

10.2 That a further report is presented in 2020 outlining the full-year impact of operational changes made since April 2019.

11.0 APPENDICES

11.1 Appendix 1: Great Horton Complaints by Month (Public Related only)

11.2 Appendix 2: Queensbury Complaints by Month (Public Related only)

11.3 Appendix 3: Royds Complaints by Month (Public Related only)

11.4 Appendix 4: Tong Complaints by Month (Public Related only)

11.5 Appendix 5: Wibsey Complaints by Month (Public Related only)

11.6 Appendix 6: Wyke Complaints by Month (Public Related only)

11.7 Appendix 7: Multiple Wards Complaints by Month (Public Related only)

11.8 Appendix 8: Great Horton Fly Tipping Cases by Month

11.9 Appendix 9: Queensbury Fly Tipping Cases by Month

11.10 Appendix 10: Royds Fly Tipping Cases by Month

11.11 Appendix 11: Tong Fly Tipping Cases by Month

11.12 Appendix 12: Wibsey Fly Tipping Cases by Month

11.13 Appendix 13: Wyke Fly Tipping Cases by Month

11.14 Appendix 14: Multiple Wards Fly Tipping Cases by Month

11.15 Appendix 15: The Great Bradford Spring Clean Schedule for Bradford South 2019

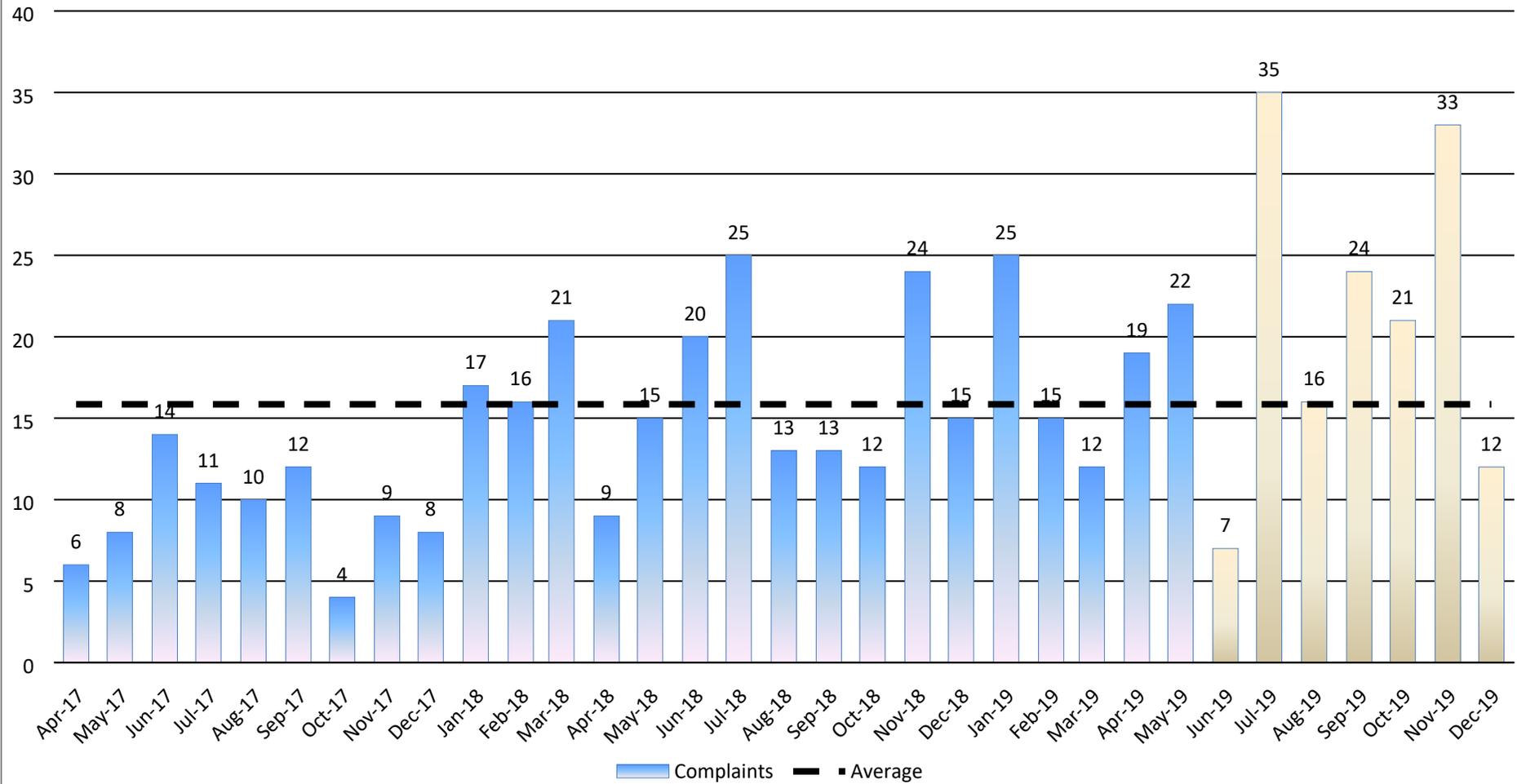
12.0 BACKGROUND DOCUMENTS

- 12.1 'Annual report on Street Cleansing, Environmental Enforcement and Council Wardens and information about the merger of the Parks Service into Neighbourhood and Customer Services', Document Q, Report of the Area Coordinator to the meeting of the Bradford South Area Committee, 29 November 2018.

- 12.2 'Street cleansing – service redesign and deployment of resources', Document Y, Report of the Area Coordinator to the meeting of Bradford South Area Committee, 31 January 2019.

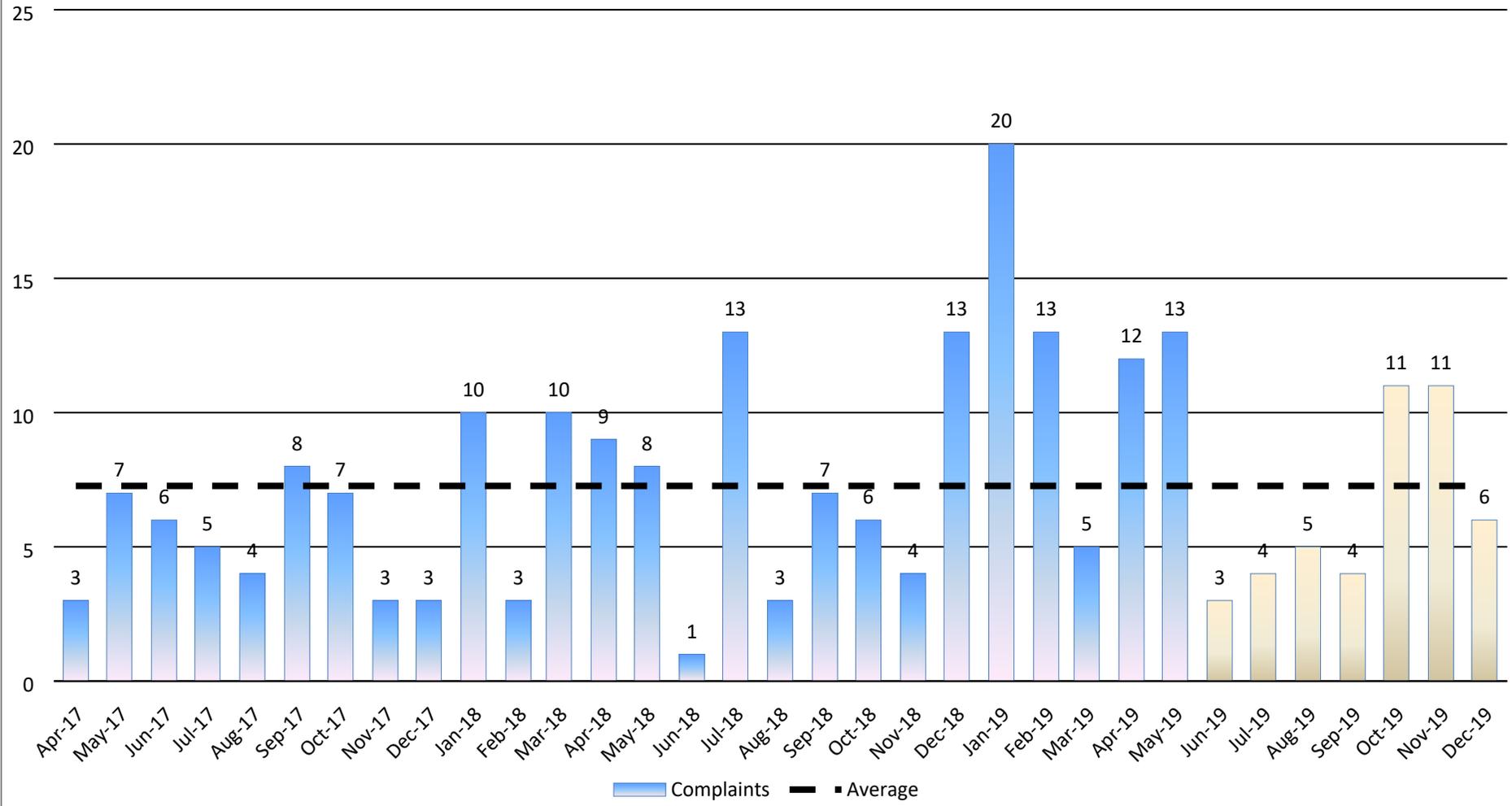
Great Horton Street Cleansing Complaints Received by Month

- public reports only



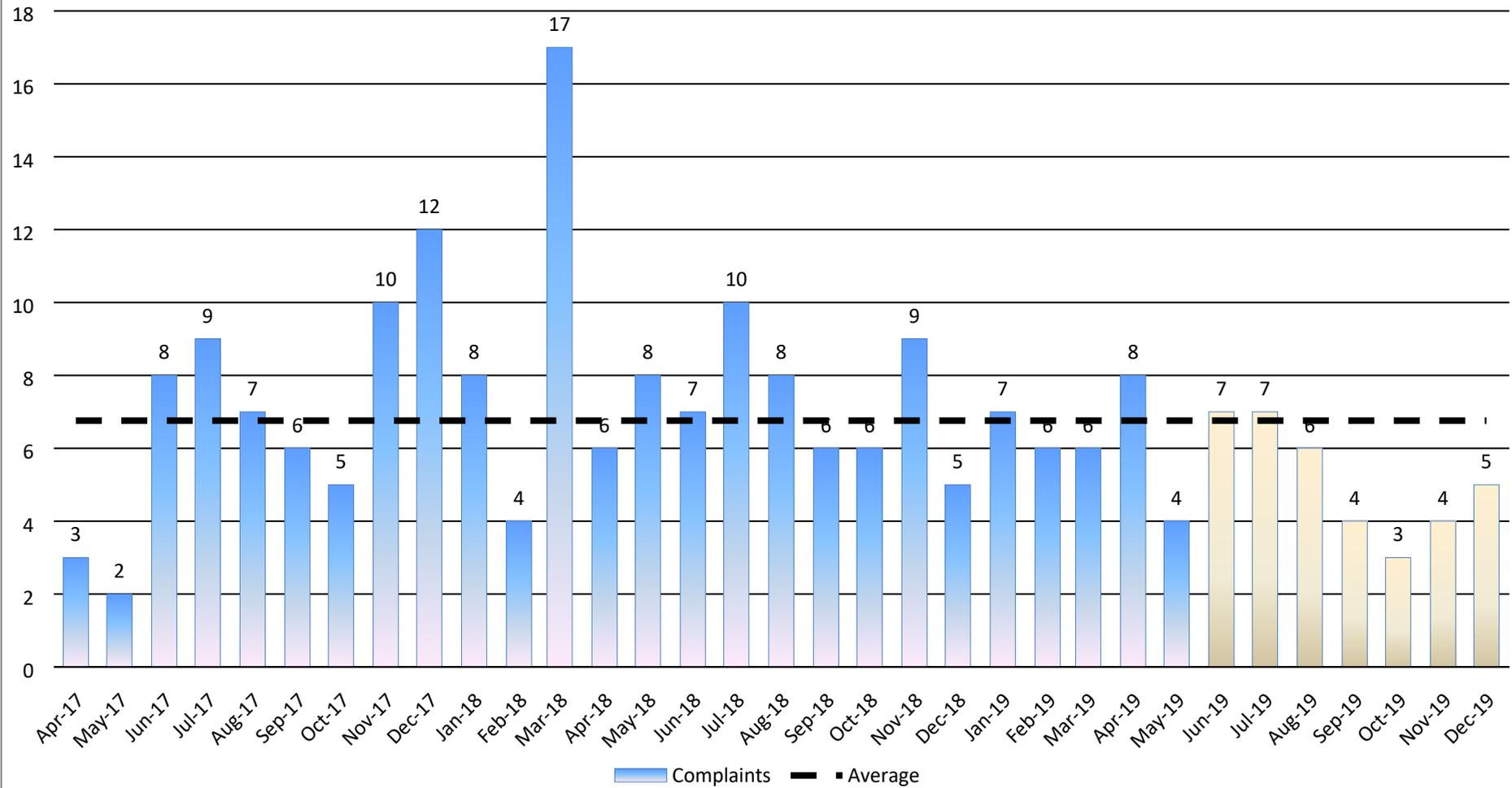
Queensbury Street Cleansing Complaints Received by Month

- public reports only



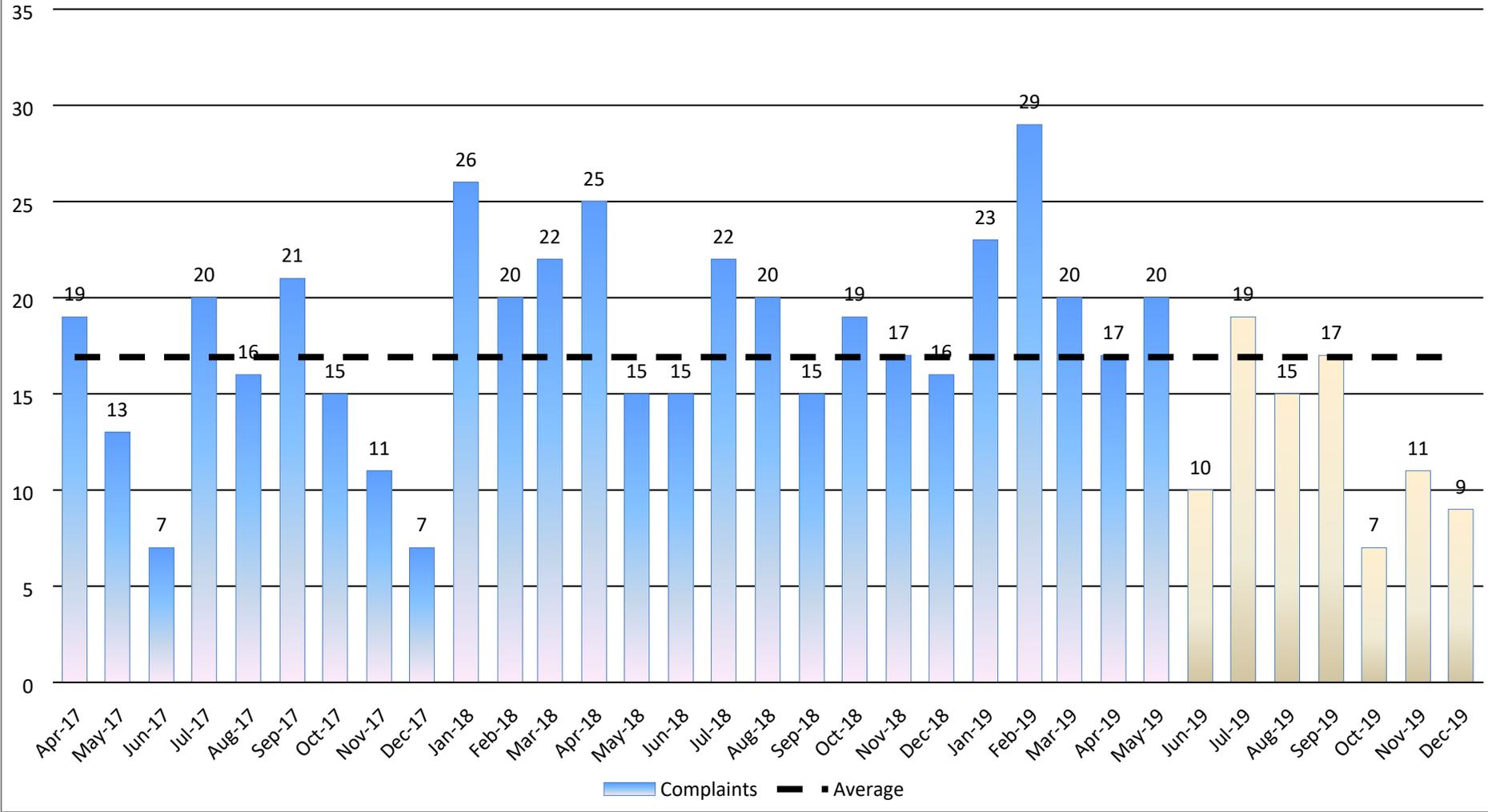
Royds Street Cleansing Complaints Received by Month

- public reports only

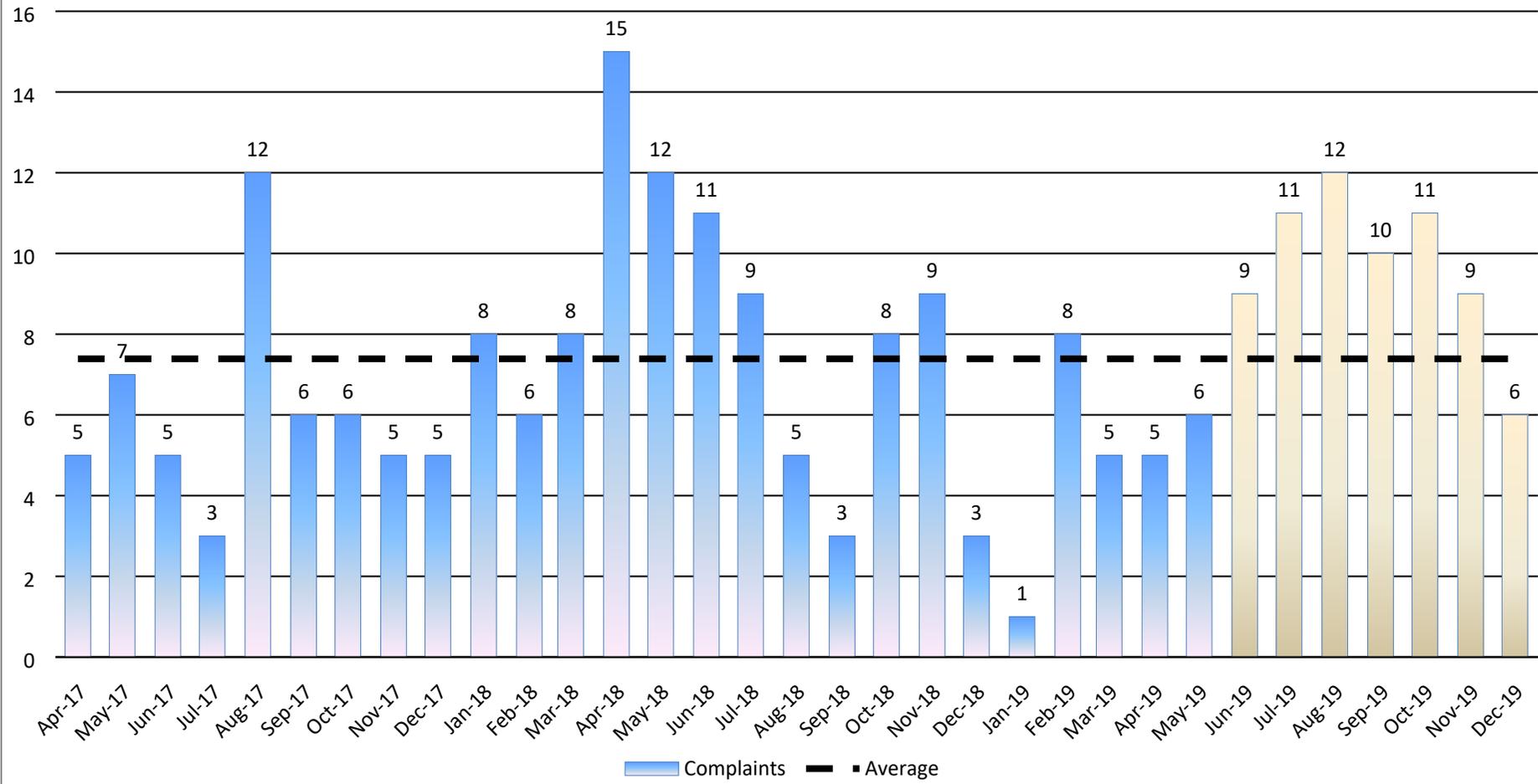


Tong Street Cleansing Complaints Received by Month

- public reports only

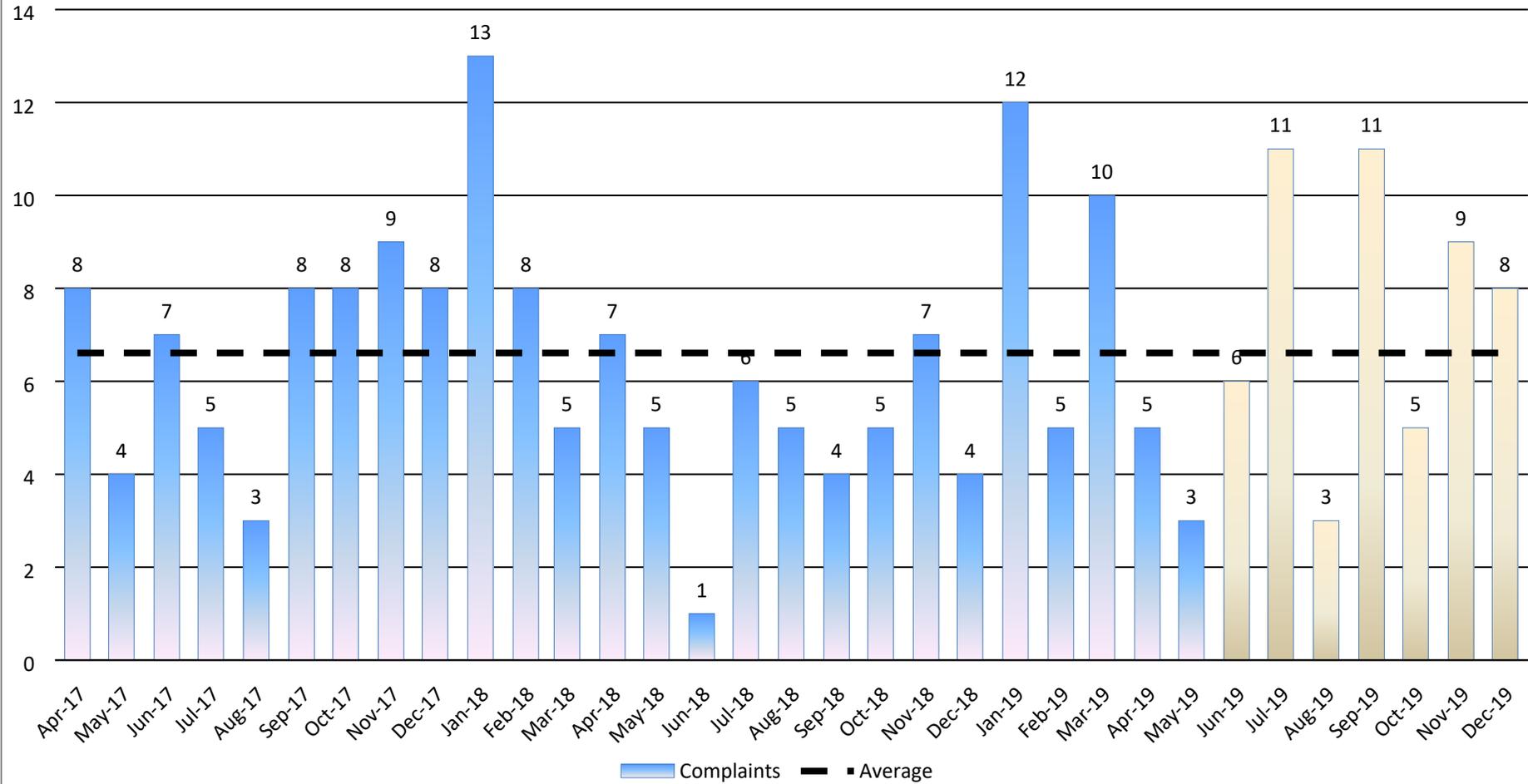


Wibsey Street Cleansing Complaints Received by Month - public reports only



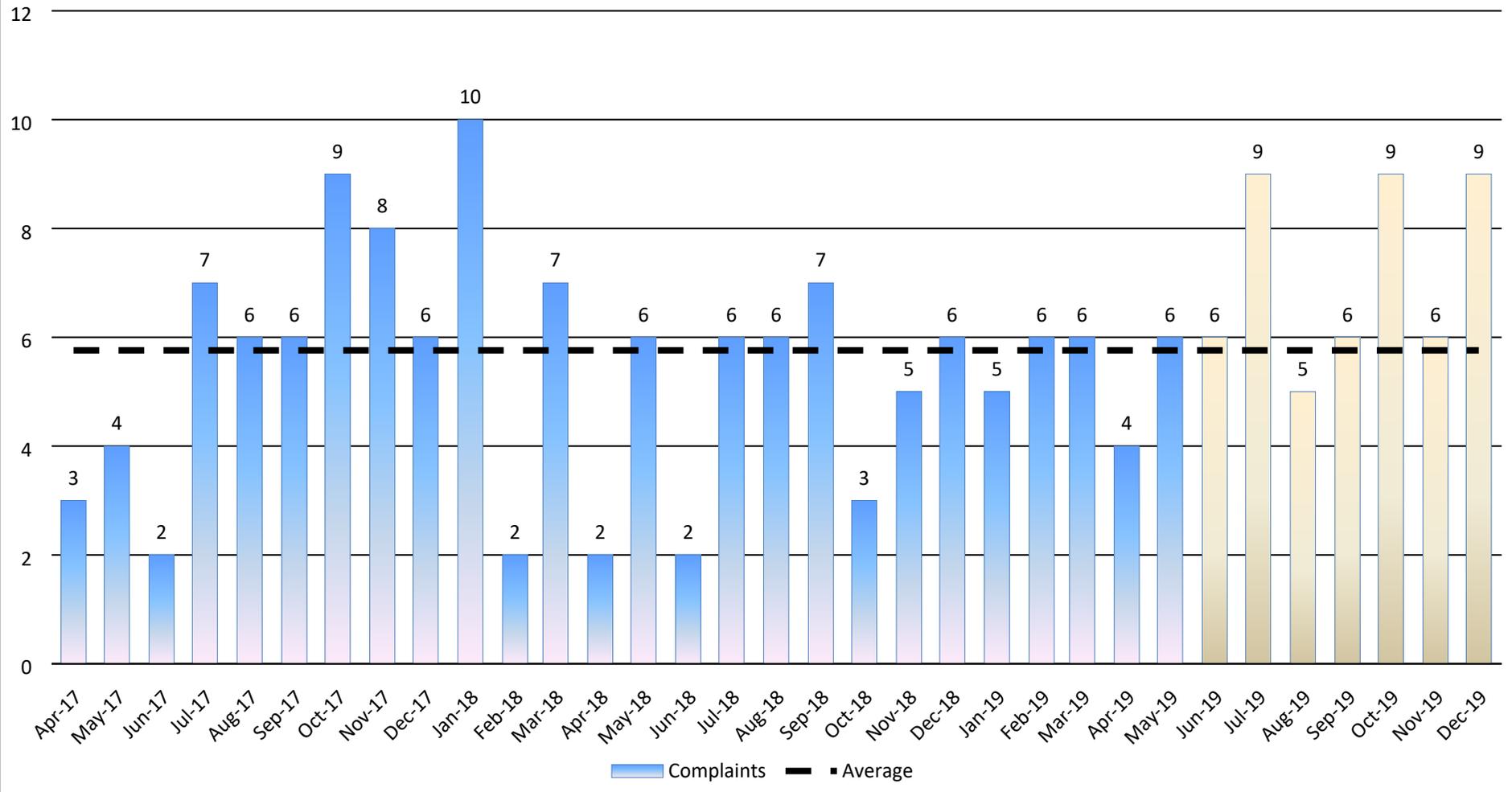
Wyke Street Cleansing Complaints Received by Month

- public reports only



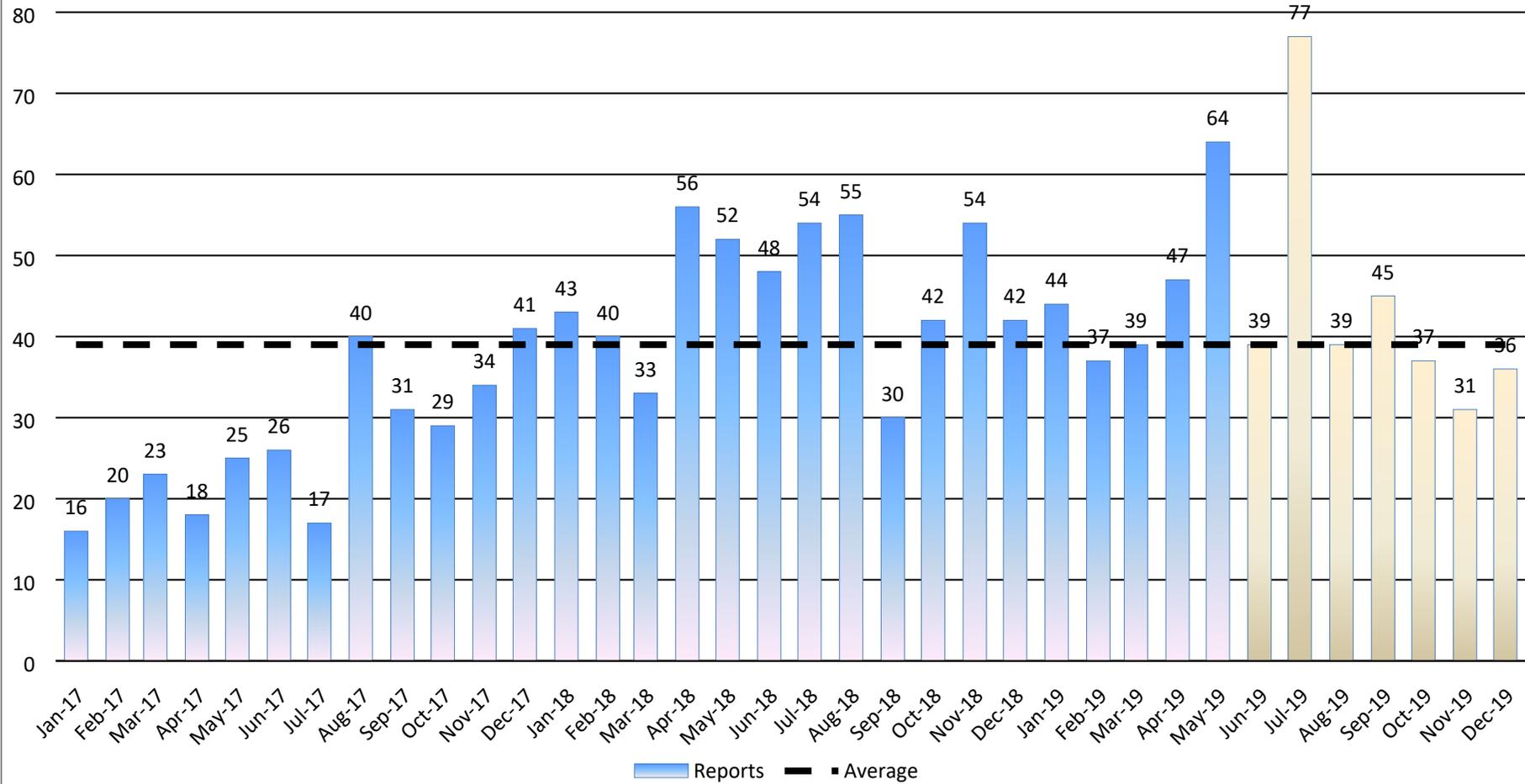
Bradford South 'Across Multiple Wards' Street Cleansing Complaints Received by Month

- public reports only



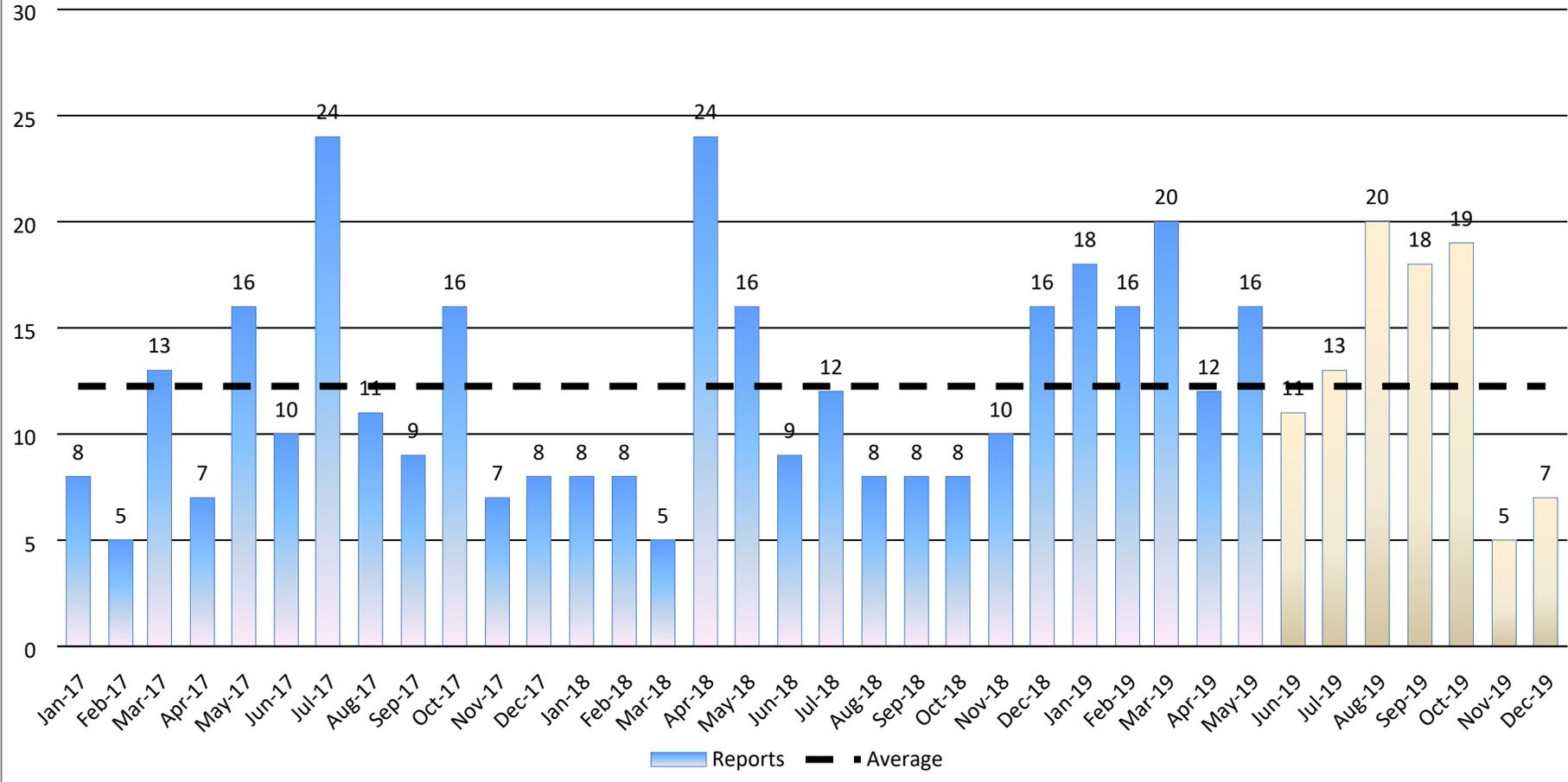
Great Horton Fly Tipping

- public reports only



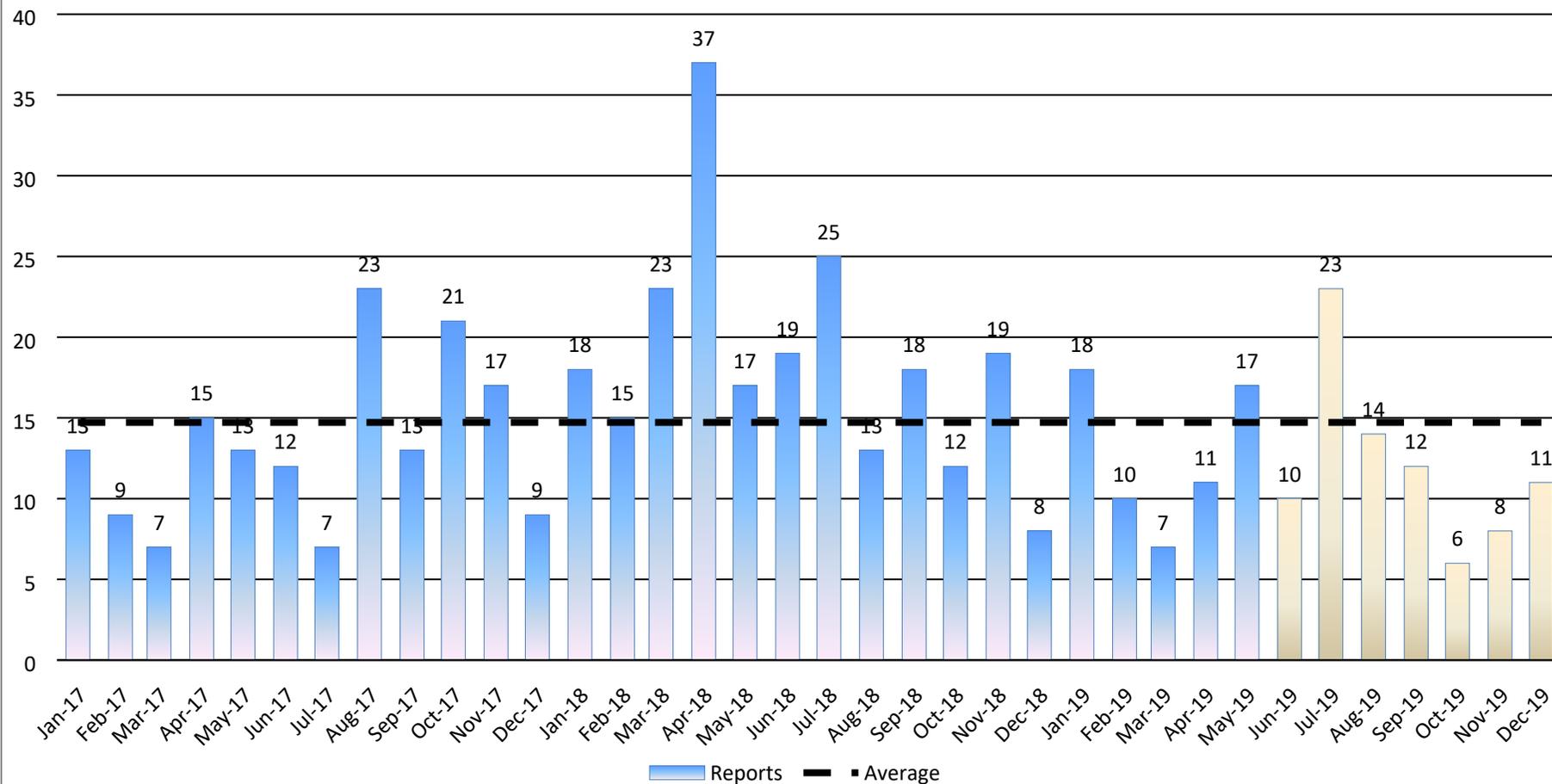
Queensbury Fly Tipping

- public reports only

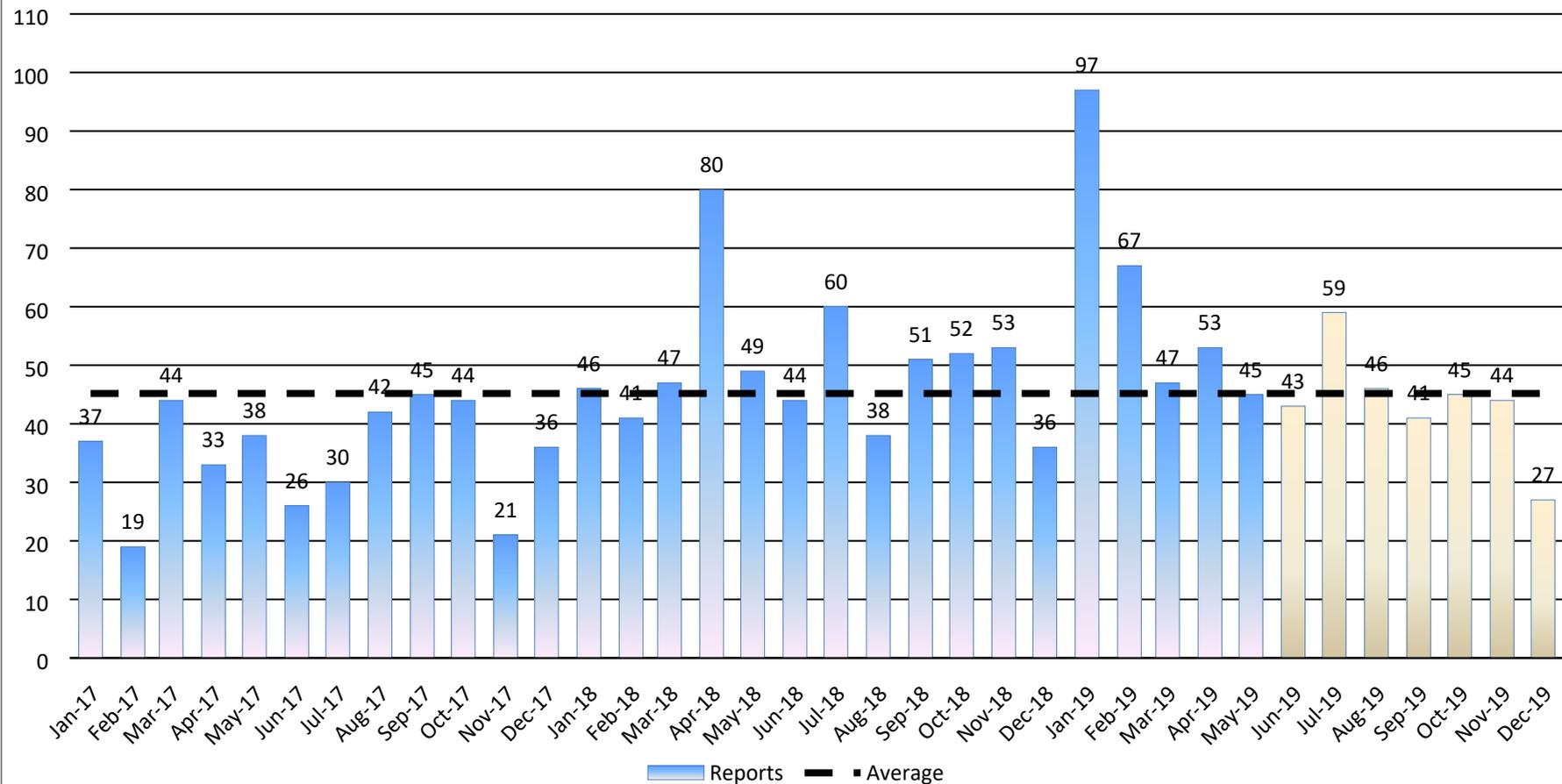


Royds Fly Tipping

- public reports only

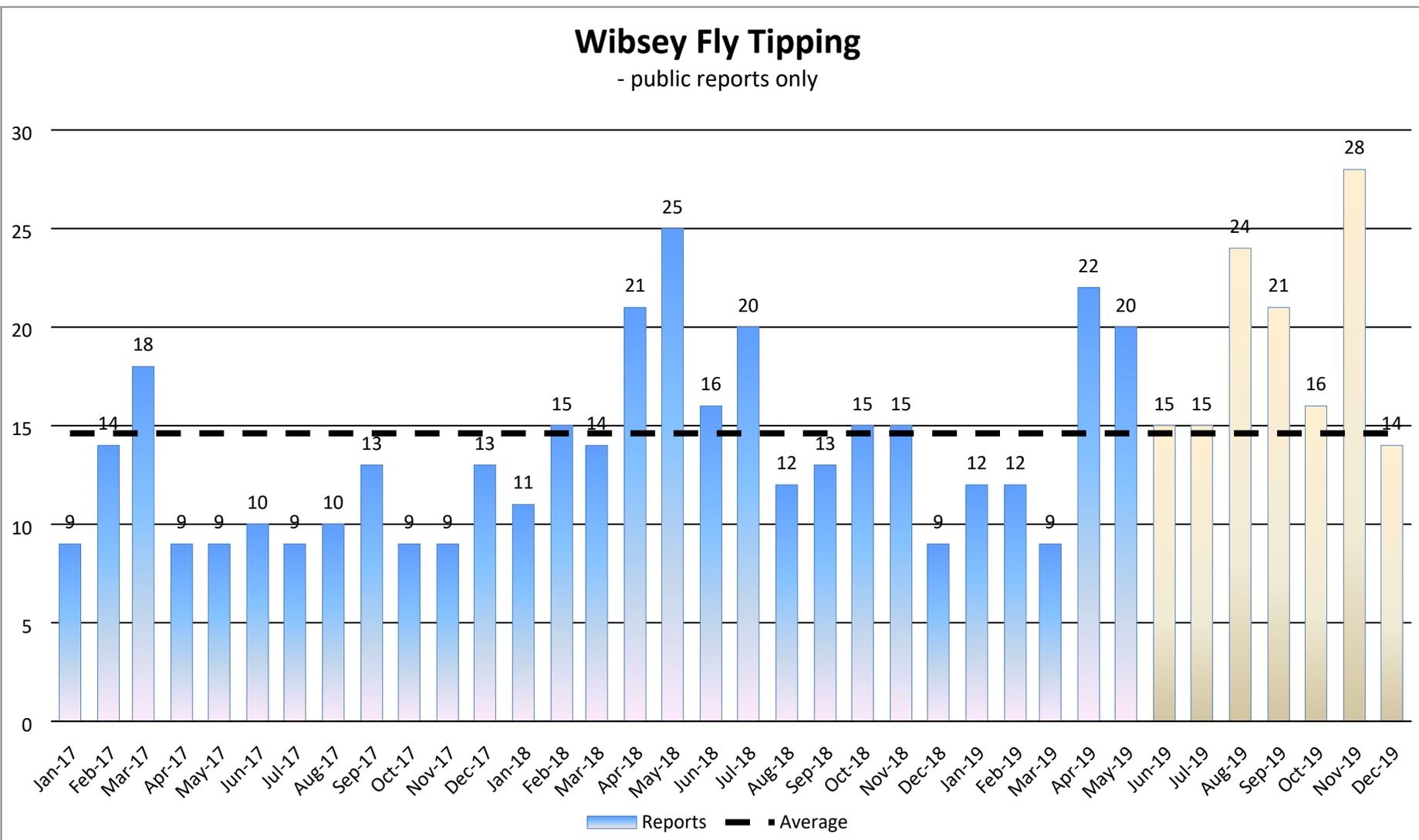


Tong Fly Tipping - public reports only



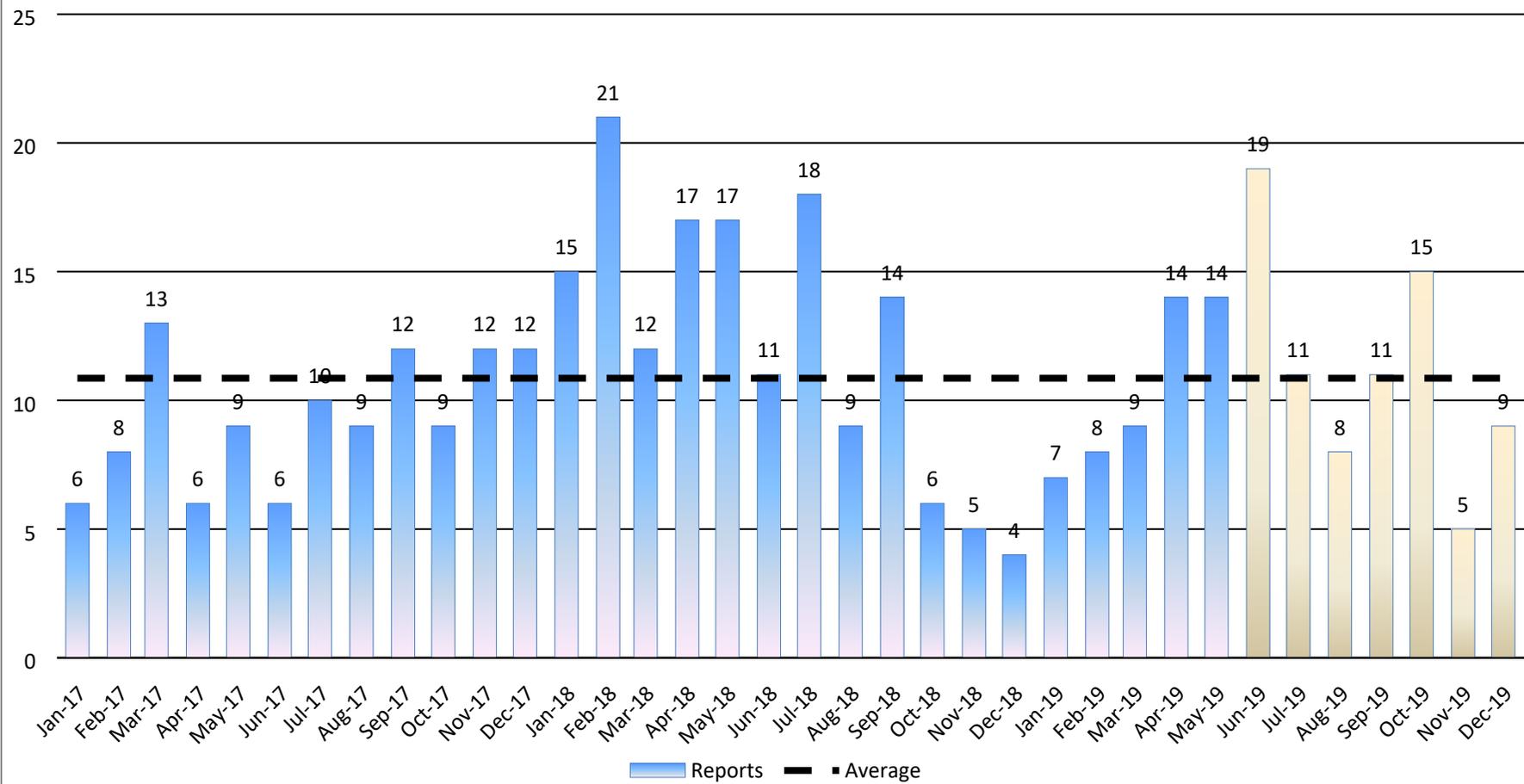
Wibsey Fly Tipping

- public reports only



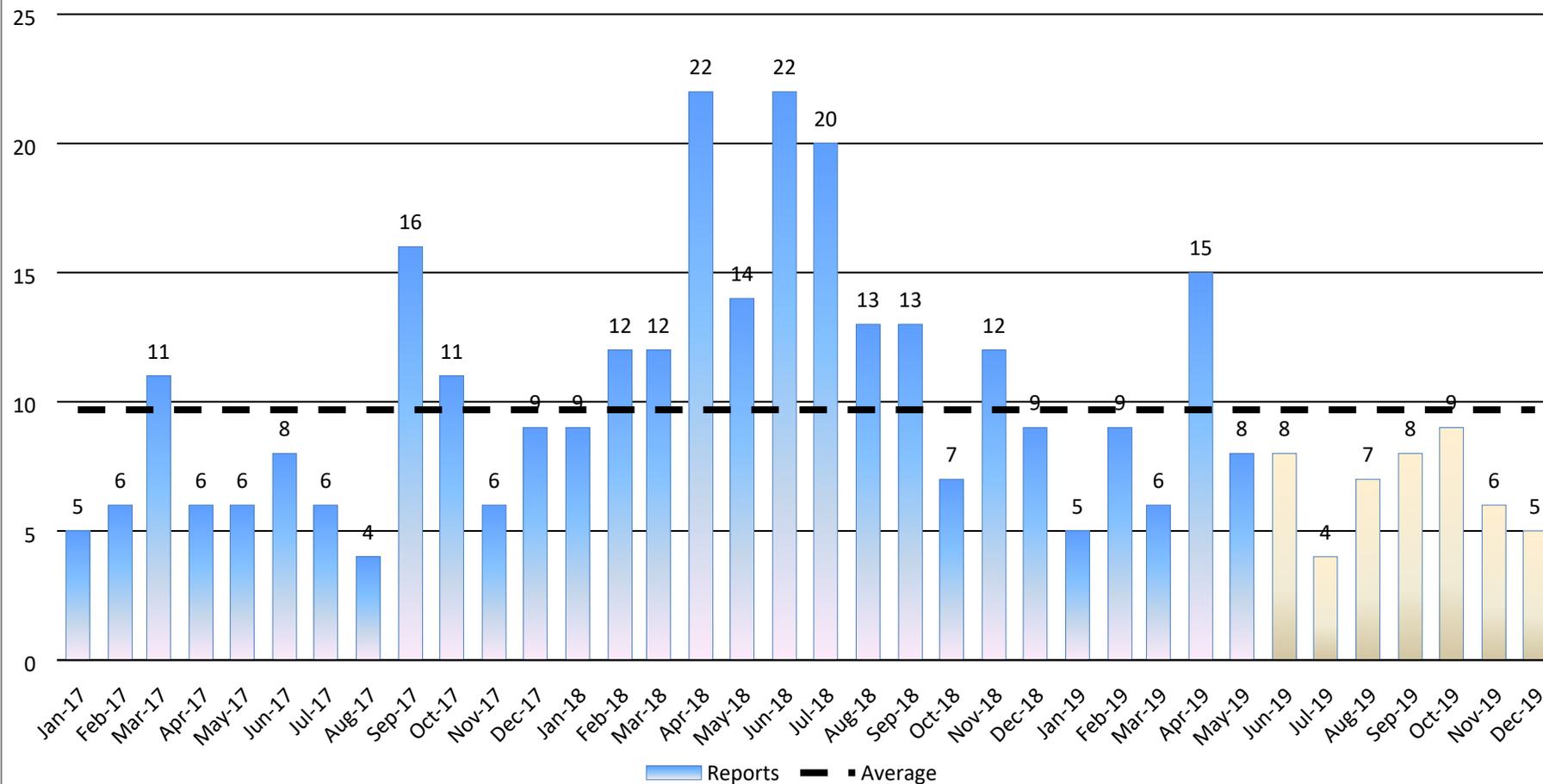
Wyke Fly Tipping

- public reports only



Bradford South 'Across Multiple Wards' Fly Tipping

- public reports only



**THE GREAT
BRADFORD
SPRING CLEAN** – **22 MAR 2019**
– **23 APR 2019**



DATE AND TIME	LOCATION	CONTACT	EQUIPMENT\NOTE
Weds 20 March, 11 – 12 noon	Around St Matthew's Church, Bankfoot	Hannah Raitt, St Matthew's Litter pickers/ Gloves/bags Church\Liz	Litterpicks, gloves, bags, hi vis First of three litterpicks
Thursday 21 10am – 12 noon	Land at rear of Springfield Avenue, Scholemoor	Kiran Pullan	Litterpicks, gloves, bags, hi vis
Thurs 21 Mar 5.00 pm	Around Low Moor Primary School	Shirley Downs	Litter pickers and bags
Sat 23 March, 10.30 – 12.30pm	Land off Beacon Place, Buttershaw	Liz	Clean Team o\t requested Litterpickers, gloves , bags, hi vis
Sat 23 March 9.00am to 1.00pm	Westwood Park Estate, Clayton Heights	Mohammed Taj	Litterpickers, gloves, bags, hi vis, spades, hoes etc. Park staff, tractor and trailer, transit van
Sat 23 March 10.00-12.noon	Oakenshaw (to include Toad Holes Beck)	Oakenshaw Residents' Association David Rhodes/Rada	Litter pickers/gloves/bags
Thursday 26th March 10.00am	Rear of Northside Terrace/Club Street	Northside Terrace Mosque	Litterpickers/gloves/bags
Sat Mar 30 10.30 -1.00pm	Sutton Work Day	Sam on 01274 660244 EMERGE Limited places up to 20	Fish and Chips after event Litter pickers/ Gloves/bags
Mon 1 April, 5.30 – 6.30 pm	Around St Matthew's Church, Bankfoot	Hannah Raitt, St Matthew's Church\Liz	Litter pickers, gloves, bags, hi vis Second of three litter picks
Mon 1 April evening	Around Netherland Ave Scout Hut	Robert Binns, Scout leader	25 litterpickers, gloves, bags
Tuesday 2 nd April	Foxhill Park, Queensbury	PCSO Emma Eliaz/Council Wardens	Litterpickers, gloves and tabbards
Tues April 2 2.00 -5.00pm	Around the Life Centre, Bierley	Katie Bailey Life Centre	Litter pickers/gloves /bags
Wed April 3 5.00- 6.00pm	Around Wesley Place Graveyard,	Shirley Downs	

	Low Moor		
Wed 6 April 10.00-12	Judy Woods	Friends of Judy Woods	Regular weekly task group
Thurs 7 April 10.00	Bierley Woods	Local residents	Regular weekly litter pick in the woods Bin bags/
Sat 6 April, 10 am	Wibsey Park	Friends of Wibsey Park	Monthly litter pick
Sat 6 April 10.30 am	Odsal Estate, meeting outside shops on Smith Ave	Odsal Neighbourhood Watch via Liz	Litter pickers, gloves bags, hi vis
Sun 7 th April	Hillcrest Estate	Friends of Queensbury High Street/ Cllr Hargreaves and local residents	Litter pickers, gloves, bags, hi vis
Monday 8 th April Tuesday 9 th April Wed 10 th April Thursday 11 th April Friday 12 th April	In and around Hollingwood Primary School,Hollingwood Lane	Mohammed Taj - BMDC Deborah Walton, Hollingwood Primary School	Children's Litterpickers, gloves, hi vis, bags
Thursday 11 th April, 6.30pm to 8pm	Horton Bank Country Park	64 th Bradford South Scouts Group	Litterpickers, tabbards, gloves hi vis, bags
Fri 12 April 10am	Around Holme Wood Library	Friends of Holme Wood	Litter pickers/gloves /bags/hi vis
Monday 8 th April	Around Wibsey RL Club, High St,	Wibsey Youth session with Tracey Gill	
Fri 12 April 2.00pm	Around Holme Wood Library	Friends of Holme Wood	Litter pickers/gloves /bags/hi vis
Sat 13 April 2 – 3 pm	Around St Matthew's Church, Bankfoot	Hannah Raitt, St Matthew's Church\Liz	Litter pickers , gloves, bags, hi vis Third of three litter picks
Sat 13 April 10.30 – 12.30	Scaley Hills, off Briarwood Grove Wibsey	Liz	Litterpickers, gloves, bags, hi vis, loppers, rakes, maybe builders bags and rope. Clean Team van and two staff
Tues 16 April , 11 – 2 pm	Buttershaw – Reeve Cres\Farfield Rec areas	Liz\Carli Dodds, Incommunities	Lunch provided by Footprints, tbc
Wed 17 Apr TBC	Grayswood Drive, Holme Wood	Local resident Adele	Litter pickers/gloves /bags/hi vis

Wed 17 April 10.00 -2.00	The Valley Stirling Cres	The Valley Project	Litter pickers, gloves bags
Wed 17 April 2.30-4.00	TBC	Tong Academy	Litter pickers Hi Vis gloves
Thurs 18 April 10.00am	Foot path to Euroway Estate	Mr Kilner	TBC
Tues 23 April 2.30-4.00	TBC	Tong Academy	Litter pickers gloves hi vis
Sat 27 April 10.00-12pm	New Lane	Tong Village Association Michelle Ward	Litter pickers/gloves /bags
Sat April 27 10 - 12	Scaley Hills		
Sat April 27 1pm	Beacon Place		Called off due to bad weather
Sun April 28	Scholemoor cemetery	Friends of the Deceased	

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