

## **Agenda for a meeting of the Executive to be held on Tuesday, 7 July 2020 at 10.30 am remotely**

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### **Members of the Executive – Councillors**

<b>LABOUR</b>
Hinchcliffe (Chair)
I Khan
Ross-Shaw
Ferriby
Jabar
Farley

### **Notes:**

- A webcast of the meeting will be available to view live on the Council's website at <https://bradford.public-i.tv/core/portal/home> and later as a recording
- Any Councillors and members of the public who wish to make a contribution at the meeting are asked to email [jill.bell@bradford.gov.uk](mailto:jill.bell@bradford.gov.uk) & [yusuf.patel@bradford.gov.uk](mailto:yusuf.patel@bradford.gov.uk) by **10.30 on Friday 3 July 2020** and request to do so. In advance of the meeting those requesting to participate will be advised if their proposed contribution can be facilitated and those participants that can be will be provided with details how to electronically access the meeting. Councillors and members of the public with queries regarding making representations to the meeting please email Jill Bell & Yusuf Patel.
- Approximately 15 minutes before the start time of the Executive meeting the Governance Officer will set up the electronic conference arrangements initially in private and bring into the conference facility the Portfolio Holders, the Chief Executive and the Council's legal advisor so that any issues can be raised before the start of the meeting. The officers presenting the reports at the meeting of the Executive will have been advised by the Governance Officer of their participation and will be brought into the electronic meeting at the appropriate time.

### **From:**

Parveen Akhtar

City Solicitor

Agenda Contact: Jill Bell / Yusuf Patel

Phone: 01274 434580/4579

E-Mail: [jill.bell@bradford.gov.uk](mailto:jill.bell@bradford.gov.uk) / [yusuf.patel@bradford.gov.uk](mailto:yusuf.patel@bradford.gov.uk)

### **To:**

## **A. PROCEDURAL ITEMS**

### **1. 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.*

### **2. MINUTES**

**Recommended –**

**That the minutes of the meetings held on 30 April and 19 May 2020 be signed as a correct record (previously published).**

(Jill Bell - 01274 434580)

### **3. 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.

(Jill Bell - 01274 434580)

#### 4. **RECOMMENDATIONS TO THE EXECUTIVE**

To note any recommendations to the Executive that may be the subject of report to a future meeting. (Schedule to be tabled at the meeting).

(Jill Bell - 01274 434580)

### **B. STRATEGIC ITEMS**

**LEADER OF COUNCIL & CORPORATE**

*(Councillor Hinchcliffe)*

#### 5. **FULL-YEAR PERFORMANCE REPORT**

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The report of the Chief Executive (**Document “BR”**) provides a summary of the high level achievements of the Authority as well as performance against Key Performance Indicators (KPIs) for 2019-20. As the final performance report for the Council Plan 2016-2020 period, this report also provides a summary of what has been achieved over the last four years.

The Council will be developing a new Council Plan later this year which will potentially require a new set of KPIs, based around our revised priorities in light of the challenges presented by the COVID 19 pandemic. This report recommends that we continue to monitor the existing Key Performance Indicators based around our priorities and reset these at the point in time the new Council Plan is set.

**Recommended -**

- (1) That the progress against performance metrics outlined in Document “BR” be noted.**
- (2) That Executive agree that the Key Performance Indicators (KPIs) continue to be monitored until new targets are set as**

part of our future planning activity.

- (3) **That Executive agree that the Council will monitor at the public level a number of performance metrics related to employment for people with protected characteristics as outlined in section 6 of Document “BR.**

(Corporate Overview & Scrutiny Committee)

(Phil Witcherley – 01274 43141)

## **6. FINANCE POSITION STATEMENT FOR 2019-20**

51 - 142

The report of the Director of Finance (**Document “BS”**) provides Members with an overview of the financial position of the Council for 2019-20.

It examines the spend against revenue and capital budgets, the what was received for that spend in terms of outputs and outcomes. It states the Council’s current balances and reserves and school balances for the year.

**Recommended -**

**That the Executive is recommended to note the financial position of the Council reported for the year ended 31 March 2020.**

(Corporate Overview & Scrutiny Committee)

(Andrew Cross – 01274 436823)

## **7. QTR. 1 FINANCE POSITION STATEMENT FOR 2020-21**

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The report of the Director of Finance (**Document “BT”**) provides Members with an overview of the forecast financial position of the Council for 2020-21.

It examines the latest spend against revenue and capital budgets and forecasts the financial position at the year end. It states the Council’s current balances and reserves and forecasts school balances for the year.

**Recommended -**

**That the Executive**

- (1) **Note the contents of Document “BT” and the actions taken to manage the forecast overspend.**
- (2) **Approve the new initiatives required to respond to Covid-19 as outlined in paragraphs 4.13 to 4.32. Funding for the schemes of up to £5.978m to derive from Council reserves unless additional Government support or partner support is received, with a further £1m to derive from Public Health grant.**

- (3) Approve the following capital expenditure schemes.**
- **£0.9m for the purchase of two Children's Residential Homes. They will be funded by a mixture of corporate borrowing and capital receipts.**
  - **£3m for IT Core Infrastructure projects of connectivity and network infrastructure, server investment and mobile enhancements. The scheme to be funded by using £3m of the previously agreed £3.7m budget in February 2020 from the previously approved Reserve schemes for IT Capital Projects.**
  - **£5.5m for the development of an Advance Fuel Centre and the replacement of vehicles with compressed gas variants. To be funded by fuel cost savings and additional income from sales.**
  - **Create a £2m reserve as a contingency against future overspends within the Capital Investment Plan.**

**Note the following have been approved under Section 1.7 of the Financial Regulations:**

- **£0.05m additional funding to replace the pool filters as part of the works to refurbish Bowling Pool. To be funded from the general contingency budget.**
  - **£0.6m for the extension of the burial ground at Scholemoor Cemetery.**
- (4) Approve the continuation of the contract with Impower as outlined in paragraph 12.15 and Appendix 3, to support the delivery of transformation, using the £1m investment which was approved as part of the 2020-21 Council budget. The objective being to continue to;**
- **Improve outcomes in the services where significant changes to service delivery are being undertaken**
  - **Provide a Return on Investment on the work undertaken and a sustained improvement in performance and value for money**
  - **Increase the skills within the Council so that more capacity exists to re-modelling services in the future.**
- **It is recommended that the Executive approve the continuation of the contract with Impower to support the delivery of key transformation programmes within a reset Council Transformation Plan.**
  - **Executive is asked to delegate authority to the Strategic Director of Corporate Resources to enter into a contractual arrangement with Impower.**
  - **Strategic Director Corporate Resources presents a revised Council Transformation Programme to a future Executive meeting.**

## C. PORTFOLIO ITEMS

<p style="text-align: center;"><b>REGENERATION, PLANNING &amp; TRANSPORT PORTFOLIO</b></p>
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*(Councillor Ross-Shaw)*

<b>8. BRADFORD COMMUNITY INFRASTRUCTURE LEVY (CIL) - INVESTMENT OF THE STRATEGIC FUND</b>	217 - 234
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The Council has adopted the Bradford Community Infrastructure Levy (CIL), which has now been in place and applies to new development since July 2017. The report of the Strategic Director of Place (**Document “BU”**) relates to the investment of the strategic CIL fund. The purpose of the report is to seek Executive approval for the investment of the CIL Strategic Fund for monies collected 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.

**Recommended –**

- (1) That the Executive agree the allocation of the CIL Strategic Fund as set out in Tables 1 and 2 of Document “BU” (up to March 2020) be used to contribute to Education. Green infrastructure, recreation and open space, Habitats Mitigation and electric vehicle charging points.**
- (2) That the decision on the spend of the Strategic CIL Pot in Table 1 of Document “BU” be delegated to the Strategic Director (Place) in consultation with the Regeneration, Planning and Transport Portfolio holder.**

(Regeneration and Environment Overview & Scrutiny)

(Alex Bartle – 01274 437471)

<b>9. KEIGHLEY BUSINESS IMPROVEMENT DISTRICT</b>	235 - 244
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The report of the Strategic Director of Place (**Document “BV”**) deals with the proposed Council arrangements to enable the achievement, by Keighley Business Improvement District, of a second five year term.

**Recommended –**

- (1) That provision is made, with the Council’s Returning Officer and Electoral Services unit, to hold a ballot of eligible businesses for a future term for Keighley Business Improvement District, to be held before the end of March**

2021.

- (2) In the event that virus cases increase and a further delay arises, the ballot should take place as soon as is reasonably practicable subject to Government further extending the first term.
- (3) That the Strategic Director - Corporate Resources be authorised to vote in the ballot on the Council's behalf with respect to relevant property holdings within the BID area.
- (4) That a revision of the Memorandum of Agreement between the Council and Keighley BID be progressed by the Director of Finance to support the anticipated ballot process.
- (5) That the revised Baseline Study on existing Council service delivery within the eligible area, is prepared to support the anticipated ballot process.
- (6) That changes to the expected term of Keighley BID be noted.

(Regeneration and Environment Overview & Scrutiny)

(Paul North – 07582 107873)

## HEALTHY PEOPLE AND PLACES PORTFOLIO

*(Councillor Ferriby)*

### NOTE

*The following item is included on this agenda as an exceptions to the Forward Plan in accordance with the provisions of Paragraph 10 (General Exception to the Forward Plan) of Part 3D of the Constitution.*

*Accordingly the proper officer has notified in writing the Chair of the Regeneration and Environment Overview and Scrutiny Committee of the matter on which the decision is to be made.*

## 10. **ADVANCED FUEL CENTRE (AFC), BOWLING BACK LANE, BRADFORD**

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The Strategic Director of Place will present a report (**Document "BW"**) to seek authority to build an Advanced Fuel Centre (AFC) at the Council owned site on Bowling Back Lane to provide a compressed natural/biomethane gas (CNG/CBG) refuelling station to fuel up to 77 heavy duty vehicles that are scheduled to be replaced over a 7-year period from 2021/22. The AFC offers the potential for significant fuel cost savings and reductions in greenhouse gas emissions. The scheme development will involve the re-configuration of the Bowling Back Lane site and Household Waste Recycling Facility. Northern Gas Networks (NGN) are project partners and Yorkshire Water has

expressed interest in being an additional anchor fleet. The site will be available to 3<sup>rd</sup> party vehicle operators with potential for revenues through fuel sales.

**Recommended -**

- (1) That adjustment is made to the Capital Programme budget for the funding as detailed in the Finance and Resource Appraisal section of Document “BW”.**
- (2) That approval be given to relocate the Household Waste Recycling Facility to the rear of the Council owned site with a new access road from Birkshall Lane.**
- (3) That approval be given to prepare and submit a planning application for the relocation of the Household Waste Recycling Facility at Bowling Back Lane and for the development the Advanced Fuel Centre.**
- (4) That approval be given to undertake the procurement exercise for the works required for the relocation of the Household Waste Recycling Facility and for the development of the Advanced Fuel Centre, including facility operations, and authority be given to the Strategic Director of Place in consultation with the Director for Finance and the City Solicitor to award the contract to the successful tenderer.**
- (5) That authority be given to the Strategic Director of Place in consultation with the Director of Finance & IT and the City Solicitor to accept and enter into a repayable funding agreement with Northern Gas Networks / OfGem regarding the award of Innovation Funding of up to £770,000 to access the Local Transmission System (LTS, high pressure gas network), subject to agreeing terms of the funding and repayment**
- (6) That approval be given to enter into dialogue with 3<sup>rd</sup> party vehicle operators regarding use of the Advanced Fuel Centre**

(Regeneration and Environment Overview & Scrutiny Committee)

(Andrew Whittles – 0758 405 8868)

**11. EXCLUSION OF THE PUBLIC**

**Recommended –**

**That the public be excluded from the meeting during consideration of the Appendices to Documents “BX” (Manningham Manor House) and “BY”(Future HR Advisory Service) on the grounds that it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that if they were present, exempt information within Paragraph 3 (financial or business affairs) of Schedule 12A of the Local Government Act 1972 (as amended), would be disclosed and it is considered that, in all the circumstances, the public interest in excluding public access to the relevant part of the proceedings outweighs the interest in publication of the appendices.**

**REGENERATION PLANNING AND TRANSPORT PORTFOLIO**

*(Councillor Ross-Shaw)*

**12. THE PRESERVATION OF THE OLD MANOR HOUSE, NO 23 ROSEBERY ROAD, MANNINGHAM, BRADFORD**

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The report of the Strategic Director of Place (**Document “BX” that contains NFP Appendix 2**) will update the Executive on the background, actions taken to date, and options to secure the long term preservation of this Grade II listed building.

**Recommended -**

**That the Executive approves the following recommendations -**

- (1) That the Executive is satisfied that the preservation of the Grade II listed building situate and known as “The Old Manor House”, No 23 Rosebery Road., Manningham, Bradford is in the public interest and that any harm caused by the use of compulsory purchase powers to acquire the building and adjoining garden land is outweighed by the public benefits of taking such action, having also taken into account at this stage, the Council’s statutory obligations under human rights and public sector equality legislation in relation to the differential impact a Compulsory Purchase Order might have on various groups of persons with protected different characteristics;**
- (2) To delegate to the Assistant Director, Planning, Transportation & Highways power to authorise a CPO to be made pursuant to Section 47:Planning (Listed Buildings and Conservation Areas) Act 1990, Section 1 of the Localism Act 2011 and the Acquisition of Land Act 1981 and all other relevant and enabling powers, if there is no alternative other than to resort to the use of compulsory**

**purchase powers to secure the compulsory acquisition of the building and adjoining garden land shown edged red on the plan appended hereto and which land is needed to facilitate and enable the proper preservation and future maintenance and management of the Grade II listed building.**

- (3) To further delegate to the Assistant Director, Planning, Transportation & Highways the authority to -**
- (a) make, if necessary, minor or technical amendments to the Compulsory Purchase Order;**
  - (b) modify and settle the draft “Statement” to justify the use of compulsory purchase powers, the Compulsory Purchase Order Map and Schedule and all other legal documentation necessary to support and accompany the Compulsory Purchase Order to the Secretary of State for Digital, Culture, Media & Sport and for confirmation;**
  - (c) approve agreements with the owners of the listed building and the adjoining garden land setting out the terms for withdrawal of any objections to the Compulsory Purchase Order, including where appropriate, seeking exclusion of any land from the Compulsory Purchase Order;**
  - (d) confirm the Compulsory Purchase Order, if satisfied that it is appropriate to do so, in the event that the Secretary of State for Digital, Culture, Media & Sport notifies the Council that the Council has been given the power to confirm the Compulsory Purchase Order;**
  - (e) promote any modifications to the Compulsory Purchase Order, if expedient to do so;**
  - (f) take all and any necessary action to promote the Compulsory Purchase Order, as the case may be to continue or open negotiations with persons for the acquisition of the building and the adjoining garden land included in the Compulsory Purchase Order and any other land needed for the preservation of the building and to authorise the acquisition by agreement of the building and the adjoining garden land where the use of compulsory purchase powers is in contemplation and to approve the purchase price, advance payments and all compensation payments;**

- (g) **take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the Compulsory Purchase Order;**
  - (h) **take all necessary action, should the quantum of compensation flowing from the threat or use of compulsory purchase powers be in dispute and be referred to the Upper Tribunal (Lands Chamber) or other form of arbitration; and**
  - (i) **to take and do all things necessary or incidental to the implementation of the above resolutions.**
- (4) **That all land acquired for the preservation of the listed building be held for planning purposes.**

(Regeneration and Environment Overview & Scrutiny Committee)

(Julian Jackson – 01274 433766)

#### **LEADER OF COUNCIL AND CORPORATE**

*(Councillor Hinchcliffe)*

### **13. FUTURE DELIVERY OF HR ADVISORY PROVISION**

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The report of the Director of Human Resources (**Document “BY” that contains NFP Appendix 1**) asks the Executive to consider the future of Human Resources advice to managers and agree on how this should be provided in the future.

#### **Recommended -**

- (1) **That approval be given to bringing in-house the HR advice and support service as set out in Document “BY.**
- (2) **That approval be given that service metrics be maintained and reported through Corporate Management Team and for these metrics to include compliance with processes by managers.**

(Corporate Overview & Scrutiny Committee)

(Chris Chapman –01274 433656)

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

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To receive the minutes of the meetings of the West Yorkshire Combined Authority held on 9 January, 6 February and 16 April (attached).

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER