

## Agenda for a meeting of the Executive to be held remotely on Tuesday, 2 March 2021 at 10.30 am

### 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 Thursday 25 February 2021** 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. 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 / Yusuf Patel - 01274 434580 434579)

### 3. **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 / Yusuf Patel - 01274 434580 434579)

## **C. PORTFOLIO ITEMS**

<b>HEALTHY PEOPLE AND PLACES PORTFOLIO</b>
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<i>(Councillor Ferriby)</i>
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### 4. **BRADFORD CLEAN AIR PLAN (CAP)**

1 - 22

Since Autumn 2018 the Council has been working under Ministerial Direction to prepare a local plan for how it intends to deal with exceedances of the legal levels of nitrogen dioxide (NO<sub>2</sub>) at key locations in the District. In December 2020 the Council submitted its Clean Air Plan (CAP) full business case (FBC) to Government setting out its plan to implement a category 'C' Clean Air Zone in the District. The arrangements in the FBC were assessed by representatives of the Joint Air Qualities Unit (JAQU) who have recommended a provisional funding award to Ministers for confirmation and delivery during 2021. The report of the Strategic Director, Health & Wellbeing (**Document "DN"**) updates Executive on the arrangements set out in the CAP and seeks endorsement for its implementation.

**Recommended -**

**that the Executive:**

- (1) approve the implementation of a Clean Air Zone (CAZ) in Bradford at the beginning of 2022**
- (2) approve the delegation of authority to the Strategic Director Place, in consultation with the Healthy People and Places Portfolio Holder, the Regeneration, Planning and Transport Portfolio Holder, the Director of Finance and the City Solicitor for the purpose of carrying out consultation on the Bradford Clean Air Zone, Charging Scheme Order (CSO) and its subsequent adoption including the confirmation of relevant grant and exemption packages**

- (3) **approve the delegation of authority to the Strategic Director Place in consultation with the Healthy People and Places Portfolio Holder and the Regeneration, Planning and Transport Portfolio Holder for the design and delivery of Clean Air Zone publicity campaigns**

(Regeneration & Environment Overview & Scrutiny Committee)

(Andrew Whittles - 0758 405 8868)

**5. A NEW TEN-YEAR CULTURAL STRATEGY FOR THE DISTRICT** 23 - 90

Culture will make a significant and sustainable contribution to the future prosperity of our District as we recover and strive to level up.

In September 2019, the Executive supported a package of strategic investments in culture, one of which was to request that the independent Bradford Cultural Place Partnership lead on the creation of a new sector and community-led 10-year cultural strategy for the district.

The report of the Strategic Director of Place (**Document “DO”**) brings the outcome of this work back to Bradford Council and recommends that the Executive approves the vision, ambitions and practice of Culture is Our Plan to replace its existing cultural strategy.

**Recommended -**

- (1) **That Executive acknowledges the work of the Cultural Place Partnership and the cultural sector across the district in developing Culture is our Plan**
- (2) **That Executive approves Culture is our Plan as the new ten-year cultural strategy for Bradford District and encourages its wider adoption by partners across the District.**

Regeneration & Environment Overview & Scrutiny Committee)

(Nicola Greenan - 01274 431301)

**EDUCATION, EMPLOYMENT AND SKILLS  
PORTFOLIO & DEPUTY LEADER**

*(Councillor I Khan)*

**6. ENSURING THE SUFFICIENCY OF SPECIALIST PLACES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) ACROSS THE DISTRICT**

91 - 112

The report of the Strategic Director of Children's Services (**Document "DP"**) asks the Executive to approve the reutilisation of the District Pupil Referral Unit (DPRU) premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy

**Recommended -**

**That the Executive approve the reutilisation of the District Pupil Referral Unit premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy.**

(Children's Services Overview & Scrutiny Committee)

(Mariam Haque - 01274 431078)

**B. STRATEGIC ITEMS**

**LEADER OF COUNCIL & CORPORATE**

*(Councillor Hinchcliffe)*

**7. WEST YORKSHIRE DEVOLUTION**

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**NOTE: EXCEPTION TO THE FORWARD PLAN**

*The report on West Yorkshire Devolution (**Document "DQ"**) has not been included on the published Forward Plan as an issue for consideration owing to the receipt of the Protocol from the MCA on 7<sup>th</sup> February with a request for it to be considered by Constituent Councils in March. Although not legally binding it will apply to the exercise of functions by the MCA. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 10 of the Executive Procedure Rules set out in the Council's Constitution.*

On 11 March 2020, the Chancellor announced a “minded to” Mayoral Devolution Deal for the West Yorkshire area. A report submitted to Executive on 24 March outlined the details of the devolution deal, its benefits for Bradford District, its people and its businesses and set out the required next steps.

The proposed changes to the governance arrangements required for implementation of the deal were reported to Executive on 19 May.

Subsequently, decisions were made which:

- endorsed the “minded to” deal on behalf of Bradford District,
- approved a statutory review to be undertaken jointly with the other West Yorkshire Councils and the Combined Authority,
- provided for a draft Governance scheme to be consulted on in June and July 2020,
- agreed to submit a summary of the responses to the Secretary of State for Communities,
- agreed in principle to the draft Order to establish a mayoral combined authority,
- delegated authority to the Managing Director of the Combined Authority, in consultation with the Leader and Chief Executive of CBMDC and the other Constituent Councils and the Chair of the Combined Authority, to finalise and consent to the final draft of the Order.

The statutory instrument to establish the mayoral combined authority was approved on 29<sup>th</sup> January 2021. The report of the Chief Executive (**Document “DQ”**) concerns the Protocol to be agreed by the Combined Authority and the Constituent Councils regarding the exercise of concurrent functions and statutory consents.

**Recommended -**

**Executive is requested to:**

- (1) Consider the draft Protocol on Concurrent Functions and Associated Statutory Consents attached as Appendix 1 to Document DQ, and either agree it as drafted or seek the amendments suggested or other amendments;**
- (2) Delegate authority to the Chief Executive, in consultation with the Leader, to agree any subsequent changes to the Protocol.**

(Corporate Overview & Scrutiny Committee)

(Michael Bowness - 07582 103658)

## **NOTE**

This report has not been included on the published Forward Plan as an issue for consideration owing to the need first to ensure approval of the Council's Budget as the overriding priority. Now that has been achieved attention can be given to consideration of how Covid 19 funding from Government can be allocated to meet needs in the District. Decisions need to be taken at this meeting to ensure that preparations for the spending can be made as soon as possible. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 11 of the Executive Procedure Rules set out in the Council's Constitution.

### **8. PROPOSED INVESTMENTS UTILISING COVID GRANT**

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The Director of Finance will submit a report (**Document "DR"**) which provides Members with a number of new recommended investments to help respond and recover from the Covid Pandemic. Funding for the new investments will derive from Government provided Covid related grants.

#### **Recommended –**

- (1) Note the contents of this report**
- (2) Approve the £4.0m of continued investment in priority areas as outlined in section 2 to Document "DR", to be funded from available Covid related grant monies.**
- (3) Resolve that this decision is exempt from 'call-in' on the grounds of urgency, for the reasons set out in paragraph 1.5 to Document "DR".**

Overview and Scrutiny Committee: Corporate

(Andrew Cross - 07870 386523)

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## Report of the Strategic Director, Health & Wellbeing to the meeting of the Executive Committee to be held on the 2<sup>nd</sup> March 2021

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**Subject:**

**DN**

**Bradford Clean Air Plan (CAP)**

### **Summary statement:**

Since Autumn 2018 the Council has been working under Ministerial Direction to prepare a local plan for how it intends to deal with exceedances of the legal levels of nitrogen dioxide (NO<sub>2</sub>) at key locations in the District. In December 2020 the Council submitted its Clean Air Plan (CAP) full business case (FBC) to Government setting out its plan to implement a category 'C' Clean Air Zone in the District. The arrangements in the FBC were assessed by representatives of the Joint Air Qualities Unit (JAQU) who have recommended a provisional funding award to Ministers for confirmation and delivery during 2021. This report updates Executive on the arrangements set out in the CAP and seeks endorsement for its implementation.

### **EQUALITY & DIVERSITY:**

The Council has carried out an extensive Distributional Analysis and Equality Impact Assessment as part of the development of the proposals in the CAP FBC which has been approved by the Government. This work has informed the development of the Bradford CAP and supported the applications for funding to help mitigate against any adverse impacts of the CAZ.

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Iain MacBeath  
Strategic Director, Health & Wellbeing

### **Portfolio:**

**Healthy People & Places**

Report Contact: Andrew Whittles,  
Programme Manager, Bradford Clean Air  
Plan

Phone: 0758 405 8868

E-mail:

[Andrew.whittles@lowemissionstrategy.com](mailto:Andrew.whittles@lowemissionstrategy.com)

### **Overview & Scrutiny Area:**

**Regeneration & Environment**

## **1. SUMMARY**

- 1.1 Since 2018 the Council has been working under Ministerial Direction to prepare a local plan for how it intends to deal with exceedances of legal levels of Nitrogen Dioxide (NO<sub>2</sub>) in the shortest possible time. In December 2020 the Council submitted its Full Business Case for this plan which the Government has approved.
- 1.2 The Clean Air Plan contains a number of measures to tackle NO<sub>2</sub> levels including the introduction of a Category 'C' Clean Air Zone (CAZ) which will require owners of non-compliant taxis, light goods vehicles and heavy goods vehicles to pay a daily charge to enter the zone. Private passenger cars are not subject to this charge. In order to achieve compliance with legal threshold limits the CAZ will need to be operational by January 2022. To mitigate the impact of the CAZ on sectors of the local economy Government has funded a range of grants and exemption initiatives through their Clean Air Fund which are also included in the FBC.
- 1.3 Whilst the focus of the CAP is primarily to improve air quality it also seeks to improve the health of residents of Bradford, help reduce greenhouse gas emissions, in line with the Council's Climate Emergency Agenda, and support clean growth.
- 1.4 The Government has approved the Council's FBC and made a provisional funding award based on the FBC arrangements. Subject to final Ministerial approval the Council will receive further funding of £2.5m for the implementation of the CAZ and further funding of £31m for supporting grant and exemption measures, meaning total funding to the Council of £39.3m for the implementation of the CAP
- 1.5 This report therefore seeks Members endorsement of:
  - i) approval for the implementation of a Clean Air Zone (CAZ) in Bradford at the beginning of 2022
  - ii) approval for the delegation of authority to the Strategic Director Place, in consultation with the Healthy People and Places Portfolio Holder, the Regeneration, Planning and Transport Portfolio Holder, the Director of Finance and the City Solicitor for the purpose of carrying out consultation on the Bradford Clean Air Zone, Charging Scheme Order (CSO) and its subsequent adoption including the confirmation of relevant grant and exemption packages
  - iii) approval for the delegation of authority to the Strategic Director Place in consultation with the Healthy People and Places Portfolio Holder and the Regeneration, Planning and Transport Portfolio Holder for the design and delivery of Clean Air Zone publicity campaigns

## **2. BACKGROUND**

### **Bradford Clean Air Plan**

- 2.1 Levels of nitrogen dioxide (NO<sub>2</sub>) in the Bradford District have consistently exceeded

legal limits at key locations, including:

- Shipley Airedale Road, between Leeds Road and Barkerend Road
- City Centre
- Manningham Lane
- Bingley Road, Saltaire
- Outer Ring Road
- Mayo Avenue / Manchester Road

**Figure 1: NO<sub>2</sub> levels in the City Centre, 2018 (areas in red exceed legal limits)**



## Bradford Health

- 2.2 Poor air quality is closely linked to poor health in Bradford and frequently identified in the most deprived Wards in the District. The Council fully recognises that improving local air quality is essential to attain better health outcomes for all. This is particularly important for the above national average numbers of young people in the District (22% of the total population) who are particularly sensitive to the effects of poor air quality. They may experience life-long impacts resulting from pollutant exposure in their early years.
- 2.3 Data from over 74,000 mothers across 14 European cohort studies, including Born in Bradford (BiB)<sup>1</sup>, has demonstrated that a 10 ug/m<sup>3</sup> increase in NO<sub>2</sub> is associated with a 9% increase in the odds of a low birthweight<sup>2</sup>. Bradford has higher rates of low birthweight babies than the national average (3.6%). Bradford has high levels of childhood asthma with 22% of children having recorded a wheezing disorder<sup>3</sup>.

<sup>1</sup> <https://borninbradford.nhs.uk>

<sup>2</sup> Pedersen M, Giorgis-Allemand L, Bernard C, et al. Ambient air pollution and low birthweight: a European cohort study (ESCAPE). *The Lancet Respiratory Medicine* 2013;**1**(9):695-704 doi: 10.1016/S2213-2600(13)70192-9

<sup>3</sup> Mebrahtu TF, Feltbower RG, Parslow RC. Incidence and Burden of Wheezing Disorders, Eczema, and Rhinitis in Children: findings from the Born in Bradford Cohort. *Paediatric and perinatal epidemiology* 2016;**30**(6):594-602 doi: 10.1111/ppe.12310

Research estimates that 38% of all annual, childhood asthma cases may be due to the negative health effects of nitrogen dioxide and nitrogen oxide. The rate of hospital admissions for asthma in Bradford is high compared with England. Emergency hospital admissions for asthma (0-19 years) are shown in table 1.

**Table 1 - Emergency hospital admissions for asthma (0-19 years)**

Year	Bradford		Y&H	England
	Number	Rate per 1,000	Rate per 1,000	Rate per 1,000
2012-13	324	2.2	2.1	2.2
2013-14	313	2.2	2.0	2.0
2014-15	420	2.9	2.1	2.2
2015-16	356	2.4	1.7	2.0
2016-17	397	2.7	1.8	2.0
2017-18	385	2.6	1.7	1.9
2018-19	415	2.8	1.6	1.8

2.4 Bradford has high levels of underlying ill-health which make our residents more vulnerable to the effects of air pollution. This includes higher than average mortality from cardiovascular disease in under 75 years (102.2 per 100,000). The rate of COPD<sup>4</sup> admissions is far higher than the national average of 2 at 2.6 per 1,000. Bradford also has marked higher than average prevalence of respiratory disease – see table 2.

**Table 2 - Under 75 Mortality Rate from all respiratory disease**

Year	Bradford		Y&H	England
	Number	Rate per 100,000	Rate per 100,000	Rate per 100,000
2011-13	517	48.9	39.3	33.2
2012-14	536	50.1	38.6	32.6
2013-15	556	50.9	38.4	33.1
2014-16	569	51.4	39.0	33.8
2015-17	612	53.9	39.7	34.3
2016-17	591	50.7	41.2	34.7

2.5 Public Health England (PHE)<sup>5</sup> estimates that in 2019 4.7% of mortality in Bradford was attributable to particulate pollution which is equivalent to over 200 deaths in the District. Bradford health data gives an indication of the scale of the ‘at-risk’

<sup>4</sup> Chronic obstructive pulmonary disorder

<sup>5</sup> <https://fingertips.phe.org.uk/profile/health-profiles>

population that have potential to be more adversely affected by poor air quality and also indicates a higher number of people who would be positively affected by improved air quality than the general UK population.

## **Bradford Clean Air Plan**

- 2.6 Bradford Council received Ministerial Direction in Autumn 2018 to prepare a plan to achieve compliance with legal limits for NO<sub>2</sub> in the District in the shortest possible timeframe and by 2022 at the latest. The development of the Bradford Clean Air Plan was required to follow the Government's assurance process requiring submission of a Strategic Outline Case in January 2019 which set out the Council's "long list" of potential interventions. This was followed in October 2019 by an Outline Business Case which presented a 'preferred' solution to Government using the HM Treasury Five Case Approach. Following further detailed work on the options presented in the Strategic Outline Case the OBC detailed the Council's preferred option to introduce a Clean Air Zone Class C+ in the District in late 2021 to early 2022, whereby, all non-compliant vehicle types, except passenger cars, would be charged on a daily basis for entering the CAZ area.

To avoid the inclusion of passenger cars in the CAZ scheme, which would have the potential for severe impact on the most deprived and vulnerable sections of our communities the Council proposed to include an additional (plus) standard for non-wheelchair accessible, private hire vehicles (PHV) beyond the standard included in the national Clean Air Zone Framework<sup>6</sup>.

- 2.7 The development of the OBC involved extensive survey and engagement work, including:
- Stated Preference survey of the operators of approximately 4,000 vehicles
  - ANPR (automatic number plate recognition) surveys of the number & types of vehicles operating in the proposed CAZ area, including their emission standards
  - Engagement surveys involving 1,701 members of the public, 80 businesses and 569 taxi drivers and operators
- 2.8 The Bradford CAP OBC was approved by the Government and a further Ministerial Direction was issued in February 2019 requiring the Council, subject to public consultation on the Council's preferred option to improve air quality, to commence work on the implementation of a CAZ and prepare a final business case (FBC) detailing the Council's final plan.

In addition to Government funding of £1,102,550 to prepare the CAP OBC, the Council was awarded a further £614,124 to fund the preparation of the FBC and £4,069,376 of capital and revenue funding to begin CAZ implementation work.

- 2.9 The arrangements set out in the OBC were reported to the Council Executive Committee on the 18<sup>th</sup> February 2020 with approval given for consultation to be carried out on the CAP preferred option to improve air quality.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/863730/clean-air-zone-framework-feb2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863730/clean-air-zone-framework-feb2020.pdf)

The Executive also approved the delegation of authority to the City Solicitor, portfolio holders (Health and Well Being, Planning, Regeneration and Transport) in conjunction with Strategic Director (Health and Well Being & Planning Regeneration and Transport) authority to complete any agreements necessary in the run up to clean air zone implementation.

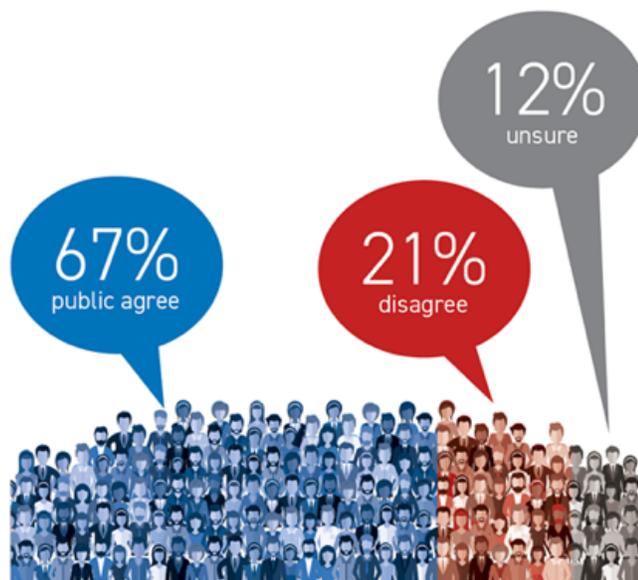
- 2.10 The Council carried out full, public consultation on the preferred option to improve air quality from the 18<sup>th</sup> February to the 8<sup>th</sup> April 2020. 1,637 responses were received, including 744 from taxi drivers and operators and from 88 from businesses. Responses from the general public were lower than in the previous engagement exercise, however, this is thought to be due to the fact that the Council were not proposing an option that included passenger cars.

The findings of the consultation demonstrated that 67% of the public supported the implementation of a CAZ with 12% unsure. The majority of respondents who did not support the CAZ came from postcodes outside of the CAZ area to the west of the District, including Queensbury, who expressed concerns about increases in potential traffic re-routing to avoid the CAZ. In response, the Council will be carrying out extensive monitoring & evaluation of the CAZ, including any traffic displacement. See figure 2.

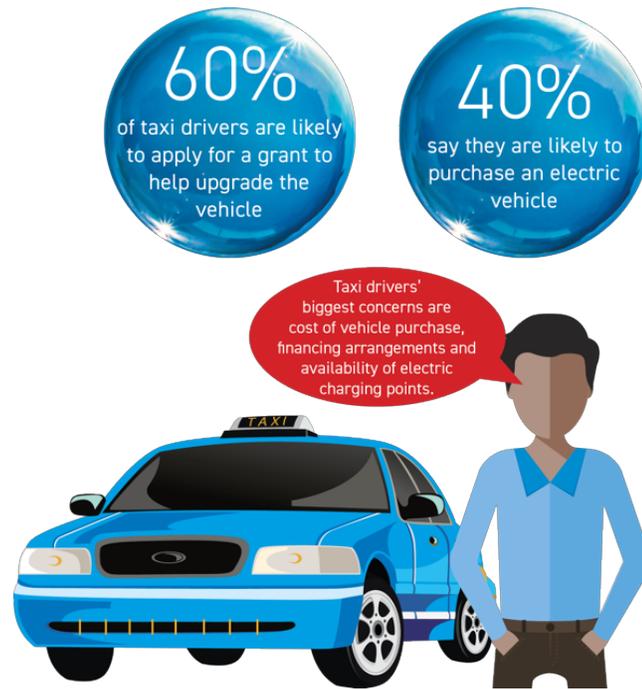
While there was a mixed response to the CAZ from taxi drivers and operators, 40% of the taxi trade said they were likely to move to an electric vehicle given the right incentives. The majority of responses from the taxi trade showed the need for financial support to transition to the CAZ. See figure 3.

The CAP consultation feedback report can be found on the dedicated CAP website – Breathe Better Bradford ( <https://www.bradford.gov.uk/breathe-better-bradford/clean-air-zone-consultation/clean-air-zone-consultation/>)

**Figure 2: Do you agree with the introduction of a CAZ (public)**

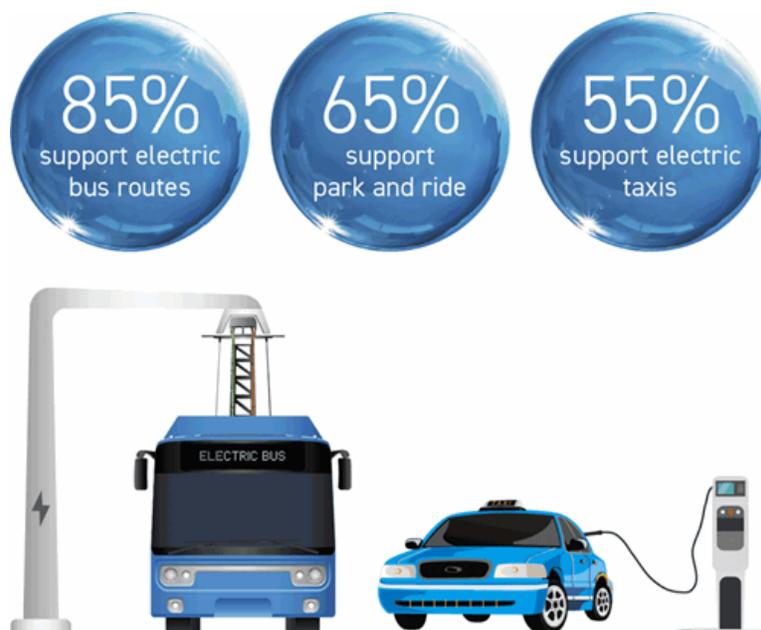


**Figure 3: Taxi trade responses to consultation**



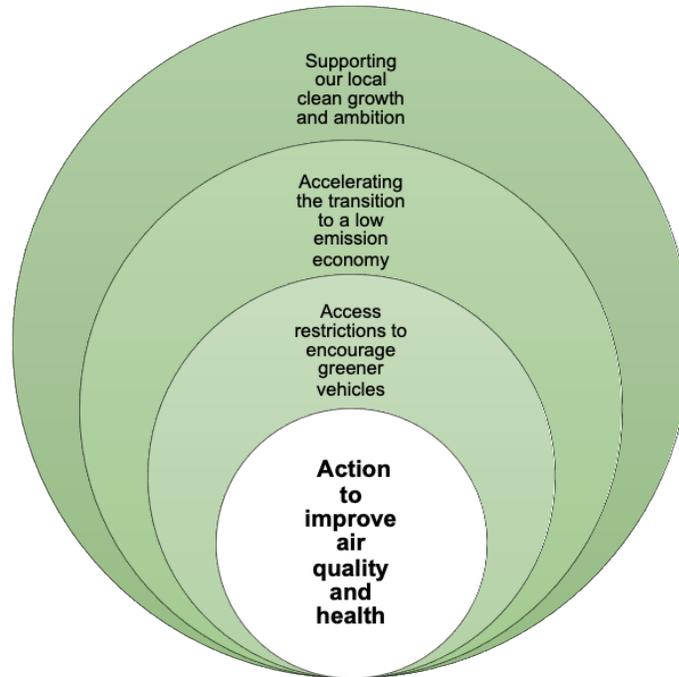
2.11 The public and businesses were asked what additional measures they would like to see in addition to the CAZ. The most popular measure for both the public and businesses is the introduction of ultra-low emission buses – see figure 4. Additionally, there was strong support for Park and Ride and 58% of businesses said they were likely to use the proposed Advanced Fuel Centre (AFC) which would allow heavy-duty fleets to convert to biomethane.

**Figure 4: Support for air quality improvement measures**



2.12 The Council submitted the Strategic, Economic, Management and Commercial Cases of the FBC to the Government at the beginning of December 2020, with the Finance Case submitted just before Christmas, following the conclusion of the CAZ camera procurement exercise.

**Figure 4: Strategic Aims of the Bradford Clean Air Plan**



2.13 The FBC Strategic Case outlines the key strategic aims for the CAP, including:

- Immediate action to improve air quality and health
- Access restrictions to encourage greener vehicles
- Accelerating the transition to a low emission economy
- Supporting our local clean growth ambition

2.14 The Strategic Case sets out the policy justifications and evidence for the need to improve air quality with the critical success factor of achieving compliance with legal limits for NO<sub>2</sub> in the shortest possible timeframe, with secondary success factors, including:

- Improving the health of the residents of Bradford
- Reducing greenhouse gas emissions in line with the Council's declared Climate Emergency Agenda
- Providing a platform for inward investment to support the growth of the Bradford low emission economy

2.15 The outputs of detailed modelling are laid out to explain the need for the Class C+ CAZ, including the air quality improvements that will be achieved across the District. The CAZ C+ measures are explained. These include plus (+) measures for non-wheelchair accessible, private hire vehicles (PHV) to go beyond national CAZ Framework Standards to achieve compliance. The alternative would mean consideration of a CAZ D which would include passenger cars. The Strategic Case details the health impacts arising from air pollution in Bradford and outlines the health impact assessment (HIA) of the CAP that will be undertaken

by Born in Bradford<sup>7</sup> that has been supported by the Government as a project of national significance.

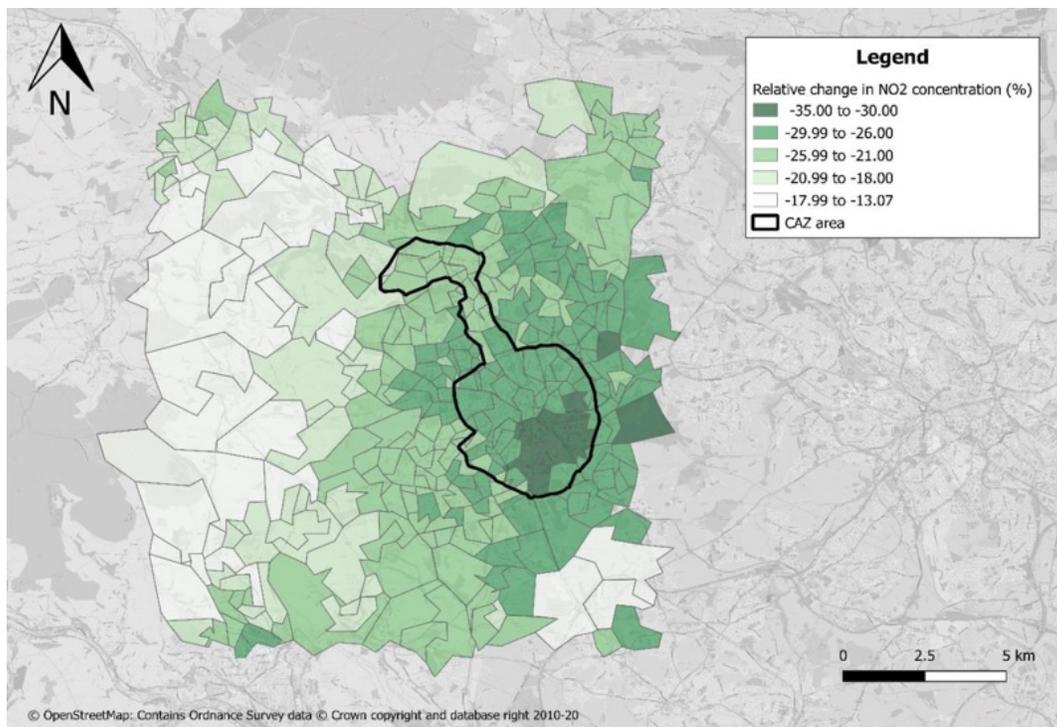
The Economic Case details the assessment of options, considered by the Council, to improve air quality and provides cost benefit analysis, distributional analysis & equality impact assessments that support the Council's Plan and applications for CAP funding.

Both the Strategic and Economic Cases consider the implications of the Covid-19 pandemic on future air quality and traffic levels and the levels of support needed for local businesses to adapt to the CAZ. The Council has shown that CAZ exemptions can be provided to some local businesses up to SME level without compromising compliance with legal limits for NO<sub>2</sub>.

Figure 5 shows the improvements in NO<sub>2</sub> concentrations across the District due to the implementation of the CAZ. The effect of the CAZ will be to bring about compliance with legal limits for air quality and a reduction in levels of up to 35% in key locations, including air quality improvements in all Wards across the District.

In addition to the projected improvements in air quality, it is expected that the CAP will bring about reductions in greenhouse gas emissions of up to 150,000 tonnes over the life of the Plan.

**Figure 5: NO<sub>2</sub> concentration changes in the District due to the implementation of the CAZ**



2.16 The Management Case provides details for managing the CAP Delivery Programme, including benefits realisation and risk management. Roles involved in delivery are clearly defined and governance and reporting structures are laid out,

<sup>7</sup> <https://borninbradford.nhs.uk>

including the constitution of the CAP Delivery Programme Board. The Management Case identifies that the CAP has been developed under the Senior Responsible Officer (SRO) Strategic Director, Health & Wellbeing, and will transfer SRO duties for delivery to Strategic Director, Place, subject to Executive Committee approvals to implement the CAZ.

- 2.17 The Commercial Case lays out the Council's approach to commercial aspects of the CAP, including procurement of the CAZ camera enforcement system, including digital platform and network support, and resource requirements for delivery. Unlike most other CAZ Authorities, who have procured turn-key solutions for CAZ enforcement, the Council has opted for a supply contract for the automatic number plate recognition (ANPR) camera system and will use its in-house resource for the delivery and management of the CAZ.
- 2.18 The Finance Case provides the outputs of detailed financial analysis of the implications for delivering the CAP and implementing the CAZ, including the need to establish a sinking fund and CAZ de-commissioning costs. These include capital and revenue requirements to ensure that the delivery of the CAP does not incur any cost to the Council. The costs of CAZ implementation to be borne by the Government are identified, plus any costs for the operation of the CAZ which are to be funded through any revenues arising from the CAZ. The Finance Case provides projections of CAZ revenues due to daily charges paid by non-compliant vehicle operators. The majority of CAZ revenues will be used to support resource for CAZ operations, including monitoring & evaluation and Government Central CAZ Service Charges. Any excess revenues are legally required to be used to support further initiatives to improve air quality in the District, including the Council Fleet Emission Reduction Programme and the introduction of ultra-low emission public transport.
- 2.19 The Government has approved the FBC and has agreed that the Council has justified levels of funding above national average, particularly for taxis. The expert Independent Review Panel (IRP) that advises the Government has described the CAP FBC as a thorough and detailed plan and commended the Council approach.

Similar to other CAZ authorities, a redacted version, excluding commercially sensitive information of the FBC will be published on the Breathe Better Bradford website in due course.

- 2.20 The FBC includes bids under the two Government funding streams – Implementation Fund (IF) for capital and revenue costs for implementing the CAZ and the Clean Air Fund (CAF) to provide funding for CAZ mitigation measures. The Government has provisionally approved additional funding of £33.5m (£31m CAF and £2.5m IF) to support the delivery of the CAP. This funding will require Ministerial confirmation, that will be phased from the week beginning 8<sup>th</sup> February to the end of February. The Government has stated that all funding will be released within the current financial year. Therefore, Council Executive approvals are subject to the provisional Treasury funding allocation being confirmed by the Minister and released within the current financial year.

The provisional, additional funding allocation represents total Government funding to the Council for the development and delivery of the CAP of £39,286,050.

2.21 The Government has acknowledged the Council's justification for increased funding for the taxi trade in Bradford and has provisionally awarded above national levels of grant funding for PHV upgrade and support for both Hackney Carriage and PHV to convert to electric. Total provisional funding award for the Bradford taxi trade amounts to £10,042,200, including £2,592,600 for electric taxi uptake support. The proposed grant funding level for wheelchair accessible taxis in Bradford has also increased from consultation levels. Table 3 shows the breakdown of the Clean Air Fund award for taxis in Bradford (provisional). Table 4 shows the breakdown of the Clean Air Fund awards for all vehicle classes (provisional).

**Table 3: Proposed breakdown of Clean Air Fund grant awards for taxis**

<b>Taxi Type &amp; Grant No.</b>	<b>CAZ Standard</b>	<b>Grant level</b>	<b>Total</b>
<i>HC/PHV (wheelchair accessible), 427</i>	Euro 4 petrol / Euro 6 diesel	£4,000	£1,280,000
	Electric vehicle (up to 25%)	£5,000 (2 x £2,500 running costs)	£535,000
<i>Private Hire Vehicle (not WAV), 2,571</i>	Euro 5/6 petrol hybrid	£3,200	£8,227,200
	Electric vehicle (up to 25%)	(for vehicle upgrade or EV running costs)	
			<b>£10,042,200</b>

**Table 4: Proposed breakdown of Clean Air Fund grant awards for all vehicle classes affected by the CAZ, including defrayment resource**

<b>Vehicle type, no. of grants</b>	<b>CAZ Standard</b>	<b>Grant level</b>	<b>Total</b>
<i>HC/PHV (wheelchair accessible), 427</i>	Euro 4 petrol / Euro 6 diesel	£4,000	£1,280,000
	Electric vehicle (up to 25%)	£5,000 (2 x £2,500 running costs)	£535,000
<i>Private Hire Vehicle (non-WAV), 2,571</i>	Euro 5/6 petrol hybrid	£3,200	£8,227,200
	Electric vehicle (up to 25%)	(Vehicle upgrade or EV running costs)	
<i>Bus (commercial &amp; tendered services), 102</i>	Minimum Euro 6 diesel, including alternative fuels	£16,000	£1,632,000
<i>Coach, 104</i>	Minimum Euro 6 diesel	£16,000	£1,664,000
<i>HGV, 401</i>	Minimum Euro 6 diesel, including alternative fuels	£16,000	£6,416,000
<i>LGV, inc. minibus, 2,301</i>	Minimum Euro 6 diesel	£4,500	£10,354,500

	Electric vehicle (unlimited)	£4,500 (2 x £2,250 running costs)	
<i>Defrayment resource</i>	-	-	£1,140,000
			<b>£31,248,700</b>

2.22 In addition to the CAF funding awards, the Government has already released £3,960,000 in Clean Bus Technology Funding (CBTF) to upgrade 217 commercial buses in Bradford to CAZ Standard. This funding has been administered on behalf of West Yorkshire Authorities by the West Yorkshire Combined Authority (WYCA).

The Government will provide early confirmation of CAP funding of £1,632,000 to upgrade the 102 remaining, non-compliant, commercial and tendered buses in the District to CAZ Standard. The Council will work in partnership with WYCA to administer this bus funding defrayment which will take the form of a competition to comply with State Aid rules.

2.23 The CAP FBC outlines the need for additional relief for businesses in Bradford affected by the CAZ in the form of exemptions which has been acknowledged by the Government. These exemptions will be in addition to the national 'white-list' of exempted vehicle classes. The Bradford 'white-list' will incorporate a register of vehicles operated by local businesses up to SME level that satisfy criteria for exemption. The Council anticipates that 30% of local vehicle operators may seek exemptions to CAZ charges while 70% are likely to take advantage of grant packages to upgrade to CAZ Standard. The projected value of exemptions for local heavy goods vehicle (HGV) operators is £2,300,000 and for local light goods vehicle (LGV) operators is £6,100,000.

2.24 The Government has provisionally awarded a further £2.5m in Implementation Funding, in addition to the £4,069,376 already awarded, to cover the costs of the CAZ enforcement system and resource cost until the CAZ goes live.

### **Bradford Clean Air Zone (CAZ)**

2.25 The Bradford Clean Air Zone (CAZ) will operate 24 hours a day within the area shown in figure 6.

2.26 All non-compliant vehicles entering or operating with the CAZ area, unless subject to an exemption, will be required to pay a daily charge of:

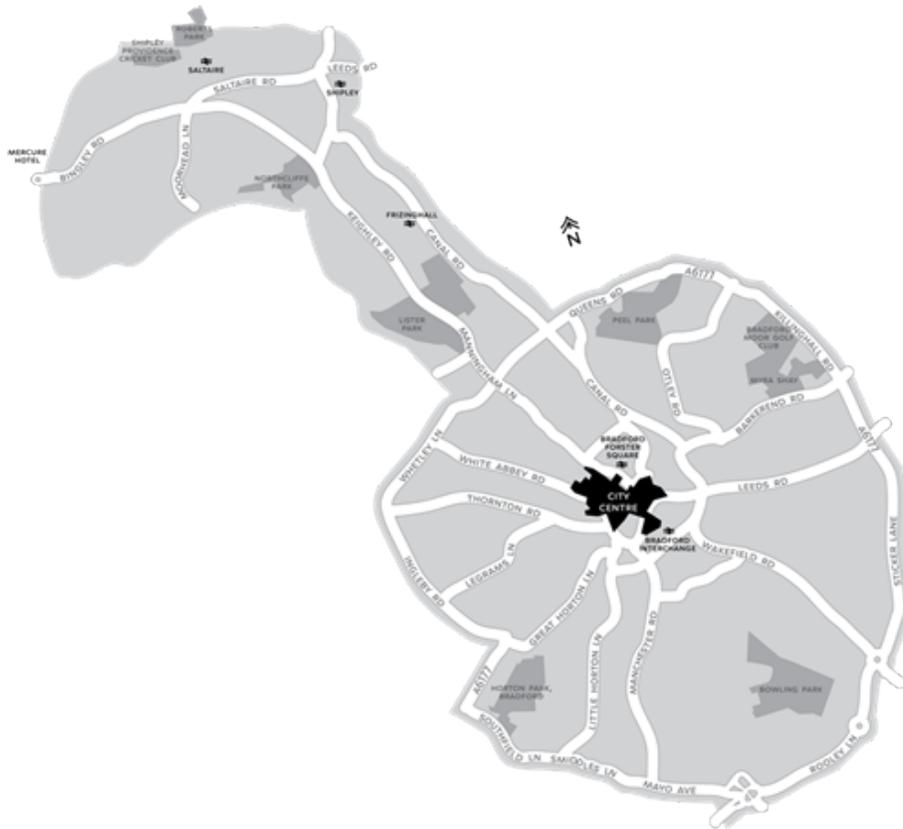
Buses & Coaches = £50

HGV = £50

LGV, including minibus = £9

Taxi (Hackney or Private Hire) = £12.50

**Figure 6: Clean Air Zone (CAZ) area**



Minimum emission standards for CAZ compliant vehicles are shown in table 5.

**Table 5: Emission Standards for the Clean Air Zone**

<b>Vehicle Type</b>	<b>Category</b>	<b>Euro Standard</b>
<i>Bus</i>	M3 (GVW over 5000 kg and more than 8 seats in addition to the driver)	Euro VI
<i>Coach</i>		
<i>HGV</i>	N2 (GVW over 3500 kg) N3 (GVW over 5000kg)	Euro VI
<i>Van</i>	N1 (GVW not exceeding 3500 kg)	Euro 6 (diesel) Euro 4 (petrol)
<i>Minibus</i>	M2 (GVW not exceeding 5000 kg, and more than 8 seats in addition to the driver)	Euro 6 (diesel) Euro 4 (petrol)
<i>taxi and private hire</i>	Minibus - M2 (GVW not exceeding 5000 kg, and more than 8 seats in addition to the driver) / wheelchair accessible vehicles (WAV) whether Hackney Carriage or private hire vehicle (PHV)	Euro 6 (diesel) Euro 4 (petrol) Electric upgrade option
	Passenger vehicle with up to 8 seats in addition to the driver	Euro 5 (petrol hybrid) for PHV Electric upgrade option

*Ultra-low emission vehicles with significant zero emission range will never be charged for entering or moving through the Clean Air Zone*

2.27 Vehicle operators will be able to check whether their vehicles are compliant with the Bradford CAZ through the Government's CAZ Vehicle Checker

(<https://www.gov.uk/check-clean-air-zone-charge>). This facility will also be accessible via the *Breathe Better Bradford* website and will become available in Summer 2021. Operators of non-compliant vehicles will be able to pay the daily charge through this portal up to 7 days in advance or 7 days in arrears of entering the CAZ. Non-compliant vehicle operators who enter the CAZ without paying the daily charge will be subject to a fine.

- 2.28 Local vehicle operators up to SME level will be able to apply for an exemption to the CAZ charges for a limited number of vehicles, in line with State Aid rules.
- 2.29 The Council is designing an extensive publicity campaign to inform vehicle operators of the CAZ introduction. This will include national CAZ promotional material that incorporates the Council's *Breathe Better Bradford* branding – see figure 7 below:

**Figure 7: Example of CAZ publicity designs**



- 2.30 The Council intends to provide a soft launch of the CAZ in December 2021 whereby non-compliant vehicle operators entering the CAZ area will receive letters, notifying them of the implications for driving within the CAZ following go-live on the 4<sup>th</sup> January 2022.

The CAZ will remain operational until levels of NO<sub>2</sub> show compliance with legal limits for a 2-year period and that the Council is satisfied that removing the CAZ will not result in a subsequent deterioration in air quality.

### **CAZ Charging Scheme Order (CSO)**

- 2.31 The mechanism which provides the legal basis for the introduction of a CAZ is a Charging Scheme Order (CSO) which is a local charging scheme promoted under the Transport Act 2000. This order sets out the minimum emission standards for each vehicle class that may be subject to a charge if it does not meet this minimum standard. The general arrangements for the operation of the CAZ (eg. payment mechanisms for the daily charge, process for the issue of fines) are also defined within this order. The CSO will also refer to the CSO Policy document that will identify any exemptions to CAZ charges.

Subject to Executive's approval, the Council will undertake the necessary statutory consultation on the CSO and publish the final CSO, prior to the CAZ going live.

### **CAZ Grants and Exemptions**

- 2.32 All local businesses with non-compliant vehicles who are either based in, or are likely to enter, the CAZ will be eligible to apply for grants to upgrade their vehicles or apply for exemptions to CAZ charges. Both grant and exemption schemes will be subject to State Aid rules and will be designed to encourage the take up of grants over exemptions.

Operators of HGVs for hire and reward based outside the District, but are likely to enter the CAZ frequently, will also be eligible to apply for grant funding.

The Council is currently designing the CAZ grant and exemption packages, subject to Ministerial confirmation of funding, and anticipates that applications for exemptions could begin in April/May with grant applications invited in May/June. The Council will facilitate on-line applications for grants and exemptions through the *Breathe Better Bradford* website. The final grant and exemption packages will be subject to approval by the Portfolio Holders.

### **Health Impact Assessment of the CAZ**

- 2.33 Born in Bradford has been awarded £1.1m in national health research funding to undertake a comprehensive health impact assessment (HIA) of the CAZ. This unique project has been described by the Government as having national significance.



## **3. OTHER CONSIDERATIONS**

- 3.1 As part of the development of the CAP, the Council has approved the development of an Advanced Fuel Centre (AFC) at the Waste Recycling Facility on Bowling Back Lane. The £6.03m project will see the Council convert its heavy-duty fleet to operate on compressed biomethane over a 7-year period from 2021. A compressed gas refuelling station will be built at Bowling Back Lane with access to the high pressure gas network in partnership with Northern Gas Networks (NGN).

The AFC will become operational in 2022. Third party haulage and bus companies will be able to use the facility which will provide a cost-effective solution to upgrade to CAZ standard and achieve up to 85% GHG reductions. It is anticipated that the Council will reduce GHG emissions of 12,000 tonnes over the first 7 years of AFC operation. Vehicle operators will be eligible to apply for CAZ grant funding to upgrade to CAZ standard, compressed gas vehicles.

The Council is currently looking at opportunities to process organic, municipal waste through anaerobic digestion with the potential to produce vehicle grade biomethane to fuel our heavy-duty Council vehicles.

- 3.2 The Council are looking at whether any measures need to be introduced as part of the Taxi Licensing process to support CAZ measures. Any measures identified will be reported to the Council Regulations and Appeals Committee.

## **4. FINANCIAL & RESOURCE APPRAISAL**

- 4.1 The total additional grant funding available is circa £39.3m, representing a mix of revenue and capital. This project is entirely grant funded which reduces the financial exposure of the Authority. Grant conditions provide a reasonable level of confidence that the Authority can meet the required conditions and mitigate the risk of grant clawback (subject to confirmation from Legal Services).
- 4.2 The financial aspect of the Business Case has been approved by the Government's Delivery Independent Review Panel (DIRP). There is confidence that the aspirational plans set out in the CAZ can be delivered within the financial envelope offered by the Government.
- 4.3 Further detailed financial and performance reviews should be undertaken in conjunction with Financial Services over the following areas:
- i) The financial business case should be assessed for impact on the Authority's finances, with clear allocation between revenue and capital costs.
  - ii) The grant conditions outline a requirement for any and all surpluses to be ringfenced in a priority sequence, as follows:
    - To be used towards CAZ operation costs in the latter years of the project when income is expected to decline due to increased compliance;
    - To be allocated towards CAZ decommissioning and removal costs; and
    - To make final payments to Government for the use of the Central Service.

Final residual balances, after grant conditions have been met, can be used for future projects that contribute to 'improvements in air quality'. This project will need to be monitored with sufficient control and a project P&L maintained to ensure the transparent use of income and funds for their intended purpose to a rigour that can withstand any future inspection and audit review from the grant funding body.

- iii) It is expected that natural compliance of fleet will be achieved over time as people upgrade their vehicles. The CAP program provides an opportunity for the Authority to use 'nudge economics' to ensure project success, by effecting long term positive changes in behaviour through low cost, high impact strategies. A key success indicator for the CAZ project is that as stakeholders in the district choose to select low emission forms of transport as the 'norm', expected income generated from the CAZ should gradually decrease and be entirely eliminated over time, effectively planned obsolescence of the CAZ project. As such, financial modelling, benefits traceability, project risk management and performance evaluation should be performed over the full project lifecycle, from the time the project is placed into operation to decommissioning, with clear project exit criteria, based on verifiable changes in stakeholder behaviour, in order to remove the CAZ. Consideration has been given to later year costs being drawn from surpluses generated in earlier years and sourcing additional funding from Government. This will require financial awareness in order to prevent or mitigate any adverse impact on the Authority's revenue position.
- 4.4 The points outlined in paragraph 4.3 will be presented to PAG on a voluntary basis in order to provide a line of sight for senior officers to this project. While this project is entirely grant funded and does not require PAG approval, this project will be discussed as an information item with PAG, in the interests of transparency.

## 5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The Bradford CAP development has been overseen by the CAP Programme Board that meets on a monthly basis. Similarly, CAP delivery will be overseen by the CAP Delivery Programme Board. A detailed risk and issues log has been developed and will be maintained throughout the project. The log is regularly reviewed by the programme board and new risks and issues are identified, recorded, assessed and mitigated. The detailed arrangements for the governance, reporting and risk management approach on the CAP are detailed in the FBC Management Case.

Additional oversight is placed on the CAP as part of the grant conditions. The Council is required to produce annual audited accounts of income received and a regular benefits realisation report over the achievement of expected benefits will be provided to Government. Further assurance processes could include random, deep dive reviews after the CAZ is placed into operation.

- 5.2 There are a number of additional financial and non-financial risks that need to be considered that cannot be reflected in the financial modelling undertaken, these are listed below:

- i) There is significant risk of program abuse and fraudulent claims for CAZ grant and exemption packages. See paragraph 5.3 below for a detailed discussion and risk mitigation.
- ii) A potential for legal challenge to the CSO exists. The Council has yet to consult on the draft CSO which may lead to implementation delays and/or material changes to the design of the planned CSO.
- iii) The impact of the COVID pandemic has given rise to new risks and other risks have increased in their intensity. It is unknown what (if any) the pandemic and any resultant change in people's behaviour will have over the medium term, particularly if government imposed restrictions, lockdowns or limitations continue. Travel restrictions may place pressure on CAZ income projections. Increased project costs may arise due to implementation stages not progressing as planned, leading to alternative project sequencing, slowdowns, shutdowns, project delays and restarts. Restrictions on movement, stay at home orders and increased health and safety measures may also impact staff productivity. Finally, the impact of the Covid-19 pandemic on future air quality and traffic levels, absent the impact of the CAZ, should also be considered.
- iv) Security and privacy risks as a result of collecting personally identifiable information to administer CAZ charges are inherent to this project. Government has imposed strict requirements to ensure GDPR compliance that requires a privacy impact assessment and privacy design review over systems that interface to and from its applications. The Council is aware of its responsibility for securing personal information collected, used and stored within its own IT servers and will implement privacy controls to address GDPR requirements.
- v) The volume and complexity of system interfaces required to transfer data between Council and Government systems is high. While interface testing between systems

will be conducted as part of the system implementation, there is a risk of project delays if testing does not go as planned. The Council has also adopted a different delivery model to other CAZ Authorities by deciding to build the ANPR camera system in-house rather than implement a turn-key solution. This will require additional IT resources and testing.

- 5.3 Funding provided under the Clean Air Fund is intended to be awarded to local businesses to help them adapt to the CAZ. Financial relief programs offered to third parties, such as the CAZ grant to upgrade vehicles and exemption packages for CAZ charges, are highly susceptible to fraud and abuse. As such, the design of the CAZ grant and exemption packages should be assessed for design vulnerabilities. Fraud risk management should be put into place to ensure that processes to assess eligibility, award and administer grants to third parties is equitable, transparent and monies used for their intended purpose, in order to mitigate risks of fraud and abuse to an acceptable level. The Council's corporate fraud unit is providing guidance.

## **6. LEGAL APPRAISAL**

The implementation of the proposed Bradford Clean Air Zone is required to comply with the 2018 Ministerial Direction with which failure to comply will leave the Council open to Government sanction and potential legal challenge. Implementation will require the adoption of a Charging Scheme Order following statutory consultation.

## **7. OTHER IMPLICATIONS**

### **7.1 SUSTAINABILITY IMPLICATIONS**

The challenges and opportunities of addressing air quality go hand in hand with wider environmental, social, health, economic and cultural issues. The Council is moving forward on District sustainable development and on a progressive approach to the Climate Emergency and the Covid-19 pandemic. The work seeks to secure multiple benefits, in addition to improving air quality including improvements to health, reducing GHG emissions and promoting and supporting clean growth.

The development of the Clean Air Plan and its implementation will be looking to develop further in 2021-22 and throughout the life of the CAZ to support sustainable development outcomes and key priorities, including climate action at pace and scale.

The CAP will seek to deliver the overall shared goals to deliver clean growth, sustainability, environmental resilience and a more inclusive and safe economy.

Making integrated progress on environmental protection and environmental quality across the District will support the most vulnerable and also support the Council's ambitions for a child friendly district and one in which investment helps secure a positive legacy for future generations.

### **7.2 GREENHOUSE GAS EMISSIONS IMPACTS**

Reductions in GHG emissions, in line with the Climate Emergency Agenda, are a key objective of the CAP and it is projected that the delivery of the CAP will achieve reductions of 150,000 tonnes over the life of the plan.

The plus measures are aimed at encouraging the taxis to go beyond the CAZ standards and incentivises electric taxis which have zero tailpipe emissions, which is in line with our clean growth and Climate Emergency aims of expanding the network of electric vehicle (EV) charging points and numbers of EV vehicles in the Bradford district.

Any revenue received from the CAZ is to be reinvested in transport projects within the district to further reduce NOx emission and improve air quality. Ultra-low or zero emission projects should be prioritised for investment giving regard the reduction in carbon / greenhouse gas emissions alongside the air quality benefits.

### **7.3 COMMUNITY SAFETY IMPLICATIONS**

None identified

### **7.4 HUMAN RIGHTS ACT**

The proposals set out for implementation in Bradford's Clean Air Plan support achievement of the right to breath clean air in England and Wales as set out in the Clean Air (Human Rights) Bill 2019-20 which is currently on its second reading in the House of Lords.

### **7.5 TRADE UNION**

No issues identified

### **7.6 WARD IMPLICATIONS**

All Wards affected

### **7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

No issues identified

### **7.8 IMPLICATIONS FOR CORPORATE PARENTING**

No issues identified

### **7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

The introduction of a Clean Air Zone in Bradford will require extensive processing of personal data for both the administration of grant defrayments and operation of the Clean Air Zone via its ANPR camera network. Data from the latter will require handling and processing by both the Council and central Government in order to ensure that payments of the daily charge for entering the CAZ can be reconciled, or

where non-payment is found to process the relevant penalty charge notice. A Data Privacy Impact Screening Assessment has been undertaken which indicates a number of areas which require a full Data Privacy Impact Assessment (DPIA) to be produced, principally due to the requirements of data matching across multiple sources including locally hosted 'white' lists. The full DPIA is currently being prepared in conjunction with the Government and once signed off will be incorporated and reviewed throughout the implementation phase of the programme.

## **8. NOT FOR PUBLICATION DOCUMENTS**

The Bradford Clean Air Plan (CAP) final business case (FBC) contains commercially, sensitive information, however, it is intended that once such information has been removed the FBC will be published on the *Breathe Better Bradford* website.

## **9. OPTIONS**

The Executive can either approve the introduction of the Clean Air Zone or choose not to.

The implementation of the CAZ will mean that compliance will be achieved in respect of legal limits for NO<sub>2</sub>, the health of residents of Bradford will improve and significant reductions in greenhouse gas emissions will be achieved.

Should the Executive choose not to implement the CAZ, the Council will be in breach of Ministerial Direction and subject to possible legal action. In these circumstances Judicial Review may also be undertaken by interested 3<sup>rd</sup> parties. Under this option, the significant impact of air pollution on the health of Bradford residents will not improve and significant reductions in GHG will not be achieved to support the Climate Emergency Agenda.

## **10. RECOMMENDATION**

It is recommended that the Executive:

i) approve the implementation of a Clean Air Zone (CAZ) in Bradford at the beginning of 2022

ii) approve the delegation of authority to the Strategic Director Place, in consultation with the Healthy People and Places Portfolio Holder, the Regeneration, Planning and Transport Portfolio Holder, the Director of Finance and the City Solicitor for the purpose of carrying out consultation on the Bradford Clean Air Zone, Charging Scheme Order (CSO) and its subsequent adoption including the confirmation of relevant grant and exemption packages

iii) approve the delegation of authority to the Strategic Director Place in consultation with the Healthy People and Places Portfolio Holder and the Regeneration, Planning and Transport Portfolio Holder for the design and delivery of Clean Air Zone publicity campaigns

**11. APPENDICES**

None

**12. BACKGROUND DOCUMENTS**

The Bradford Clean Air Plan (CAP) Final Business Case (FBC)

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## Report of the Strategic Director of Place to the meeting of the Executive to be held on 2<sup>nd</sup> March 2021

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### Subject:

**DO**

A new ten-year cultural strategy for the District

### Summary statement:

Culture will make a significant and sustainable contribution to the future prosperity of our District as we recover and strive to level up.

In September 2019, the Executive supported a package of strategic investments in culture, one of which was to request that the independent Bradford Cultural Place Partnership lead on the creation of a new sector and community-led 10-year cultural strategy for the district.

This report brings the outcome of this work back to Bradford Council and recommends that the Executive approves the vision, ambitions and practice of **Culture is Our Plan** to replace its existing cultural strategy.

### EQUALITY & DIVERSITY:

**Culture is our Plan** directly supports all four Bradford Council equality objectives. It sets demanding targets to improve diversity and representation across the district's cultural sector and in the Council's own cultural service provision. By 2031, 50% of Bradford District creative workforce, audiences and cultural leadership will be drawn from people currently underrepresented in Culture and Creative Industries sector. Support for these equality and diversity ambitions will be a condition of future CBMDC funding for arts, cultural and heritage projects

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Jason Longhurst  
Strategic Director (Interim),  
Department of Place

**Portfolio: Place**

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**Overview & Scrutiny Area:**  
**Regeneration and Environment**

## 1. SUMMARY

- 1.1 Culture will make a significant and sustainable contribution to the future prosperity of our District as we strive to level up. Culture will also make a significant contribution to our recovery from COVID 19 and to the growth of a cleaner future economy as one of four pillars of the district's new Economic Recovery Plan.
- 1.2 Bradford Council's existing cultural strategy, 'A Leading Cultural City' is not set to expire until 2024. However, it is clear that the landscape and opportunities have changed significantly for the whole District and the existing plan has been overtaken by events and needs.
- 1.3 The requirements of bidding for UK City of Culture demand an up-to- date cultural strategy. Both Arts Council England and National Lottery Heritage Fund have recently launched new ten-year strategies and the city needs a fresh cultural framework to take advantage of these and other emerging local, national and regional funding opportunities. The unprecedented events of 2020, the COVID Pandemic and the Black Lives Matter movement alongside the Climate Emergency also underline the need for a new plan.
- 1.4 In September 2019, the Executive supported a package of strategic investments in culture, one of which was to request that the independent Bradford Cultural Place Partnership lead on the creation of a new sector and community-led 10-year cultural strategy for the District. The strategy is entitled **Culture is Our Plan** and is funded by CBMDC and Arts Council England.

The first iteration of **Culture is Our Plan** is scheduled to be completed and launched by the Bradford Cultural Place Partnership in March 2021.

- 1.5 **Culture is Our Plan** has been co-created with and is owned by the cultural sector and the people of the District. It has been created through 6-months of listening and asking questions, through chats, artistic commissions, workshops and surveys with the ambition of connecting to people in every corner of our District and with the artists and creative organisations that make up our extraordinary cultural scene.
- 1.6 COVID 19 has made this process very challenging but we have also benefitted from and built upon an unprecedented amount of public and sector consultation on arts and culture undertaken across the district since 2019 and in particular with communities least engaged in traditional cultural activity.
- 1.7 The plan has also been developed in consultation with our stakeholders and in reference to their emerging new strategies.
- 1.8 It has also been created in step with other significant and relevant pieces of work in the district including:
  - Development of the bid for UK City of Culture 2025
  - Screen Strategy for Bradford District
  - Forward plan for CBMDC Museums and Galleries
  - Vision for District Library Service

1.9 **Culture is our Plan** offers a vision and set of overarching ambitions to help people of Bradford District set priorities and make future choices as we navigate and shape a journey of recovery, regeneration and clean growth across a decade.

1.10 It seeks to capitalise on the evidence and opportunity made clear through its development:

- The high value people place on culture in their lives
- People's wide definition of culture and the range of unconventional places where Bradford's culture is made and accessed
- The people of the District as our greatest creative asset and the opportunity for culture to celebrate and leverage our difference, diversity and creativity
- The need for a better distribution of cultural opportunity and resources across the geography of the District and especially into the District's poorest neighbourhoods
- The opportunity that culture offers to economic recovery and regeneration, to help the District to 'level-up' and to drive clean growth and more sustainable businesses and jobs
- The remarkable range of cultural assets we already have and the desire to see these assets amplified, shared and made best and most sustainable use of
- The clear gaps in our cultural offer and in investment by national partners and the circumstances to be bold and to support the creation of more cultural activity and more ambitious activity, supporting our own creatives but also by providing a fertile ground for national and international partnerships
- The need for more capacity, better networks and sharing of resources and skills to build our sector for growth
- The centrality of young people to the district's future success and the importance of acting collectively to provide opportunity in the cultural and creative industries of the future
- The role of culture in challenging inequity and encouraging community, pride, confidence and mental wellbeing
- The power of culture to drive change in the way Bradford District is seen by the people living here, by the rest of the city region and by the rest of the world
- The unique opportunity afforded by 'City and Research' and partnership with Bradford Institute of Health Research to use evidence and data to direct our efforts and to prove the benefits that art, culture and heritage has on all our lives

1.11 The Plan will be launched in late March 2021. To ensure that the principle of co-creation and co-ownership is maintained, the plan will be launched to the public with an exhibition of work made as part of its development, subject to COVID restrictions. The launch will itself be an opportunity to encourage further and ongoing public and sector consultation and comment.

1.12 Whilst providing vision and ambition, **Culture is Our Plan** aims to be agile in delivery and responsive enough to stay alive to the needs of the district across the ten-years of its life. The plan will be launched with an accompanying short-

medium- and long-term action plan. This action plan will be refreshed every two years through an annual gathering of the cultural sector, public events, exhibitions and roadshows, sharing a dashboard of progress made, listening to people's views to co-create future iterations of **Culture is Our Plan**.

- 1.13 Half way through the lifetime of the plan the District aims to become the UK City of Culture 2025. Winning this designation would put rocket fuel in our tank and accelerate us faster into a better future. But whether we win that accolade or not, **Culture is Our Plan** will stand, and should be a guide for the District into a better, more creative and more successful Bradford for everyone.
- 1.14 This report brings the outcome of this work back to Bradford Council and recommends that the Executive approves the vision, ambitions and practice of **Culture is Our Plan** to replace its existing cultural strategy.

## 2. BACKGROUND

- 2.1 The need for a new cultural strategy for the District was recognised and approved by Executive in September 2019 alongside a suite of other recommendations for strategic investment in new cultural activity.
- 2.2 This strategic investment of £1,435,000 has already levered £3,560,000 of new investment into Bradford District and led to considerable success, much of which will have strategic impact across the ten years of the plan, including:
  - Establishment of the Bradford Culture Company<sup>1</sup> and recruitment of Richard Shaw as its director and creation of a new team to lead on the bid to be UK City of Culture 2025
  - Successful bid won to establish THE LEAP, an Arts Council England Creative People and Places programme for the district which over 10 years will focus on the celebrating and growing cultural activity in the 12 most deprived ward areas of the District: Bradford Moor, Bowling and Barkerend, City, Eccleshill, Great Horton, Keighley Central, Keighley West, Little Horton, Manningham, Royds, Toller and Tong
  - Successful bid to win status as an Arts Council Producing Hub pilot to share resources and provide training, mentoring and business development for artists and small businesses in the performing arts
- 2.3 These successes are as a result of sector-led approaches and wide collaboration across the sector with Bradford Council supporting this work. This is a significant change in Bradford Council action which has seen CBMDC become an enabler of the sector rather than leading on bids and projects itself, which it had done previously and with little success.
- 2.4 The existing Bradford Council Cultural Strategy, 'A Leading Cultural City' is not set to expire until 2024. But it is clear that the landscape and opportunities have changed significantly for the whole District and the existing plan has been overtaken by events and needs.

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<sup>1</sup> The Bradford Culture Company is currently working toward charitable status and is doing so in line with legal guidance in regard to the Council constitution and as noted to the Executive in February 2020

- 2.5 Both Arts Council England and National Lottery Heritage Fund have recently launched new ten-year strategies and the city needs a fresh cultural framework to take advantage of these and other emerging local, national and regional funding opportunities. The unprecedented events of 2020, the COVID Pandemic and the Black Lives Matter movement alongside the Climate Emergency also underline the need for a new plan.
- 2.6 Bradford District has a wealth of cultural assets. From Haworth to Ilkley to Manningham and the city centre the District has stunning landscapes, heritage buildings, great cultural organisations, entrepreneurs and venues. Bradford District is home to the UK's first UNESCO City of Film designation has a UNESCO World Heritage site at Saltaire and has its very own national museum in the National Science and Media Museum .
- 2.7 The prize for Bradford District through investing in and developing its cultural and creative sector is significant.

The 'cultural and creative industries sector' includes individuals and/or organisations which operate as creative businesses and/or deliver creative services. This includes but is not limited to:

- Advertising and marketing
- Gaming and computer services
- Architecture
- Museums, galleries and libraries
- Dance, Music, Theatre and cultural festivals
- Literature, Poetry and Publishing
- Design: product, graphic and fashion
- Visual arts and crafts
- Film, TV, video, radio and photography

UK's cultural and creative industries have been an international powerhouse and, prior to the coronavirus pandemic were the fastest growing sector of our economy. Government statistics published in February 2020 showed that in 2018 the UK's creative industries contributed more than £111 billion to the UK economy, equivalent to £306 million every day or £13 million every hour. That's more than the automotive, aerospace, life sciences and oil and gas industries combined. This was a 7.4 per cent increase on 2017, so growth in the creative industries was more than five times larger than growth across the UK economy as a whole.

Meanwhile statistics released in February 2020 show the creative industries have increased their combined contribution to Gross Value Added (GVA) by 43.2 per cent in current prices since 2010. More than 2 million people worked in the UK's creative industries and, before the COVID-19 crisis, the sector was projected to create another million jobs by 2030. Jobs in the creative economy also tend to be higher value, better paid and be more skilled than the average in the wider economy.

Digital technology features strongly across the cultural and creative industries sector, even more so during the pandemic. This offers the potential to contribute not just to growth, but to cleaner growth in Bradford in the future.

- 2.8 Thanks to the strategic investments made by Bradford Council in 2019 and the support of partners at Arts Council England and National Lottery Heritage Fund the district is beginning to benefit from growing national investment, but we have a long way to go to level up and realise our full potential.

Despite being the 5<sup>th</sup> largest local authority by population in England, Arts Council England investment is ranked only 78<sup>th</sup> out of 180 authorities per capita<sup>2</sup>. Whilst the District has eleven ACE National Portfolio Organisations (NPO's), these are relatively small in scale compared to our peers. For example, there is no major orchestra here, no producing theatre company on the scale of Sheffield Crucible or Leeds Playhouse, there is just one NPO in visual arts and one in dance.

National Lottery Heritage Fund investment in Yorkshire and Humber ranks 10<sup>th</sup> out of its 14 regions and nations whilst within Yorkshire, NLHF investment per capita places Bradford 13<sup>th</sup> out of 21 local authorities with a spend per capita of £17.88 compared to a region average of £35.20<sup>3</sup>.

Despite our UNESCO City of Film designation and the presence of our National Science and Media Museum, British Film Institute investment into Bradford district remains low. For comparison, The British Film Institute allocated only £1.2m to Bradford since 2012. This compares to £4.6m to Newcastle and Gateshead and £15.3m to Sheffield<sup>4</sup>.

- 2.9 Accordingly, the District's existing cultural provision remains lower than its peer authorities and the provision we do have is also not evenly distributed across our communities. This lack of opportunity contributes to low levels of engagement with traditional forms of subsidised cultural activity. Audience Agency data for Creative People and Places shows that 53% of the district population are in the lowest / least engaged Culture Segments compared to an England average of 33%. 80% of the people in the 12 most deprived wards of Bradford District are in these lowest engaged Culture Segments.
- 2.10 In contrast to this, our research shows high levels of interest and engagement with a diverse range of grass roots cultural activity much of it outside conventional western-normative definitions of culture and which tools like the Audience Agency data, based on box office records at conventional venues, cannot detect. The culture across the District is clearly different by nature and it is celebrating these differences which will be one of the keys to our future success.
- 2.11 The immediate success of CBMDC's new enabling role and the return on its recent strategic investments in leveraging substantial new funds to the district and creating new jobs and capacity in the sector shows the way forward. It makes a powerful case for increased national investment in Bradford District to enable us to level up further, realise the creative potential of our people and change perceptions of our District in the process.

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<sup>2</sup> Arts Council England in Understanding Bradford District [Introduction | Understanding Bradford District](#)

<sup>3</sup> National Lottery Heritage Fund [360Giving GrantNav \(threesixtygiving.org\)](#)

<sup>4</sup> British Film Institute

## Culture Is Our Plan

- 2.12 The Bradford Cultural Place Partnership commissioned **Culture Is Our Plan** with funds from CBMDC and Arts Council England. The Bradford Cultural Place Partnership is chaired by the Leader of the Council and attended by Chief Executive and Portfolio Holder for Culture. The Place Partnership membership includes leaders of the major strategic cultural initiatives in the District: Bradford University and College, The Creative People and Places programme The Leap, led by Bradford Institute for Health Research, the Bradford Producing Hub, UNESCO City of Film and senior managers from key stakeholders including Arts Council England (ACE) and National Lottery Heritage Fund (NLHF). Representatives from the independent cultural sector nominated by the Cultural Voice Forum are also members.
- 2.13 The aim was to develop a strategy which is owned by and is reflective of the diverse communities and geographies of district and the cultural sector and its potential for growth. CBMDC lead officer for cultural partnerships has led a consultative and co-created process since June 2020, to place the cultural sector and the people of the District at the heart of this strategy development. COVID 19 has hampered these plans significantly, but despite this, the new strategy has engaged with 3,000 people across the district
- 2.14 It has worked extensively with the Bradford Cultural Voice Forum. The Cultural Voice Forum is a cultural sector network, chaired by sector representatives Alex Croft (Director of Kala Sangam) and Kirran Shah (freelance writer and journalist) and coordinated by Bradford based arts organisation Brick Box. The Cultural Voice brings together more than 250 artists and cultural organisations across the district to share sector knowledge, experience and opportunity. Together, we have conducted more than 15 hours of focus group work with 200+ leaders of cultural and heritage organisations and individual artists and freelancers to date.

This approach has been endorsed at senior level by both Arts Council England and National Lottery Heritage Fund.

- 2.15 This strategy development also sits in the context of an unprecedented level of sector and public consultation about culture in the District over the last two years, starting with work by Culture Creativity Place ltd to explore the feasibility of bidding to become UK City of Culture 2025.

It was therefore vital to avoid consultation fatigue and at the same time to ensure that the views of communities, artists and individuals collected through these processes were not lost and were considered as part of the development of **Culture Is Our Plan**. To do this we have:

- Collated a resource of existing data, consultation sessions and previous reporting on culture across the district within the last two years and revisited consultation sessions carried out by (amongst others):
  - Bradford 2025 Bid feasibility and the extensive consultations 121 and in focus groups as part of the current bid development work led by Richard Shaw
  - Creative People and Places consultation, bid and business plan

- (which focussed on the 12 most deprived ward areas of the District)
  - Bradford Producing Hub Bid, business plan and their Bradford District Joint Cultural Needs Analysis (JCNA) produced for Arts Council England
  - Bradford Local Cultural Education Partnership (LCEP) Action Plan
  - CBMDC Visitor Profile Research 2018 2019 (NGI Solutions)
  - Museums and Galleries / City Hall feasibility (Amion and Black Radley)
- Drawn on national and international data sources from ONS/NOMIS, Arts Council England and National Lottery Heritage Fund and British Film Institute including:
  - Audience Agency Area Profile Reporting 2019 (which includes Experian and Mosaic data on the district)
  - Active Lives Survey (Ipsos Mori) 2017
  - EU Cultural Creative Cities Monitor an online resource that ranks creative cities by comparing '3Cs': Cultural Vibrancy, Creative Economy and Enabling Environment of 168 cities across Europe
  - 20 Years of Lottery Funding of Heritage in Local Areas: Bradford (report by Britain Thinks 2015)
  - As well as local resources such as the excellent Understanding Bradford District intelligence bulletins by CBMDC.
- Included individual consultations with the district's Arts Council England National Portfolio Organisations: Kala Sangam, Freedom Studios, Ilkley Literature Festival, Bronte Parsonage, Common Wealth, Theatre in the Mill, Impressions Gallery, Artworks, Mind the Gap, Dance United Yorkshire, Bradford Literature Festival and other significant cultural partners such as National Science and Media Museum and NEC the incoming operators of Bradford Live.
- Individual arts organisations have generously shared relevant independent research that they have commissioned including the annual benchmarking studies for Bradford Theatres and the National Science and Media Museum.
- We have drawn on the learning of other relevant work in the district including:
  - Bradford Economic Strategy
  - Bradford Economic Recovery Plan
  - Extensive public consultation work undertaken by CBMDC Neighbourhoods team / Social Kinetic for the MHCLG Bradford for Everyone programme
  - Wellbeing board Integration and Better care fund Narrative Plan 2017-19
  - Bradford District destination management plan 2016
  - Public Health Joint Strategic Needs Assessment
  - CBMDC standard comparators: CIPFA Nearest Neighbours / Children's Services statistical neighbours / Police most similar groups / YOT statistical neighbours

The plan has also been formed in step with other major pieces of strategic work

currently underway including:

- Bradford Economic Recovery Plan
- Development of a new Local Cultural Education Partnership for the district (IVE)
- Screen Strategy for Bradford District (Under the Moon)
- Forward plan for CBMDC Museums and Galleries

Where specific gaps in knowledge and/or existing recent consultation existed (and to address specific DCMS City of Culture bid questions), we partnered with Bradford 2025 bid to cost-efficiently co-commission new independent pieces of work which include:

- Survey of Cultural Workforce and Governance (Anne Franks)
- Cultural asset mapping and economic impact and potential of cultural and creative industries 2020 (Burns Owen Partnership)
- Bradford City Night time economy (Sound Diplomacy)
- Audience Baseline and Audience Development (Indigo)
- Culture Tourism mapping and economic impact and potential of Visitor Economy (NGI Solutions)

All of these independent research programmes are overseen and peer reviewed by a research reference group led by Professor Marcus Rattray of Bradford University.

We have also sought to address gaps in specific community engagement and knowledge through a programme of artist-led consultation and engagement projects (see attachment) with 270 participants including with:

- Rural communities
- Participants in South Asian Heritage Month
- Learning disabled adults
- Communities in key District towns including Ilkley, Keighley and Shipley
- Young people not in employment, education or training
- Black artists in the district

Due to their size and capacity, very few of Bradford's arts organisations currently operate box office systems or have access to rich customer data. Therefore, to hear the views of existing arts attenders and participants we also ran an informal public opinion survey called CULTURE AND ME (see attachment)

We also used this survey to raise the profile of **Culture is our Plan** with the public and capture indications of wider public perceptions and engagement with culture across the District:

- Simple light-touch online survey – easy to complete and no personal data collected to ease distribution
- Distributed via various channels open for 30 days Oct 2020
- General public via Telegraph and Argus group, CBMDC and VCS email lists and Facebook, Twitter and Instagram
- Arts attenders via Cultural organisation email lists / social channels and Bradford 2025 Bid social and email

1700 responses were gained, and it offers useful perspectives which reinforce the issues and opportunities which have emerged elsewhere and consistently.

## CULTURE IS OUR PLAN

### 2.16 Vision

**Our plan will offer a new definition of art, culture and heritage that reimagines Bradford District as a place that is knowingly different and radically alternative. A place to realise new ideas, where creativity is celebrated in every home and where we can prove the positive impact of culture in our lives**

### 2.17 Ambitions

<b>Creativity thrives in every corner of the District</b>	From Shipley to Little Germany, Manningham to Keighley, and Buttershaw to Ilkley we will celebrate the creative people in every street. Bradford's culture will happen in our homes, our parks, our markets and our amazing outdoor spaces as well as our cultural venues
<b>Making the most of what we have</b>	We will build on our existing assets, revitalising historic buildings, re-energising our high streets, reimagining temporary spaces, our landscapes and cityscapes. Sustainability will be our goal, making reusing, upcycling and repurposing cornerstones of our creativity and building new cultural assets that will have positive impact on reaching our climate targets and protecting our future
<b>Making the most of who we are</b>	The people of Bradford District are our greatest creative asset. We are a cosmopolitan District, and it is in our differences and the influences they have on each other that we will find our richest culture. Our culture will offer something for everyone but not the same for everyone, it won't be one size fits all and by 2031, 50% of the District's creative workforce, audiences and cultural leadership will be drawn from people currently underrepresented in Culture and Creative Industries sector
<b>Network capacity</b>	We are more powerful, more effective and will be more sustainable when we work collaboratively and share resources. We will grow our sector networks; share equipment, knowledge, skills and data; and support, champion and mentor each other as a creative community. We will work collectively to develop talent, participation and audiences; to make our culture representative and relevant and to put it on every District agenda from health to planning, education to transport
<b>Thinking big</b>	We will be bold, we will be entrepreneurial, encouraging producers, co-producers, promoters and creative partners to make ambitious work

	across the District. We will create the right circumstances, support and opportunity for innovative and exciting culture to flourish and to create more work and jobs. The District will be a fertile ground for visionary projects and international collaborations
<b>Having fun</b>	We will grow a new calendar of exceptional festivals and events, celebrations and one-off moments across the district – from the hyper local to the global. We will show that Bradford District is ‘open for business’, building capacity, giving permissions, unlocking spaces, encouraging innovators and making all of Bradford a place to locate and a host of choice for national and international cultural events and partnerships
<b>Creating an explosion of opportunity</b>	Working with families, schools, careers service, FE and HE partners we will create a critical mass of coordinated training and employment pathways for young people. We will evidence and advocate the viability of creative careers to mobilise our generation of young, talented, digitally native people and ensure they take the lead in shaping the future success of the District
<b>Bradford will know itself better</b>	We will understand and proudly share our histories and our many cultural heritages. Our culture will speak honestly and openly, won't tolerate racism or discrimination and will have difficult conversations when needed – giving confidence to our communities, celebrating difference, bringing people together, boosting pride and promoting mental and physical wellbeing
<b>We will write our own story</b>	Our culture will take a lead in the recovery and sustainable regeneration of our District and it will redefine us in the eyes of regional and national neighbours. We will bid to be UK City of Culture 2025, we will leverage our global networks, become a regional, national and international cultural destination and we will tell the world new stories about the District's incredible people and distinctive places
<b>Living life better</b>	We will take our place as part of the Bradford “City of Research” and we will use the unique big data resources at Bradford Institute of Health Research to use evidence and data to help direct our efforts and to prove the positive impact culture has on the lives, aspirations and the life outcomes of all the people of the District

### 3. OTHER CONSIDERATIONS

- 3.1 COVID-19 has had a devastating effect on the cultural and creative industries nationally and Bradford District has been no exception to this. Indeed, with a cultural workforce that is at least 50% made up of freelance workers, sole traders and small enterprises the impact of Covid is very dramatic and we have worked successfully alongside regional colleagues to ensure support for recovery of the sector is included in the WYCA recovery ask of central Government.

Recovery from COVID will continue to constrain and define much of the sector's work for the next 12-18 months. This will be reflected in the action plan which will be published alongside **Culture is our Plan** at the end of March 2021.

### 4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 As noted, strategic investment of £1,435,000 was approved and has already levered £3,560,000 of new investment into Bradford District and led to considerable success including:

- Establishment of the Bradford Culture Company and recruitment of Richard Shaw as director and creation of a new team to lead on the bid to be UK City of Culture 2025
- Successful bid won to establish THE LEAP an Arts Council England Creative People and Places programme for the District which over 10 years will focus on the celebrating and growing cultural activity in the 12 most deprived ward areas of the district<sup>5</sup>
- Successful bid to win status as an Arts Council Producing Hub pilot to share resources and provide training, mentoring and business development for artists and small businesses in the performing arts
- These successes are as result of sector lead approaches and wide collaboration across the sector with Bradford Council supporting this work. This is a significant change in Bradford Council action which has seen CBMDC become an enabler of the sector rather than leading on bids and projects which it had done previously and with little success.

- 4.2 Cost of development of the 10-year Cultural Plan was included in this investment and sees £20,000 of CBMDC funding matched by £20,000 of Arts Council England funds.

- 4.3 Council is to consider a commitment to the Culture budget for 2021-22 of £258k to drive forward strategic actions inspired by and in step with Culture is our Plan and to continue the increase in jobs and national funds leveraged into the district.

- 4.4 WYCA Gainshare funds will form part of a new Single Investment Fund with the Combined Authority. Recognising both an opportunity before the SIF process is up and running, and a unique year due to the impact of Covid-19 on funding, Leaders have been looking at how the year one Gainshare could be best deployed. Leaders have agreed in principle to allocate £5m to local authorities (on a per head of

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<sup>5</sup> Bradford Moor, Bowling and Barkerend, City, Eccleshill, Great Horton, Keighley Central, Keighley West, Little Horton, Manningham, Royds, Toller and Tong

population basis) to deliver projects within local recovery plans (or directly related to COVID-19 recovery where plans have not been agreed).

Based per capita this would be an investment into Bradford District of £1,157,128. CBMDC has focused its request for funds on cultural and economic recovery activity which align strongly with the vision and ambitions of **Culture is our Plan** and the Bradford Economic Recovery Plan.

## 5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No risk or governance issue arising

## 6. LEGAL APPRAISAL

Development of the cultural strategy may give rise to legal issues, legal support and guidance will be provided as required to support the strategy's development and implementation.

## 7. OTHER IMPLICATIONS

### 7.1 SUSTAINABILITY IMPLICATIONS

The council declared a climate emergency in 2019, agreed a Sustainable Development Action Plan and signed up to the City Region net zero carbon by 2038 target. The foregrounding of culture as part of Bradford's economic recovery is also important as a contributor to this future Clean Growth agenda.

The development of a thriving cultural sector across the District supports many the sustainable development goals, in particular, reducing inequalities, quality education, gender equality, decent work and economic growth, industry innovation and infrastructure. Research by Wavehill in 2019 showed that a "strong arts and cultural offer helps a broad range of employers across different sectors to attract workers" and "helps them to sell the benefits of moving to an area".

It also "plays an important role in attracting and retaining talent, in particular graduate companies in the digital and creative industries". This means delivering more sustainable and cleaner jobs in innovative digital businesses.

Wavehill also note that cultural activity 'supports efforts to maintain or enhance the attractiveness of retail centres as places to live, work and visit by offering unique experiences for visitors and/or shoppers.' This supports the critical role that cultural activity can play in the turn-around of the District's ailing high streets.

Consultation for **Culture is our Plan** highlighted the priority which the sector places on sustainability. Specific actions toward clean future growth and environmental sustainability sit within the ambition 'Making the most of what we have' which will make re-use, upcycling and repurposing cornerstones of the District's creativity'.

The Network capacity ambition foregrounds the need and desire to work more sustainably by sharing the valuable resources we have, emphasising the need for new and existing cultural infrastructure to become more sustainable through prioritisation of renewables, implementation of better technologies, including EV vehicles and action to reduce energy consumption and increase recycling of materials. This will include monitoring and managing achievement in collaboration with national partners such as Julie's Bicycle.

This is also inherent in the Thinking big and Having fun ambitions where our District will express itself through bolder outdoor or site-specific pieces of work, reimagining our landscapes and reusing existing buildings and spaces rather than a focus on creation of more permanent and resource-hungry infrastructure.

Sustainable action and clean growth, addressing Bradford Council and City Region green targets for 2038 will also be a condition of future CBMDC funding for arts, cultural and heritage projects.

### 7.3 COMMUNITY SAFETY IMPLICATIONS

The survey work that underpins the development of the plan showed that the majority of people in Bradford District (58%) want to see cultural activity that brings different communities together.

Research by Wavehill in 2019 showed that a strong arts and cultural offer:

- Makes people more content and more likely to stay within an area
- Helps people to feel part of their community and fosters a sense of shared identity

Cultural activity can have a positive impact on peoples feeling of safety, increasing sense of belonging, particularly where they bring different groups of people together, building tolerance and understanding.

Feelings of safety can act as a barrier to people's willingness to engage in those activities that bring people together at a neighbourhood level, which was a factor raised during the consultation work carried out in support of the local Stronger Communities Together strategy.

**Culture is our Plan** aligns some of its work with the Stronger Communities Partnership and vice versa. Stronger Communities ambassadors have input to the plan and will continue to do so in the future. Officers attend and support both of these strategies and the relationship between these two - and other major District partnerships - are key to the success of the overall plan.

### 7.4 HUMAN RIGHTS ACT

There are no known Human Rights Implications arising from this report.

## 7.5 TRADE UNION

There are no staffing implications for CBMDC

## 7.6 WARD IMPLICATIONS

The plan seeks a more equitable distribution of cultural opportunity across the District and an ambition to celebrate the artists and creatives in every street and community. This will have a positive benefit for the whole District over the coming 10 years. The Leap our Creative People and Places programme will aim to provide more than 100,000 new cultural engagements across the District's 12 most deprived wards over its ten-year life. Increased District-wide reach and impact will also be a condition of future CBMDC funding for arts, cultural and heritage projects.

## 7.8 IMPLICATIONS FOR CORPORATE PARENTING

Children and young people are highlighted in the plan and are a priority for new joined up action across the District through the establishment of the Bradford Cultural Education Partnership and the research partnering with BIHR / Born in Bradford. The plan also seeks to support Bradford Council ambitions to become a UNICEF Child Friendly City. Vulnerable and disadvantaged children are a particular focus for inclusion through multiple opportunities including the ten-year Creative People and Places programme.

## 7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

No impact

## 8. NOT FOR PUBLICATION DOCUMENTS

N/A

## 9. OPTIONS

1. Approve **Culture is our Plan** to replace the existing Bradford Council cultural strategy

2. Reject the new plan and continue with the existing Bradford Council cultural strategy

9.1 Option 1 will give the District a dynamic and future-focussed cultural plan which has been co-created with the cultural sector and the community of the whole District. It is interwoven with a range of strategic plans and is reflective of current circumstance, the emerging new strategies of major national funders and is created in step and in support of the bid by the District to become UK City of Culture 2025.

9.2 Option 2 would maintain Bradford Council continuity with its existing document but would leave the District with cultural plan which is no longer fit for purpose, has a 'city' focus and does not reflect the current needs and future opportunities for the cultural sector in the District. The existing strategy is also unaligned to the bid to

become UK City of Culture 2025 and would therefore cause a risk to the bid process.

## **10. RECOMMENDATIONS**

- 10.1 Executive acknowledges the work of the Cultural Place Partnership and the cultural sector across the district in developing **Culture is our Plan**
- 10.2 Executive approves **Culture is our Plan** as the new ten-year cultural strategy for Bradford District and encourages its wider adoption by partners across the District.

## **11. APPENDICES**

- 1. Culture is our Plan Narrative, Vision and Ambitions
- 2. Culture is our Plan Examples of artist-led community consultations
- 3. Culture and Me opinion survey overview

## **12. BACKGROUND DOCUMENTS**

None

Culture is our Plan

# Culture is our Plan

Our plan will offer a new definition of art, culture and heritage that reimagines Bradford District as a place that is knowingly different and radically alternative.

A place to realise new ideas, where creativity is celebrated in every home and where we can prove the positive impact of culture in our lives

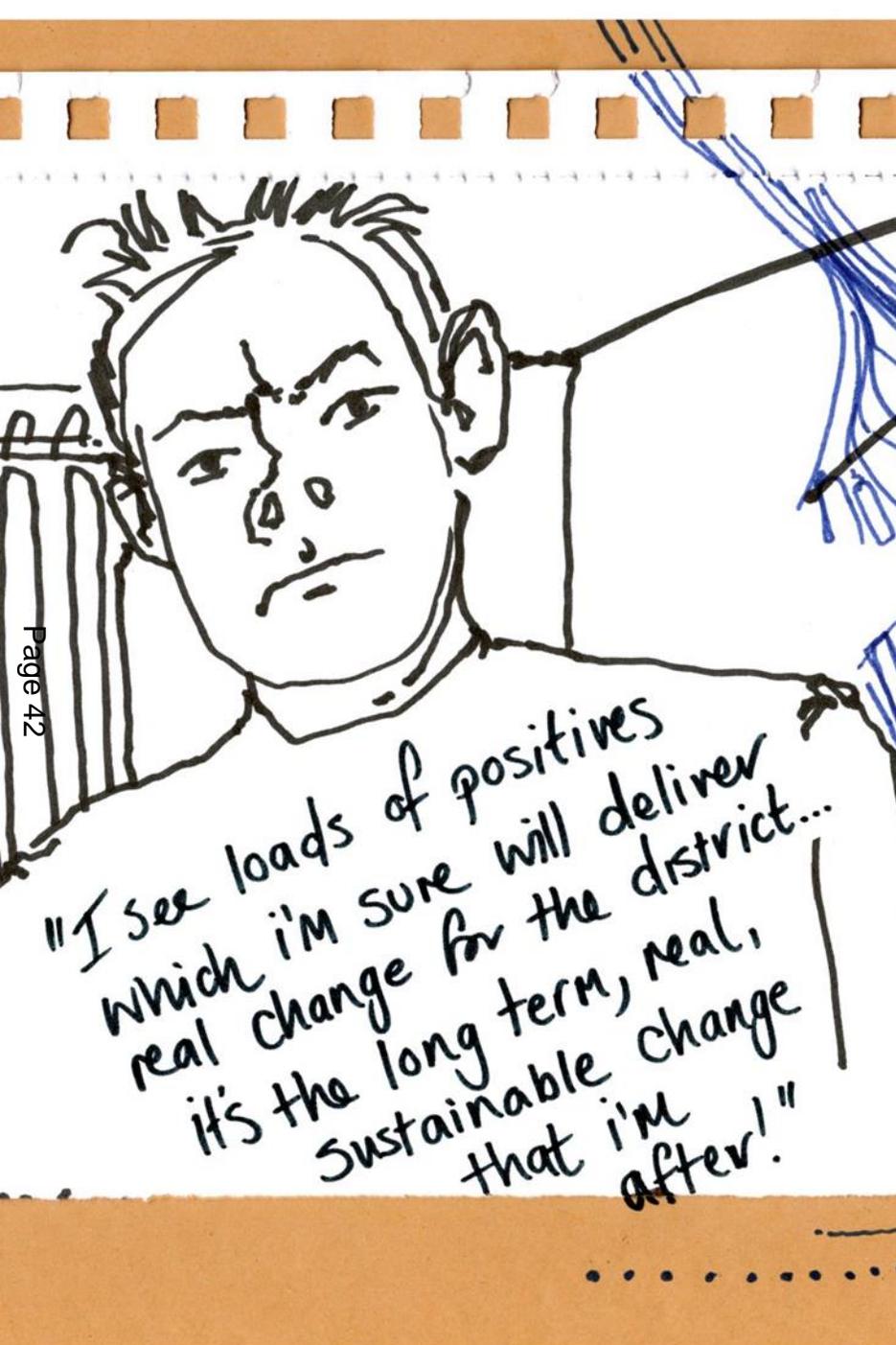


# Ambition 1

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## **Creativity thrives in every corner of the district**

From Shipley to Little Germany, Manningham to Keighley, and Buttershaw to Ilkley we will celebrate the creatives in every street. Bradford's culture will happen in our homes, our parks, our markets and our amazing outdoor spaces as well as our cultural venues



# Ambition 2

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## Making the most of what we have

We will build on our existing assets, revitalising historic buildings, re-energising our high streets, reimagining temporary spaces, our landscapes and cityscapes. Sustainability will be our goal, making reusing, upcycling and repurposing cornerstones of our creativity and building new cultural assets that will have positive impact on reaching our climate targets and protecting our future



# Ambition 3

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## **Making the most of who we are**

The people of Bradford are our greatest creative asset. We are a cosmopolitan district, and it is in our differences and the influences they have on each other that we will find our richest culture. Our culture will offer something for everyone but not the same for everyone, it won't be one size fits all and by 2031, 50% of Bradford's creative workforce, audiences and cultural leadership will be drawn from people currently underrepresented in Culture and Creative Industries sector

Image: Jennifer S, Karol Wyszynski CIOP project



# Ambition 4

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## **Network capacity**

We are more powerful, more effective and will be more sustainable when we work collaboratively and share resources. We will grow our sector networks; share equipment, knowledge, skills and data; and support, champion and mentor each other as a creative community. We will work collectively to develop talent, participation and audiences; to make our culture representative and relevant and to put it on every district agenda from health to planning, education to transport

Image: Karol Wyszynski CIOP project



# Ambition 5

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## Thinking big

We will be bold, we will be entrepreneurial, encouraging producers, co-producers, promoters and creative partners to make ambitious work across the district. We will create the right circumstances, support and opportunity for innovative and exciting culture to flourish and to create more work and jobs. Bradford will be a fertile ground for visionary projects and international collaborations

Image: Rachel Shaw, Karol Wyszynski CIOP project



# Ambition 6

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## Having fun

We will grow a new calendar of exceptional festivals and events, celebrations and one-off moments across the district – from the hyper local to the global. We will show that Bradford is ‘open for business’, building capacity, giving permissions, unlocking spaces, encouraging innovators and making Bradford a place to locate and a host of choice for national and international cultural events and partnerships



# Ambition 7

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## **Creating an explosion of opportunity**

Working with families, schools, careers service, FE and HE partners we will create a critical mass of coordinated training and employment pathways for young people. We will evidence and advocate the viability of creative careers to mobilise a generation of young, talented, digitally native Bradfordians and ensure they take the lead in shaping the future success of the district

Image: Saliha R, Karol Wyszynski CIOP project



# Ambition 8

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## **Bradford will know itself better**

We will understand and proudly share our histories and our many cultural heritages. Our culture will speak honestly and openly, won't tolerate racism or discrimination and will have difficult conversations when needed – giving confidence to our communities, celebrating difference, bringing people together, boosting pride and promoting mental and physical wellbeing

Image: Laura A, Karol Wyszynski CIOP project



**THE ARTS**  
*are*  
**POWERFUL**

INVEST IN YOUNG PEOPLE OF BRADFORD

## Ambition 9

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### **We will write our own story**

Our culture will take a lead in the recovery and sustainable regeneration of our district and it will redefine us in the eyes of regional and national neighbours. We will bid to be UK City of Culture 2025, we will leverage our global networks, become a regional, national and international cultural destination and we will tell the world new stories about the district's incredible people and distinctive places

Image: Artworks CIOP project / Claudia Bowler

# Ambition 10

## Living life better

We will take our place as part of the Bradford “City of Research” and we will use the unique big data resources at Bradford Institute of Health Research to use evidence and data to help direct our efforts and to prove the positive impact culture has on the lives, aspirations and the life outcomes of all the people of the district





Community Zooming! 2020





# Rachel

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**Culture for me is about a sense of place as well as community.**

**Culture is thinking big and bold and sharing a reality and a vision.**

**We need to do more than just scratch the surface of the culture**

Image and text: Rachel Shaw, Karol Wyszynski CIOP project





# Ross

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**Culture is about seeing the beauty in seasonal change**

**Culture to me is different to what it may mean to you. That's the beauty of it. Our cultures should be celebrated, explored and shared**

- Image and text: Ross E, Karol Wyszynski CIOP project

Q: Definition of the word creativity

ARTS! ...

"One of the things a young group did in Bradford was they re-

modelled their cars- sprayed them and did all sorts to them!"

"It should encompass music and drama too- a very active rock scene through to

serious classical"

"Amateur dramatics"



folk, Punk, & Many More!!!  
Qawwali, Spoken word  
"in terms of creative ideas one of the aspects of Bradford and Keighley is that we have a very diverse population very rich in culture, language and that applies to food. So we have had food festivals in the past like Curry festivals and general food markets and it's one of our strengths!"

"Some of Keighley's creativity/ art forms are quite hidden unless you

are involved in these scenes, but once you are involved you realise how much is going on."

Dance

film

JOINED UP THINKING!

Participation!

Covid means more need for connection.

"How do you get the people who live in Keighley to be aware of what is happening in Keighley?"

Keighley and Worth Valley railway is an immensely creative project.





# Jennifer S

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**Culture is all our stories and how they are interpreted to help us to understand each other**

**Culture is what brings people and communities together to develop pride in the city!**

Image and text: Jennifer S, Karol Wyszynski CIOP project



"Young people are a particular group where what arts and culture will mean to them might be different. We need to learn more about it"

How can Keighley Compliment the wider district?

Thinking!!!

"What do people want?"

"Youth Club?"

better opportunities for families

"The only thing to do in Keighley is eat & drink"

"Art can sometimes be a little elitist. We need space where everyone is welcome"

"It would be good to see more happening in the shopping centre."

"... We should be doing something for people, not too them"

"I love walking around the buildings. Fantastic Architecture!"

"People are going OUT of Keighley to enjoy themselves"

"It would be brilliant to have an arts space since the recession, these spaces are needed!"

Image: Community consultation at Keighley Creative, Naseem Darbey



# Karol

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**Culture is about connecting**

**Culture is about enriching the place we live in**

**Culture is celebrating life together**

Image and text: Karol Wyszynski CIOP project

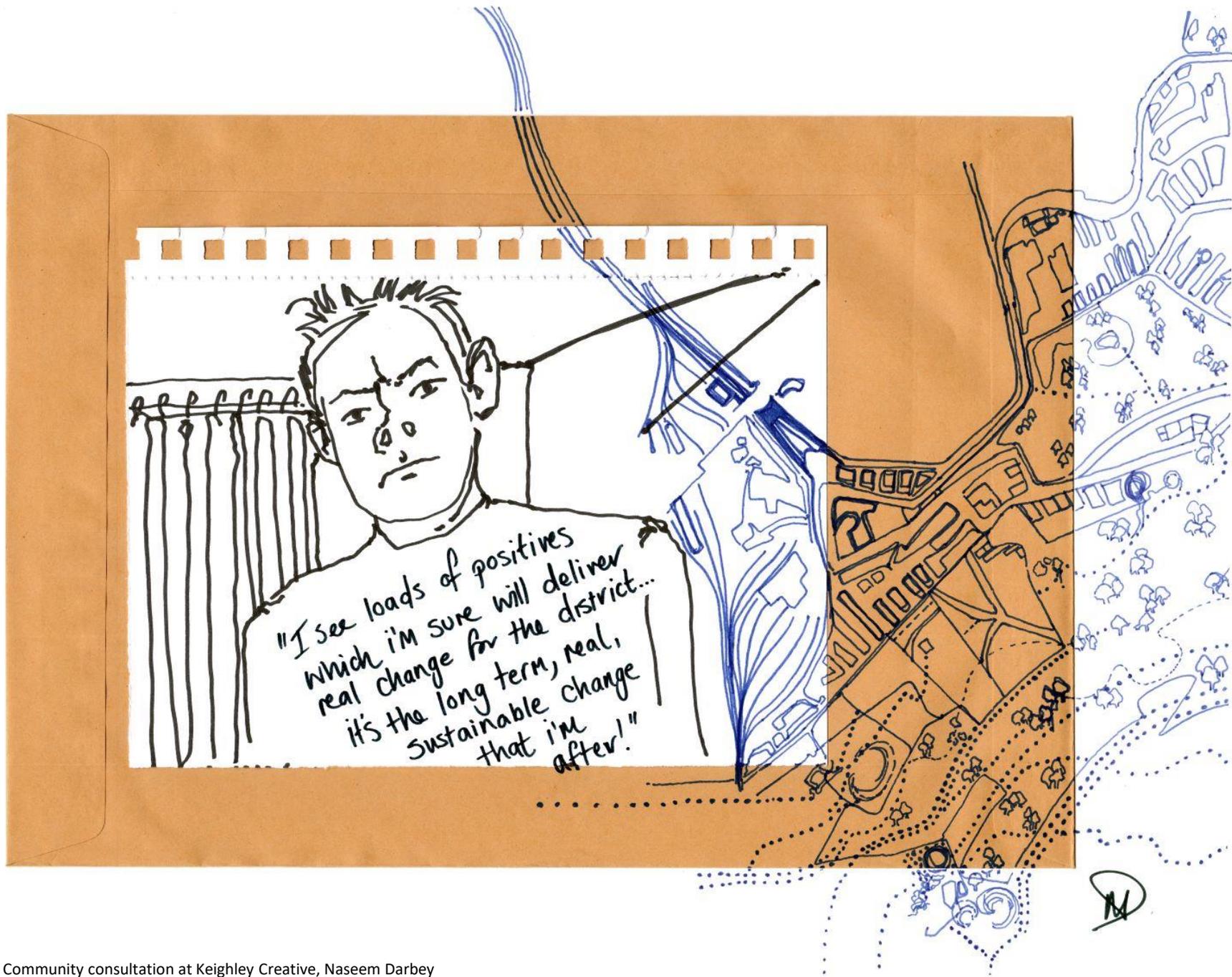


Image: Community consultation at Keighley Creative, Naseem Darbey



# Saliha

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**Culture is what's passed on**

Image: Saliha R, Karol Wyszynski CIOP project



# Nathaniel

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**Culture creates community around an idea**

**Culture is everyone's heritage**

**Culture is about learning about others and ourselves**

**Culture is coming together to work on a common goal**

- Image and text: Nathaniel Chang, Karol Wyszynski CIOP project



# Eli

---

**Older venues are really exciting to go to for a music gig, to see bands but if you have a physical disability its much harder to get to these venues. They are often in upstairs rooms. But we do love them**

**More to be done to promote what's going on to young people with Learning disabilities of what we can go to in Bradford**

- Image Eli Smith 'the Bradford Art Party' Chemaine Cooke and James Heselwood CIOP project

"What I love about it and what I have always loved and why I've ended up coming back here is the landscape, the area and the accessibility of the landscape to people. It is a natural landscape coming into an industrial townscape, and I really love that about it!"



We need  
Great vity  
More than  
ever!



"The relationship between the manufacturing present (in Keighley) rather than the focus on the past. The interdependency between the creative community and the manufacturing businesses that exist in Keighley should be explored."

"All sorts of skills we really should be looking after...."



"We need to be connected to each other and the arts on our door-step."

"Pursuing it locally rather than having to go somewhere else (London)"



# Tess

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**Culture is about shining a light into industrial heartlands**

**Culture is beauty is found in the detail that most will never notice**

Image and text: Tess L, Karol Wyszynski CIOP project



# Laura

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**Culture is noticing and admiring difference**

Image: Laura A, Karol Wyszynski CIOP project

# Young People / Artworks / Kirsty Taylor

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Pregnant at 17! What led to this point drinking, drugs, murder and hurt.

Looking for love and I found the worst. Grew up round green fields, horses and cows.

Private school, happiness and laughter, things change fast.

Wyke manor, skipping school with Kula, Shayne, James and Katie.

Getting drunk on white star, md and cheap booze.

Broken bones, poor attendance, school was the worst.

Fights with the parents, piercings and tattoos.

Tong fighting Martyrs, riots in the rain.

I grew up on Ilford station, skiving school.

Tracksuits, hip hop, grime listening youth.

I grew up on egging Rolls Royces, getting chases.

Hackney to Bradford, moving places.

I grew up on MR'Ts, stir fry donner.

# Young People / Artworks / Kirsty Taylor

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BD8 was where we grew up.  
Playing cops and robbers, hide and seek,  
riding on the field at the top of the street.  
Running inside because we needed a wee,  
and then sneaking back out making sure we weren't seen.  
Meeting the gang in the communal hot spot,  
munching Gino's donor and chips and the laughter didn't stop.  
Then off to the shop for some penny sweets and cookies,  
talking about school tomorrow, but planning to play hookie.

I grew up on the busy roads with nowt to do.  
I grew up on getting pierced and tattoos.  
I grew up on Hello Kitty and Truth or dare.  
I grew up on getting told to be yourself f\*\*\* everyone else.  
I grew up on smoking weed and climbing trees.  
I grew up on smiley faces and beans.

# Young People / Artworks / Kirsty Taylor

---

I grew up on trampy streets, horses, quads, teen scene and getting spiked by lads.  
I grew up on Kirby, tig, bull dogs charge. Students in school thinking they're hard.  
I grew up on Argos catalogues and blackberry phones.  
Sneaking out at night not doing what I'm told.  
I grew up on sticking up for myself and fighting back.  
Being good all year to fill my xmas sack.  
I grew up seeing stuff I shouldn't, getting kicked out of school. Getting into trouble as I don't like the news.

I grew up on smiley faces and beans.  
I grew up on not been allowed to go to teen scene.  
I grew up on watching fights and crime.  
I grew up on going to fairs and parks.  
I grew up on climbing trees and bring me.  
I grew up on not being my own friend.  
I grew up on going to 5 alive and community vibing.  
I grew up with my mum by my side with the tuna pasta on the side



**THE ARTS**  
*are*  
**POWERFUL**

INVEST IN YOUNG PEOPLE OF BRADFORD

## Artworks

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(the) Young people were a bit more positive about their own areas and this seemed to be a bigger part of their lives, speaking more positively about the community vibes on their estates, neighbours, parties, socialising with locals - they lent more towards this than going to the city itself

One group described my job (a poet) as 'high flying, not a standard job, powerful' which was interesting. They respected the job, but also couldn't see it as a regular job for someone from Bradford.



# Natasza

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**Shops close, businesses leave, but the people stay and thrive ... in the smiles of the friend with a different life behind them that has lead them to the same place as you.**

- Image and text: Natasza S, Karol Wyszynski CIOP project

# Culture and Me in Bradford District

Katy Raines  
Nov 2020

# Intention

- To support previous consultation and other research work by gathering the views of existing arts attenders and participants across Bradford district
- To raise the profile of Culture is our Plan with the general public and capture indications of wider public perceptions and engagement with culture in the district

# Methodology

- Simple light touch online survey developed – easy to complete and no personal data collected to ease distribution
- Distributed via various channels
- General public via Telegraph and Argus, BMDC and VCS email lists and Facebook, Twitter and Instagram
- Arts attenders via Cultural organisation email lists / social channels and Bradford 2025 Bid social and email
- Survey open for 30 days Oct 2020

## Responses and Caveats

- 1700 people gives a robust sample of the district population (with a 95% confidence level and margin of error <2.5%)
- The sample is skewed towards people on arts and cultural mailing lists and therefore has
  - *A lower % of BAME respondent (12%) compared with the local population (31%)*
  - *A lower % of respondents aged under 25 (16%) compared with the local population (23%)*
- 13% of respondents identify as D/deaf or disabled, compared with 17% in the local population

## Key Findings

1. Culture is **important** to residents in Bradford District – but culture means different things to different people
2. Bradford District residents are **engaged** in culture
3. Cultural activity is rich and diverse and goes beyond traditional definitions of ‘Arts’ and ‘Culture’
4. Cultural activity is not necessarily happening in **cultural venues**
5. Bradford is **generous** (many volunteer in cultural activities)
6. BUT Culture in Bradford District has some **challenges**
7. There are some clear **signposts** for the future

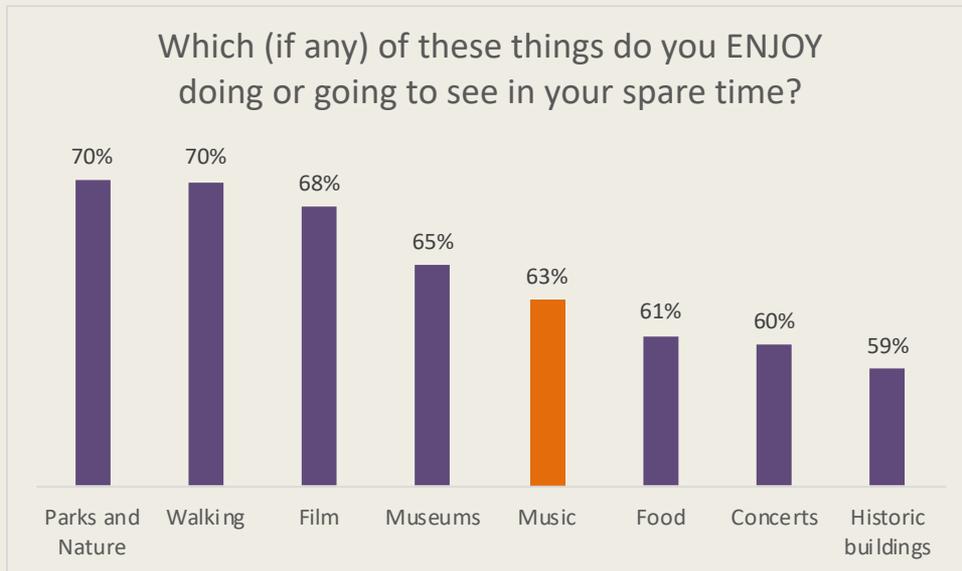
# 1. Culture is important

- High score on the importance of culture (**8/10**)
- Residents agree/agree strongly that culture
  - *makes Bradford District a better place to live (94%)*
  - *Improves their wellbeing (88%)*
  - *Should be accessible by all children (92%)*

## 2. Bradford residents are engaged in culture

- 65% of people said they like to do **as much cultural activity as they can**, and deliberately search for activities
- Only 12% say they **hardly ever** or **do not take part** in cultural activities
- **66% have volunteered** with a cultural project or organisation  
55% of under 25s vs 73% of 65+
- **80%** are active culturally **WITHIN Bradford District**
- Most who engage with culture elsewhere do so in **Leeds** (75%)
  - ***Under 25's** also go to **London** (51%) and **Manchester** (47%)  
more than other age groups*

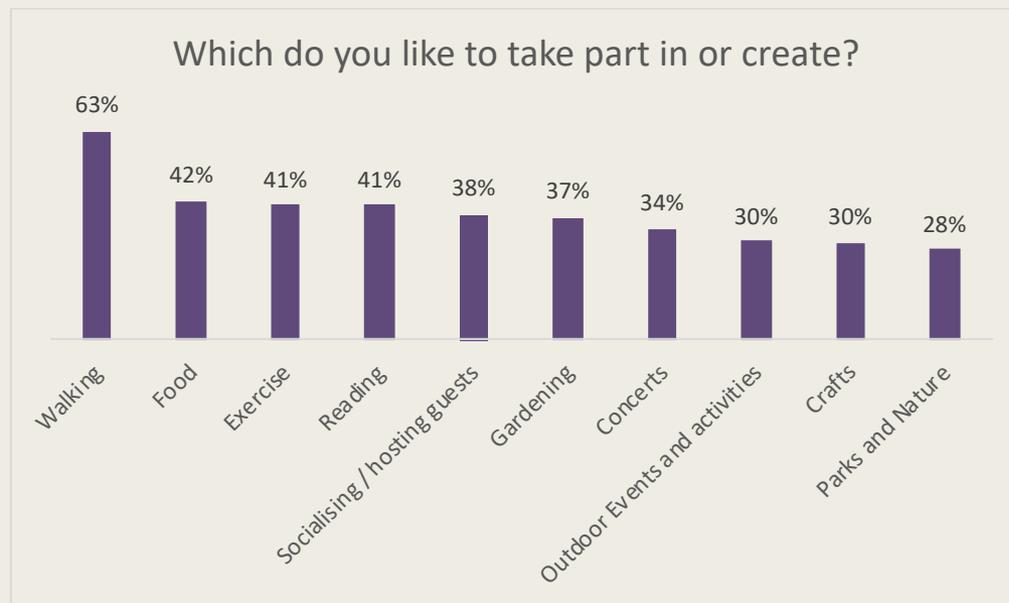
### 3. What Bradford residents most enjoy doing



**Outdoors** especially valued – this is echoed in other research about main reasons for visits to the district too

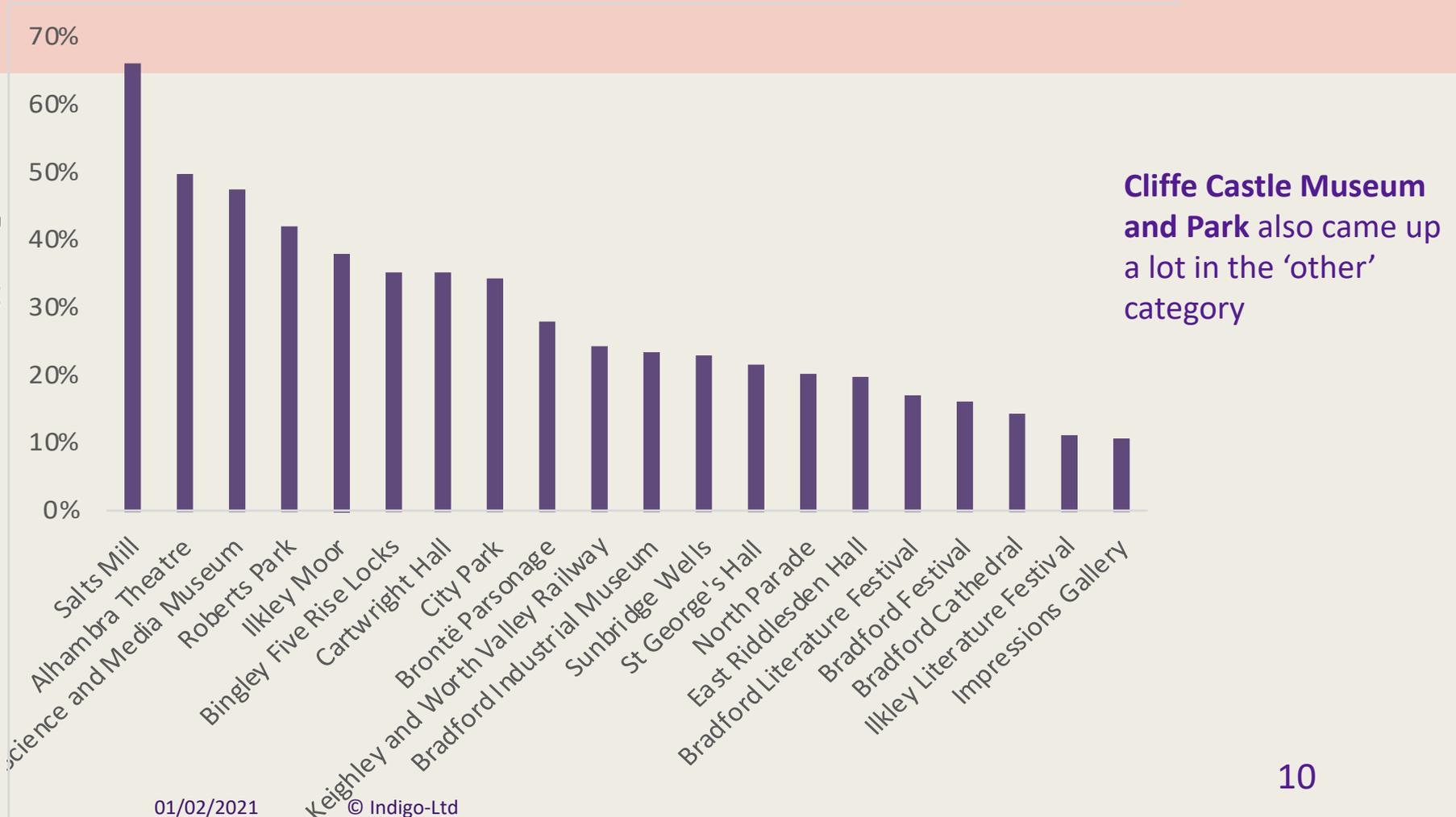
**Music** popular across all ages – favorites for Bradford include 80’s pop and Qawaali!

## 4. What they like to do themselves



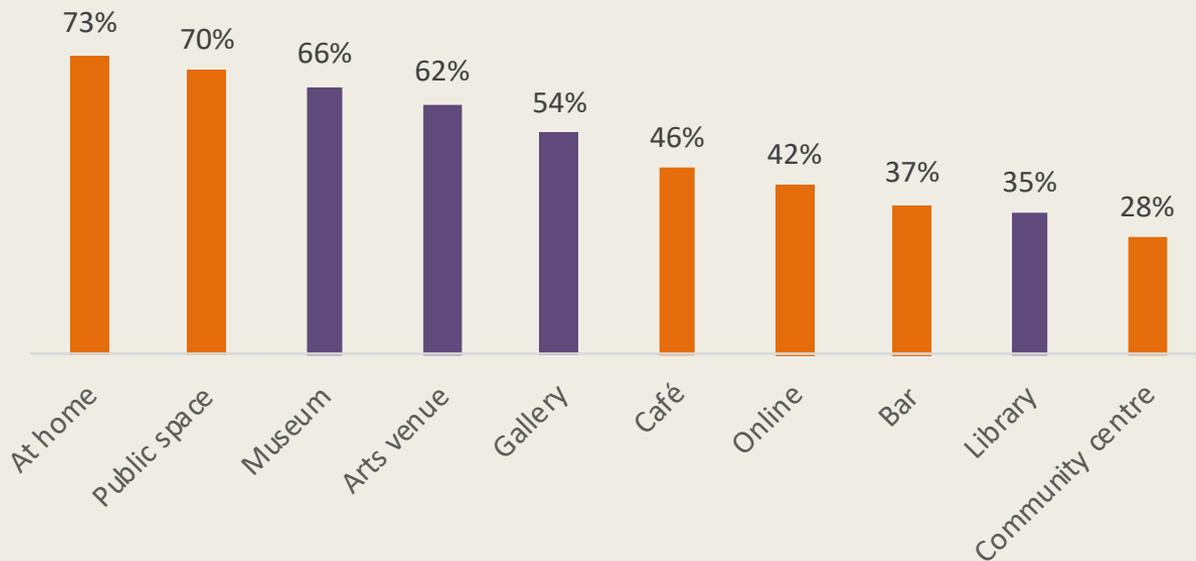
**Food, hospitality and socializing** are important aspects of Bradford culture

## 5. What they show to friends and family



## 6. Cultural activity – where it's happening in Bradford – top 10

WHERE do you go to experience the THINGS you enjoy most?



Cultural activity is happening in many places that are **outside** conventional cultural venues

## 7. BUT There are some challenges...

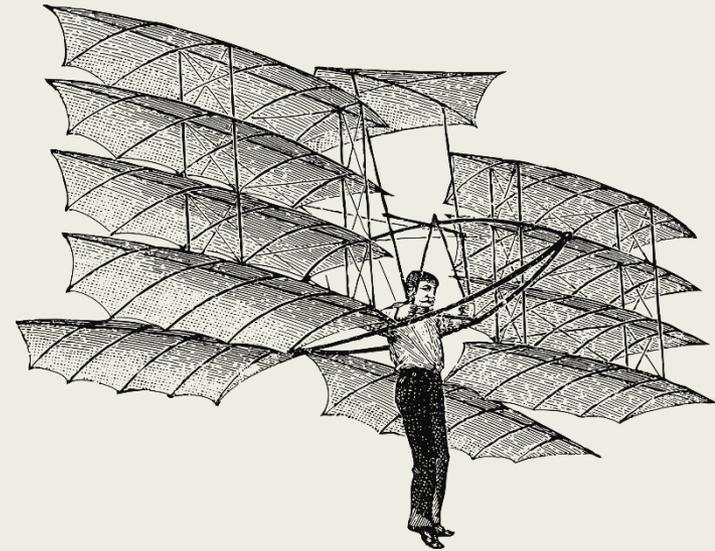
- Only half (51%) of respondents agree that culture in Bradford 'represents me and my life'
  - *Much lower for **under 19s** (36%)*
- Less than half (45%) agree that they are **satisfied with the range of cultural activities** in the district and 42% near to where they live
  - *Much lower for **under 19s** (27% for Bradford and 21% for 'near where I live')*

## 7. BUT There are some challenges...

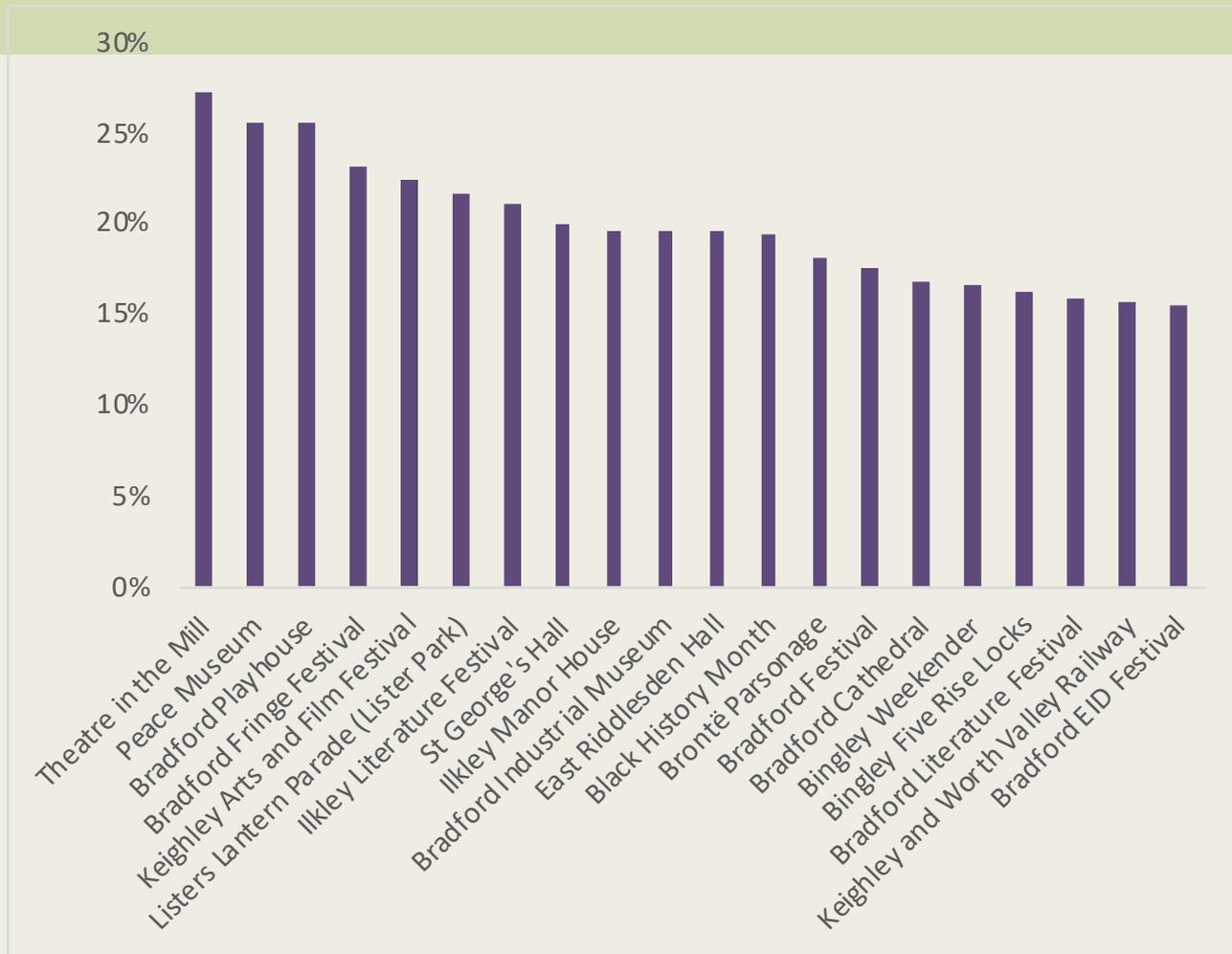
- This is especially true for people living in the poorest parts of the district
- This supports work carried out in developing The Leap, the Creative People and Places Programme for Bradford, which shows that the people in the poorest parts of the district have the least provision and least engagement with 'subsidised' Arts and Culture
- Only 12% say they **hardly ever** or **do not take part** in cultural activities
  - *BUT this increases to 23% of <25 year olds*
  - *and 33% of 15-19 year olds.*

## 5. The future

- What people would most like to try
- What people would like to see more of
- How they'd like Bradford described
- Key Opportunities



# Things people would 'like to try'



## The most important things people would like to see MORE of in the district

ANSWER CHOICES		RESPONSES	
Activities that brings different communities together	BAME ↑	58%	852
Use of our heritage buildings		53%	780
Opportunities to develop the talent in the district		41%	599
Outdoor events	< 25s ↑	41%	598
Activities for young people	< 25s ↑	39%	570
Cultural facilities and buildings		32%	462
Festivals	< 25s ↑	30%	443
More artists living and working here		30%	440
Cultural activity online		7%	109
Activities for specific communities	BAME ↑	6%	93
Total Respondents: 1,462			

Q17 Which ONE word would you like people to use to describe CULTURE in Bradford District in 10 years time?



## Key Opportunities / Conclusions

- Residents have an appetite for culture, but it needs to
  - *have more **relevance** to their lived experience*
  - *be more available near to where they live*
- There is a strong desire to see activities that bring **different communities together**, and this is highest amongst BAME communities
- **Young people** are a key target group as
  - *The most ethnically diverse*
  - *Over-represented in the population*
  - *Committed (over ½ volunteer!)*

## Under 25s – the future?

- What ARE they engaging with now?
  - *Food, TV, Comedy, Photography, Sport, Singing, Painting, Design, Fashion, Gaming, Calligraphy*
- What do they WANT TO TRY?
  - *Festivals, Events, Music and Diverse culture scored highly e.g. Bingley Weekender, Black History Month, Bradford Festival, Bradford Madir, Bradford Pride, Drunken Film Festival, Illuminate, Keighley Arts and Film Festival, Lister Lantern Parade, Nightrain, North Parade, WOW Festival, Widescreen Weekend, Yorkshire Games Festival, Yorkshire Adabee Forum*

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## **Report of the Strategic Director of Children's Services to the meeting of Executive Committee to be held on 2 March 2021**

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**Subject:**

**DP**

**Ensuring the Sufficiency of Specialist places for Children and Young People with Special Educational Needs and Disabilities (SEND) across the District**

**Summary statement:**

**This report asks the Executive Committee to:**

Approve the reutilisation of the District Pupil Referral Unit (DPRU) premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy

### **EQUALITY & DIVERSITY**

S149 of the Equality Act 2010 (the Public Sector Equality Duty) provides as follows:

(1) A public authority must, in the exercise of its functions have due regard to the need to;

a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010

b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to;

a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due

regard, in particular, to the need to;

- a) tackle prejudice, and
- b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

2. The Council must ensure that it has sufficient information to enable it to identify whether a proposal, if implemented, would disproportionately affect particular groups with relevant protected characteristics and if so whether any such adverse impact can be avoided or mitigated.

3. The courts have established a number of principles which the Council should take into account in making decisions:

- the duty means that the potential impact of a decision on people with different protected characteristics must always be taken into account as a mandatory relevant consideration
- where large numbers of vulnerable people, many of whom share a protected characteristic, are affected, consideration of the matters set out in the duty must be very high
- even if the number of people affected by a particular decision may be small, the seriousness or the extent of discrimination may be great. The weight given to the aims of the duty is not necessarily less when the number of people affected is small.

The schools and any proposed new provision will continue to cater for the needs of all children and serve its community.

An Equalities Impact Assessment has been carried out and can be seen in Appendix 1

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Mark Douglas  
Strategic Director, Children's Services

**Portfolio:**

**Education Employment and Skills**

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**Overview & Scrutiny Area:**

**Children's Services**

## **1. SUMMARY**

This report asks the Council Executive to:

Approve the reutilisation of the District Pupil Referral Unit (DPRU) premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy

## **2. BACKGROUND**

- 2.1 Bradford Metropolitan District Council has a statutory duty under The Education Act 1996 Section 14(1) to ensure that it provides sufficient school places for all pupils who are resident within Bradford.
- 2.2 The Local Authority has a duty to make arrangements for the provision of education for children unable to attend school because of exclusion, illness or otherwise. It also has specific duties to ensure that there is sufficient specialist provision for pupils with SEND where an Education Health and Care (EHC) plan has determined that their needs should be met in specialist provision.
- 2.3 Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years.
- 2.4 Over recent years, the Local Authority has created more than 700 additional specialist places across the District in response to the continued growth in the numbers of children and young people requiring specialist provision.
- 2.5 In January 2021 the number of children and young people with an Education, Health and Care Plan (EHCP) stands at 4664 up from 3860 in January 2020 which is a 20% increase. The trend is set to continue to increase for the next 3 years and is predicted to increase by 5% each year. Current projections indicate that an additional 320 to 360 specialist places will be required over the next three years.
- 2.6 The Special School estate is at full capacity. There is a need to develop specialist Resourced Provision within mainstream schools, particularly in the secondary phase, to relieve the pressure on the Special Schools for children who are able to access a mainstream curriculum for some of the time.
- 2.7 Across the District there is a lack of available premises to support the SEND Sufficiency Strategy.
- 2.8 Bradford District Pupil Referral Unit (DPRU) is registered as an 11-16 PRU for up to 180 places; and operates from premises on Anerley Street BD4. This is a type of Alternative Provision set up by the Council to provide suitable full time education for permanently excluded pupils.
- 2.9 There are currently 4 students in DPRU all of whom are in Year 11; 3 have an Education, Health and Care Plan (EHCP) and three of the four students are dual registered with a Bradford school. Provisional transition plans for all four students post 16 are in place. These have been discussed with parents and for the three students with an EHCP, individual consultations including parents/carers must take

place as part of the statutory process

- 2.10 The PRU was inspected in March 2017 and judged to be inadequate and placed into Special Measures; it became subject to an academy order in November 2018.
- 2.11 In May 2019 the LA made the decision to implement a transitional funding plan to reduce the commitment from the High Needs Block (HNB) to DPRU as there was no identified need to fund places to meet the LAs statutory duties. The transitional funding was to allow the PRU, over the course of the 19/20 academic year, to develop a traded model with secondary schools.
- 2.12 From September 2020 the transitional funding from the HNB has ceased and secondary schools have not opted to purchase places, leaving the provision in a financially unviable position. In effect, from the 1<sup>st</sup> September 2020, the DPRU does not have an identified budget. However, the HNB continues to fund the DPRU. The Academy Order prevented the LA from exercising any other intervention powers. The main purpose of the Order was to focus on steps to facilitate the conversion of the PRU into an Alternative Provision Academy.
- 2.13 Due to no academy sponsor being identified or a sustainable financial plan, the LA received written confirmation from the Regional Schools Commissioner on 6<sup>th</sup> November 2020; advising the Minister had confirmed the revocation of the Academy Order pursuant to section 5D Academies Act 2010. The letter stipulated an expectation that following revocation District Pupil Referral Unit will close.
- 2.14 For these reasons, and that the District Pupil Referral Unit has no income but continued expenditure and is being supported financially by the High Needs Block by approximately £85,000 per month, on 4 January 2021 the Strategic Director of Children's Services took the decision to close the District Pupil Referral Unit on 31 March 2021, using delegated powers under section 14.20 of the Council constitution. The proposal is to reutilise the premises for much needed SEN Resourced Provisions - Local Authority led, to provide additional secondary and primary resourced provision places. The remainder of the site is proposed to expand existing provision to support children with additional needs.
- 2.15 Since September 2020 part of the DPRU premises has been used as a split site for Oastlers Special School until their new site in Keighley becomes available (expected to be available in May 2021). This is to accommodate the growing numbers of students with Social, Emotional and Mental Health needs. Without being able to use this space, children would have had to be educated out of the Bradford District.
- 2.16 The successful occupancy by Oastlers has demonstrated that the building is able to be used for multiple occupancy with no detrimental effect on Oastlers or DPRU students.

## **2.17 Rationale**

- 2.18 The High Needs Block cannot continue to support an £85,000 deficit each month (see section 4 Finance) in the DPRU budget when this funding stream is under considerable pressure, due to the increasing numbers of children with an EHCP.

- 2.19 The closure of the DPRU will have limited impact on students as there are only 4 on roll and these children can be accommodated in suitable and appropriate education provision to meet their needs post 16.
- 2.20 A formal consultation began with trade unions and staff on the 15<sup>th</sup> January pursuant to S188 Trade Union and Labour Relations (Consolidation) Act 1992. The consultation includes consultation about ways of avoiding dismissals, reducing the number of employees to be dismissed, and mitigating the consequences of dismissals. Staff have been supported by PACT HR through this consultation process; offered job search support with DWP, wellbeing support, individual 1:1s, question and answer sessions, and in addition encouraged to proactively seek training and job opportunities where possible. This support will help to minimise the number of redundancies and increase opportunities for redeployment into alternative suitable roles through the Council's redeployment process.
- 2.21 This proposed alternative use of the DPRU site, will ensure the continued delivery of high quality and cost effective provision for children and young people of Bradford.

The Council are developing a District wide structure of Early Years Enhanced Specialist Provisions (EYESPs), Resourced Provisions (RPs) and Special Schools in conjunction with Academies that will:

- Provide local specialist provision, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of local specialist provision for children and young people with special educational needs and disabilities
- Provide increased access to the curriculum; due to the staffing experience and capacity of the new RPs and Special schools. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion for children and young people with an EHCP who are otherwise very vulnerable
- Provide a progression pathway through the Early Years, to the Primary and secondary phase.

It therefore requires premises and locations within the district to achieve this.

### **3. OTHER CONSIDERATIONS**

- 3.1 Statutory Responsibilities – The Local Authority has a statutory responsibility to keep under review the specialist provision it makes for children and young people with special educational needs and disabilities (SEND).
- 3.2 It has been identified that there is an urgent need for additional specialist places across all sectors within the District.
- 3.3 Out of Authority placements – The number of children and young people being placed outside of Bradford is increasing as we do not currently have sufficient

provision to meet need. Investment in district placements would ultimately save funding expensive out of district placements.

- 3.4 There are long term financial impacts on the Designated Schools Grant/HNB if DPRU remains open.
- 3.5 There is an expectation from the Minister and the RSC that following the revocation of the Academy Order that the provision will cease to operate.
- 3.6 Pupil Referral Units sit outside of the School Organisation regulations. Therefore, there is no statutory process to follow from a School Organisation perspective on the closure. However, there is a statutory consultation process that is currently taking place in relation to the displacement of staff affected by the proposal.
- 3.7 There are 27 staff employed in DPRU where BMDC is the employer. The management committee have the powers of management of staff. As stated above, a consultation process with the trade unions and staff in relation to the proposed redundancy dismissals has begun.

#### **4. FINANCIAL & RESOURCE APPRAISAL**

- 4.1 As a result of no allocated budget and no income, but continued expenditure on staffing, accommodation, contracts and leases, since September 2020, the High Needs Block is supporting the District PRU.
- 4.2 The High Needs Block cannot continue to be used to support the expenditure of the DPRU, as these funds are intended mainly to support provision for children and young people for whom the LA has direct statutory responsibility for education provision.
- 4.3 **Capital Costs to re-utilise the building:** The Local Authority has identified £2.6 million from the Basic Needs Allocation in addition to SEND Capital allocation from central government to fund the ongoing SEND expansion projects. Some of this funding will be allocated to the modifications required to deliver the additional specialist places at the site of the District PRU.
- 4.4 **Revenue Costs:** The revenue funding for all of the additional places is included in the High Needs Block (HNB) allocation determined by the Schools Forum.

#### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 Statutory Responsibilities – The Local Authority has a statutory responsibility to keep under review the specialist provision it makes for children and young people with special educational needs and disabilities (SEND). It has been identified that there is an urgent need for additional specialist places across all sectors within the District.
- 5.2 Individual risks associated with the development/expansion programmes are

managed as part of the overall project to deliver the sufficiency of specialist places across the District.

- 5.3 There is also a reporting mechanism to the Council Change Programme Board, the School Organisation Board, the SEND Strategic Partnership Board and the Schools Forum on the various strands of the projects including time scales, Capital and Revenue funding constraints, Issues and Risks.
- 5.4 Consultation is being carried out with the current staff of DPRU under the Trade Union and Labour Relations (Consolidation) Act 1992, Section 188, including 1:1s and individual consultations. The consultation process will conclude before final plans can be made to utilise the building.

## **6. LEGAL APPRAISAL**

Local authorities are responsible for arranging suitable full-time education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such provision. This applies to all children of compulsory school age resident in the local authority area, whether or not they are on the roll of a school, and whatever type of school they attend. Full-time education for excluded pupils must begin no later than the sixth day of the exclusion.

Any school that is established and maintained by a local authority to enable it to discharge the above duty is known as a pupil referral unit. There is no requirement on local authorities to have or to establish pupil referral units, and they may discharge their duties by other means.

Both the Secretary of State and the RSC have certain powers of intervention in PRU's.

Ministers also have the power to revoke academy orders, generally where a school's Ofsted rating has improved before they could become an academy.

The Secretary of State will only consider revoking an academy order if the school's governing body (or Management Committee in this case) are in agreement and have requested to do so.

In circumstances where a maintained school is not viable and the decision has been taken to revoke the academy order, then the local authority will be expected to close the maintained school. Although pupil referral units (PRUs) are maintained by the local authority, they are not included within the definition of a 'maintained school' and are not covered by the statutory school closure process.

DfE Guidance does not prescribe what a LA must do to close a PRU where it is not in special measures or Inadequate.

The legal position is that any alteration, change or closure of a PRU falls outside of the statutory DfE guidance and legal process set down by regulation.

In the absence of any statutory obligation on the LA to consult on the closure of a pupil referral unit it should conduct an SEN improvement test and carry out an equality impact assessment before making any significant changes to this type of provision as it may involve children with SEN, disabilities or other protected characteristics.

Section 188 Trade Union and Labour Relations (Consolidation) Act 1992 requires that where an employer is proposing to dismiss as redundant 20 or more employees at one establishment within a period of 90 days or less, the employer is required to consult the trade union representatives of employees who may be affected by the proposals. The consultation must begin in good time and at least 30 days before the first of the dismissals takes effect. The law sets out prescribed information that must be provided. Consultation must include consultation about ways of avoiding the dismissals, reducing the numbers of employees to be dismissed and mitigating the consequences of the dismissals and must be undertaken with a view to reaching agreement. In addition, consultation should be carried out with the individual members of staff. Any employees who it is not possible to redeploy may be dismissed on grounds of redundancy and would then be entitled to a redundancy payment.

The SEND Code of Practice January 2015 provides that when considering any reorganisation of special educational needs provision that the Local Authority must also make it clear how it is satisfied that the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for SEN. This is the SEN Improvement Test. See Appendix 2

## **7. OTHER IMPLICATIONS**

### **7.1 SUSTAINABILITY IMPLICATIONS**

There are no direct sustainability implications arising from this report. Any development or changes to buildings undertaken as a result of these proposals will be undertaken in a sustainable way which minimises the future impact of the Local Authority's carbon footprint.

### **7.2 GREENHOUSE GAS EMISSIONS IMPACTS**

The proposals will not impact on gas emissions. If children are able to attend their local provision this could lead to a reduction in emissions.

### **7.3 COMMUNITY SAFETY IMPLICATIONS**

These arrangements will allow the children and young people to be educated in a specialist provision within Bradford and District.

### **7.4 HUMAN RIGHTS ACT**

The Human Rights Act incorporates the European Convention on Human Rights which provides that no person shall be denied the right to education.

## **7.5 TRADE UNION**

As set out above, the Council is undertaking a consultation process with the trade unions under S188 Trade Union and Labour Relations (Consolidation) Act 1992.

## **7.6 WARD IMPLICATIONS**

A briefing note outlining the proposal to close DPRU and reutilise the premises for SEND provision was provided to the Leader and Portfolio Holder for Education and Learning in December 2020. Ward members will be updated as options for the expansion of specialist provision are agreed by the relevant school bodies as part of the pre-consultation process.

## **7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

N/A.

## **7.8 IMPLICATIONS FOR CORPORATE PARENTING**

No direct impact on corporate parenting, however the proposals to increase specialist provision across the District will provide a wider choice within their local communities, reducing need for out of District placements.

## **7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

The City of Bradford Metropolitan District Council (the 'Council') is registered with the Information Commissioners Office (ICO). For more information about how the Council uses information, please refer to the general 'Privacy Notice' on the Council's website.

Children's Services will undertake a Privacy Impact Assessment to identify any data protection and information security matters arising from the proposals.

The legal basis for holding any data relating to buildings is contractual and may relate to tenancy or other property type agreements. General Data Protection Regulation (GDPR) principles relating to individual's rights will be fully respected.

Any need for partner agencies to share data would only be with the express permission of the service users in the full knowledge of why and what it would be used for. General Data Protection Regulation (GDPR) principles relating to any individual's data and rights under the Data Protection Act 2018 will be respected.

## **8. NOT FOR PUBLICATION DOCUMENTS**

N/A

## **9. OPTIONS**

Considering the information in this report, the Executive can decide to:

- a) Approve the reutilisation of the District Pupil Referral Unit premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy
- or**
- b) Reject the proposal to reutilise space in of the District Pupil Referral Unit premises to increase SEND provision

## **10. RECOMMENDATIONS**

10.1 That the Executive approve the reutilisation of the District Pupil Referral Unit premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy

## **11. APPENDICES**

Appendix 1: Equality Impact Assessment

Appendix 2: SEN Improvement Test

## **12. BACKGROUND DOCUMENTS**

12.1 Executive report February 2020 on the SEND Sufficiency

12.2 School Forum Report (ML), November 2020

## Equality Impact Assessment Form

<b>Department</b>	Children' s Services Education and Learning	<b>Version no</b>	V0.1
<b>Assessed by</b>	Diane Cochrane	<b>Date created</b>	25/1/2021
<b>Approved by</b>	Claire Marshall-Swales and Lynn Donohue	<b>Date approved</b>	28/01/2021
<b>Updated by</b>	Diane Cochrane	<b>Date updated</b>	04/02/2021
<b>Final approval</b>	Marium Haque	<b>Date signed off</b>	04/02/2021

The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

### Section 1: What is being assessed?

#### 1.1 Name of proposal to be assessed.

- The reutilisation of the District Pupil Referral Unit (DPRU) premises, to enable specialist provision to be increased across the District, in line with the SEND Sufficiency Strategy

#### 1.2 Describe the proposal under assessment and what change it would result in if implemented.

The closure of the DPRU will have an impact on staff, who are employees of Bradford Council. A formal consultation began with trade unions and staff on the 15th January pursuant to S188 Trade Union and Labour Relations (Consolidation) Act 1992. This includes consultation about ways of avoiding the dismissals, reducing the number of employees to be dismissed, and mitigating the consequences of the dismissals. Each staff member has been offered an individual consultation meeting as part of the consultation. Staff will be supported through PACT HR to ensure that redundancies will be minimised through redeployment.

The reutilisation of the DPRU will enable swift delivery of much needed additional specialist places. The current projection is that the Bradford District will require 120 additional specialist places for the 2021/22 academic year, with these places being delivered across both the special school sector and in resourced provisions.

### Section 2: What the impact of the proposal is likely to be?

#### 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.

These proposals will expand and develop further specialist provision to enhance the network of specialist provision which form part of:

- A coherent geographical spread of provision across the District
- A dynamic network
- A Flexible and responsive provision

These proposals are intended to advance the equality of opportunity and a range of improved outcomes for children and young people with a full range of Special Educational Needs and Disabilities (SEND) by creating additional specialist places:

The development of additional specialist places is based on the following principles:

- All children to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning and inclusion into mainstream classes where appropriate
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs require a range of flexible and varied provision

**2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

**Yes** – by providing and expanding additional specialist places for children and young people with SEND alongside their mainstream peers where appropriate, this will help to eliminate discrimination and harassment by fostering a greater understanding of each other's needs, and through early identification, assessment and intervention using specialists and high quality practitioners improve outcomes for all children with SEND.

**2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

**No** - The equality impact assessment indicates that these proposals are likely to have no impact and that there is no disproportionate impact on any group who share protected characteristics. There is a potential negative impact on the three current students attending DPRU who have an Education, Health and Care Plan. However, this will be addressed through the statutory consultation which will be carried out with each student and their parents/carers individually to find the most suitable post 16 provision. This is already planned for and parents have been involved. The focus of the proposals will be on providing *additional* specialist places for children and young people with SEND, which will have a positive impact.

**2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

<b>Protected Characteristics:</b>	<b>Impact (H, M, L, N)</b>
Age	N
Disability	N ? L?
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
<b>Additional Consideration:</b>	
Low income/low wage	N

**2.5 How could the disproportionate negative impacts be mitigated or eliminated?**  
 (Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

The Local Authority and strategic partners have made significant efforts to mitigate against any negative impacts and will continue to promote the move to a school-led system; whilst continuing to use High Needs Block funding to intervene early and use it effectively to improve outcomes for Children and Young people with SEND.

Council officers continue to play an important role to support the changes. In order to manage any negative effects, the proposals will be implemented using a phased approach, so any risks can be identified.

We are carrying out consultation with all interested parties, to ensure we capture all the identifiable risks.

We will further review the potential impact on protected characteristics as part of the development of the delivery programme.

**Section 3: Dependencies from other proposals**

**3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.**

A formal consultation has been carried out with trade unions and DPRU staff pursuant to S188 Trade Union and Labour Relations (Consolidation) Act 1992. This includes consultation about ways of avoiding the dismissals, reducing the number of employees to be dismissed, and mitigating the consequences of the dismissals. Each staff member has been offered an individual consultation meeting as part of the consultation. Staff will be supported through PACT HR to

ensure that redundancies will be minimised through redeployment.

The reutilisation of the DPRU will enable swift delivery of much needed additional specialist places. The current projection is that the Bradford District will require 120 additional specialist places for the 2021/22 academic year, with these places being delivered across both the special school sector and in resourced provisions.

Considerable analysis has been undertaken to identify the need for increasing and developing specialist provision places for children and young people across the district. We have assessed the optimal location of the proposed provisions. Part of this work has been considering the need and also the availability of suitable accommodation, alongside schools with falling numbers and within Capital constraints.

Analysis of all previous consultation responses received and information gathered from previous public meetings and consultations, clearly supports the LA's position in the creation of additional specialist places, especially for children and young people with SEMH and ASD needs.

We will consult with all interested parties, once plans are in place as below:

- Parents/Carers
- School staff and Governors
- Bradford and Airedale Parents Forum
- Bradford and Airedale NHS Trusts/CCG's
- Elected members
- Local MPs
- Trade Unions
- Neighbouring Authorities
- SENDIASS - Barnado's
- Parish & Mosque Councils
- Muslim Association
- CoE and Catholic Diocese for Bradford/Leeds
- Relevant charities and voluntary organisations
- Any other interested parties

The additional SEND places have been agreed by the School's Forum and will be funded from the High Needs Block.

## **Section 4: What evidence you have used?**

### **4.1 What evidence do you hold to back up this assessment?**

The proposals have all been informed by the extensive evidence and analysis from a range of sources:

- Bradford SEND Strategic Review 2016-2020
- Bradford SEND Needs Assessment 2015 (in depth report) and updated Joint Strategic Needs Assessment (JSNA) SEND chapter (2019) and related documents
- Reviewed SEND Sufficiency Assessment Sept 2020
- Strategic aims and objectives set out in related strategies and plans and initiatives including the Education and School Improvement plan
- The Children and Families Act 2014 and the SEND 0-25 Code of Practice 2014
- Bradford District Education Organisational Plan
- Analysis of the number of children and young people currently educated out of authority

- The commissioning of 360 additional places by Schools Forum July 2016
- The commissioning of 354 additional specialist places by the Schools Forum January 2019.
- Consultations from March, June and November 2019 and January 2020 about specific projects as well around SEND places in general

Extensive evidence and data has been used including identifying the incidence of SEND across the district; by type, the number of referrals received, the type of referrals, the age of the children and young people, the type of special educational needs and disabilities, and the number and geographical spread of Education, Health and Care Plan assessments.

To note:

- We have a growing population of children and young people in Bradford and proportionally have a growing population of children and young people with SEND;
- There is an urgent need for more specialist places in Bradford due to the increase in population
- The complexity of special needs in Bradford is increasing - as a result there is a need for more specialist places.
- Bradford has a growing need for more specialist places to meet need and demand
- We are working in a challenging and changing landscape both financially and educationally.

These proposals will continue to make a range of specialist provision available across the District to ensure the needs of all children and young people in the Bradford District can be met.

## 4.2 Do you need further evidence?

Before the Local Authority can increase provision in maintained schools, there is a statutory process that we must follow. Whenever the Local Authority proposes to increase places or make changes to specialist provision, all interested parties who are likely to be affected by the Councils proposals must be consulted in the development of the proposals prior to publication of statutory notices.

# Section 5: Consultation Feedback

## 5.1 Results from any previous consultations prior to the proposal development.

### Principles:

Children and Young People with a range of Special Educational Needs and Disabilities will continue to be well served in Bradford. The council is looking at the best way to offer a full range of provision locally for all children. We believe that a flexible district wide model will be able to respond effectively to local changes in demand.

The proposed changes will ensure the continued delivery of high quality and cost effective provision for the Children and Young People of Bradford.

The Council intend to have a District wide structure of Specialist Places across a number of settings that will:

- Provide local specialist places, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of specialist places for children and young people with special educational needs and disabilities

- Provide increased access to the curriculum, both social and academic, due to the staffing experience and capacity of the provisions. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion
- Provide an improved support network, especially related to training that will support and develop the proposals
- Extend and target multi-agency support into the specialist provisions, especially from the health authority and more specifically speech and language therapy
- Provide a progression pathway from Primary phase to Secondary phase

**5.2 The departmental feedback you provided on the previous consultation (as at 5.1).**

Headteachers and school staff recognise the urgent need for more specialist places and the Schools Forum has previously agreed to fund the additional 714 places from the High Needs block (360 in July 2016, 354 in January 2019). The demand for these places is now increasing as parental preferences change with the availability of more provision across the district

**5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).**

As a result of the initial and statutory consultation processes any changes required to the proposals will result in an updated EIA being produced if necessary.

**5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.**

Feedback from all interested parties will be used to refine the proposals. However, in general the feedback received to date has been very supportive of the proposals to increase and develop additional specialist places for children and young people with SEND.

We are committed to on-going dialogue with all interested parties on the delivery of the proposals.

## SEN Improvement Test

### **Sufficiency of Specialist places for Children and Young People with Special Educational Needs & Disabilities across our District**

This document demonstrates how the proposals to improve our offer of Specialist Provision meet the requirements of the SEN Improvement Test.

#### **Background Information**

Across the District there is a lack of available premises to support the SEND Sufficiency Strategy. The proposal to reutilise the District Pupil Referral Unit premises, to enable specialist provision to be increased across the District, will support the strategy

Bradford offers a range of educational provision to meet the needs of Children and Young People with Special Education Needs and Disabilities (SEND). This includes provision in both Local Authority Maintained Schools and Academy schools including:

- Mainstream Schools
- Special Schools
- Resourced Provision led by the school (RP-SL)
- Resourced Provision led by the Local Authority (RP-LA)
- Early Years Enhanced Specialist Provision (EYESP) led by the Local Authority

This proposal will create additional specialist places across the maintained school sector which form part of a flexible and responsive offer of provision across the district and is based on the following principles:

- There is an urgent need for more specialist places in Bradford due to the increase in population.
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation.
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning.
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs.
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision.

#### **The SEN Improvement Test**

When proposing to make changes to existing SEND Provision, proposers have to meet the SEN Improvement Test and be able to demonstrate that the proposed arrangements are likely to lead to improvement in the standard, quality and/or range of educational provision for children with Special Educational Needs and Disabilities.

### **The required improvements of the test are as follows:**

- Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the Local Authority's Accessibility Strategy.
- Improved access to specialist staff, both education and other professionals, including external support and outreach services.
- Improved access to suitable accommodation.
- Improved supply of suitable places.
- Confirmation from the schools that they are willing to receive additional pupils with a range of Special Educational Needs.
- Confirmation of specific transport arrangements.
- Confirmation of how the proposals will be funded and the planning for staffing arrangements that will be put in place.

### **Confirmation of the requirements:**

- **Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the Local Authority's Accessibility Strategy**

The Local Authority has a statutory responsibility to keep under review the specialist provision it makes for children and young people with special educational needs and disabilities (SEND). It has been identified that there is an urgent need for additional specialist places across all sectors within the District.

It has been identified that there is an urgent need for additional specialist places across all sectors within the District.

The number of children and young people being placed outside of Bradford is increasing as we do not currently have sufficient provision to meet need. Investment in district placements would ultimately save funding expensive out of district placements.

The reutilisation of an existing building will ensure further places are developed, in a timely manner, within the district. Developing local provision means better access for children and young people to be educated within their own communities

Once provision is developed pupils will be on the roll of the school or schools utilising the building. The school or schools will offer individual timetables for pupils to learn specific skills and there will be regular opportunities to take part in learning outside classroom activities, specifically adapted for the pupils. The accommodation will be staffed by fully trained and qualified teaching staff and teaching assistants with access to specialist support such as speech and language therapy where required.

These proposals will therefore lead to improved access to education and associated services, including the curriculum and wider school activities while providing improved facilities and equipment.

- **Improved access to specialist staff, both education and other professionals, including external support and outreach services**

Within the school or schools provision, the children and young people will enjoy the continued support of the full range of training and qualified specialist staff. They will also have access to trained teaching assistants and health and therapy service providers, where necessary to meet individual needs. Improved information routes and advice and support will be provided by the District Achievement Partnership (DAP), RP-SL /SENDCO network meetings and schools will enable improved partnership working with professionals from other provisions.

The children will be able to access the curriculum according to their needs and abilities where they will be taught by qualified teachers and trained support staff. The staff will work in close co-operation and collaboration. Through economies of scale, the setting will also enable the pupils' easier access to a wide range of professionals within one setting.

The proposals will therefore ensure that children and young people with a range of special educational needs will continue to have high-quality support from the full range of trained specialist staff. Their access to fully qualified and experienced teachers, teaching assistants and other professionals will be improved. Their opportunities will be further enhanced as the specialist staff will work more closely together, supporting each other and having access to targeted services.

- **Improved access to suitable accommodation**

There are currently 4 students in DPRU all of whom are in Year 11; 3 have an Education, Health and Care Plan (EHCP) and three of the four are dual registered with a Bradford school. Provisional transition plans for post 16 have been discussed with parents and for the three students with an EHCP, as part of the statutory process.

The specialist accommodation for pupils with a range of special educational needs and disabilities, located at the reutilised building, will improve access to specialist accommodation and be fully fit for purpose, to ensure the needs of children and young people are met.

- **Improved supply of suitable places**

Bradford has a strategic commitment to the development of a range of specialist provision. The purpose of these proposals is to move forward on delivering that commitment.

Over the last 10 years, children with an EHCP for Social, Emotional and Mental Health (SEMH) has increased. Between 2013 and 2015 there was an increase of 157% and this continues to be one of the top three primary needs for children of primary age and is the top need for secondary aged children. SEMH now accounts for 15.9% of all primary and 26.6 % of Secondary aged children with an EHCP. In January 2021 the number of children and young people with an Education, Health and Care Plan (EHCP) stands at 4664 from 3860 in January 2020 which is a 20% increase. The trend is set to continue to increase for the next 3 years and is predicted to increase by 5% each year. Current projections indicate that an additional 320 to 360 specialist places will be required over the next three years.

There is now a significant demand for Primary and Secondary school specialist places, which this development seeks to address.

This proposal will enhance a district wide structure of specialist provision that potentially reduces the need for pupils to travel long distances across the city, will provide a distribution of specialist provision for additional learning needs, will enable pupils to access a differentiated curriculum maximising the opportunities for inclusion, maintain a support network and target multi agency support.

- **Confirmation from the school that they are willing to receive additional pupils with a range of special educational needs**

Any development of the LA Maintained school proposals will be undertaken in consultation and partnership with all interested parties including Headteachers, Governing Bodies of the schools

All school staff involved will have the chance to shape the proposals by way of participation in the pre-consultation phase.

The closure of the DPRU will have limited impact on students as there are only 4 on roll and these children can be accommodated in suitable and appropriate education provision to meet their needs post 16.

- **Confirmation of specific transport arrangements**

The current Local Authority Transport Policy for Special Educational Needs and disabilities will apply to all children and young people as it does currently.

- **Confirmation of how the proposals will be funded and the planning for staffing arrangements put in place**

All of the provisions will continue to be funded via the Place Plus Model, in accordance with the local determined funding formula for special educational needs pupils from the Dedicated Schools Grant (DSG).

Funding of the proposed resourced provision Local Authority led (RP-LA) places will be funded in accordance with the local determined funding formula for special educational needs pupils.

- Element 1 of the place funding will be delegated to the schools for an agreed number of places.
- Element 2 & element 3 (additional funding will be paid in accordance with individual pupil needs – 7 range funding model) will be retained by the central service to pay for the staffing/resources in the proposed provisions.
- The Local Authority will maintain a service level agreement with each of the schools who host the proposed new resourced provisions.

The mainstream schools hosting a RP-LA will not be responsible for the appointment of suitably qualified staff, as this will be the responsibility of the council central service.

The children and young people placed in the Special School, RPs & EYESP's will be on roll of the host schools.

The children and young people placed in the RPs will be on roll of the school.

**Glossary**

RP-SL = Resourced Provision school led

RP-LA = Resourced Provision local authority led

EYESP= Early Years Enhanced Specialist Provision

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## **Report of the Chief Executive to the meeting of Executive to be held on 2<sup>nd</sup> March 2021**

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**DQ**

**Subject: West Yorkshire Devolution**

### **Summary Statement:**

On 11 March 2020, the Chancellor announced a “minded to” Mayoral Devolution Deal for the West Yorkshire area. A report submitted to Executive on 24 March outlined the details of the devolution deal, its benefits for Bradford District, its people and its businesses and set out the required next steps.

The proposed changes to the governance arrangements required for implementation of the deal were reported to Executive on 19 May.

Subsequently, decisions were made which:

- endorsed the “minded to” deal on behalf of Bradford District,
- approved a statutory review to be undertaken jointly with the other West Yorkshire Councils and the Combined Authority,
- provided for a draft Governance scheme to be consulted on in June and July 2020,
- agreed to submit a summary of the responses to the Secretary of State for Communities,
- agreed in principle to the draft Order to establish a mayoral combined authority,
- delegated authority to the Managing Director of the Combined Authority, in consultation with the Leader and Chief Executive of CBMDC and the other Constituent Councils and the Chair of the Combined Authority, to finalise and consent to the final draft of the Order.

The statutory instrument to establish the mayoral combined authority was approved on 29<sup>th</sup> January 2021. This report concerns the Protocol to be agreed by the Combined Authority and the Constituent Councils regarding the exercise of concurrent functions and statutory consents.

This report has not been included on the published Forward Plan as an issue for consideration owing to the receipt of the Protocol from the MCA on 7<sup>th</sup> February with a request for it to be considered by Constituent Councils in March. Although not legally binding it will apply to the exercise of functions by the MCA. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 10 of the Executive Procedure Rules set out in the Council’s Constitution.

## **EQUALITY & DIVERSITY:**

There are no direct implications for equality and diversity arising from this report. It concerns the process by which the Combined Authority will exercise concurrent functions and seek consents from Constituent Councils.

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Kersten England, Chief Executive

**Portfolio: Leader**

Report Contacts:

**Overview & Scrutiny Area: Corporate**

Michael Bowness, Assistant City Solicitor. Tel: 07582 103658

Phil Witcherley, Head of Policy and Performance. Tel. 07970 684889

## 1. SUMMARY

- 1.1 On 11 March 2020, the Chancellor announced a “minded to” Mayoral Devolution Deal for the West Yorkshire area. A report submitted to Executive on 24 March outlined the details of the devolution deal, its benefits for Bradford District, its people and its businesses and set out the required next steps.
- 1.2 The proposed changes to the governance arrangements required for implementation of the deal were reported to Executive on 19 May.
- 1.3 Subsequently, decisions were made which:
- endorsed the “minded to” deal on behalf of Bradford District,
  - approved a statutory review to be undertaken jointly with the other West Yorkshire Councils and the Combined Authority,
  - provided for a draft Governance scheme to be consulted on in June and July 2020,
  - agreed to submit a summary of the responses to the Secretary of State for Communities,
  - agreed in principle to the draft Order to establish a mayoral combined authority,
  - delegated authority to the Managing Director of the Combined Authority, in consultation with the Leader and Chief Executive of CBMDC and the other Constituent Councils and the Chair of the Combined Authority, to finalise and consent to the final draft of the Order.
- 1.4 The statutory instrument to establish the Mayoral Combined Authority was approved on 29th January 2021. This report concerns the Protocol (attached as Appendix 1) to be agreed by the Combined Authority and the Constituent Councils regarding the exercise of concurrent functions and statutory consents.

## 2. BACKGROUND

### Benefits of the Deal

- 2.1 As previously reported, the Deal will devolve a range of powers and responsibilities to West Yorkshire Mayoral Combined Authority. It will unlock significant long-term funding and give the region greater freedom to decide how best to meet local needs.
- 2.2 The devolution deal offers both investment and decision making which are crucial to fulfil West Yorkshire’s potential and meet current challenges. The deal includes:
- Control of £38m per year allocation of gainshare investment funding over 30 years, to drive growth and take forward WY’s priorities
  - A five-year integrated transport settlement starting in 2022/23, and agreement to explore West Yorkshire Mass Transit

- New powers relating to transport, including easier access to bus franchising and a regional approach to control of a Key Route Network
- Devolution of Adult Education powers and the Adult Education Budget to shape local skills provision to respond to local needs.

2.3 Devolution and Mayoral Combined Authority (MCA) preparations have already had an impact on access to funding and increased opportunities for the region. These include:

- £317m Transforming Cities Fund, the largest allocation to any region, to deliver transformational walking and cycling schemes across West Yorkshire and the creation of jobs
- £67m funding for new homes on Brownfield sites.

2.4 The initial gainshare funding for the financial year 2020/2021 will be available prior to the first Mayoral election.

### **3. PROTOCOL**

3.1 Devolution will confer concurrent powers on the MCA (powers which the Constituent Councils also hold and which the MCA could exercise independently), and provides for certain decisions (termed statutory consents in the Protocol) to be made by the MCA only with the express consent of a Constituent Council. The range of concurrent powers and those decisions requiring statutory consents are set out in Appendix A to this report.

3.2 Under the 2021 Order, there is

- no transfer of any Concurrent Function to the MCA from any Constituent Council; each Constituent Council may continue to exercise any Concurrent Function in relation to its area,
- no requirement for the joint exercise of any Concurrent Function by the Combined Authority with Constituent Councils – that is, that they are not required to act together, and
- no requirement for a Constituent Council to involve, consult or seek the consent of the Combined Authority in relation to the exercise of any Concurrent Function by a Constituent Council.

3.3 The Protocol seeks to establish the rules under which the MCA will exercise concurrent powers and seek statutory consents. It deals with the period of notice to be given to Constituent Councils prior to their exercise by the MCA. Appendix 1 is the latest MCA officer draft which has been approved by officers of the other West Yorkshire Constituent Councils, but omits amendments sought by CBMDC. The draft will be submitted to the other Constituent Councils in March for approval through their Executives prior to its consideration by the MCA.

3.4 The amendments suggested by CBMDC are as follows: –

Para 2.3 - the MCA to agree that exercise of any Concurrent Function with a Constituent Council shall be undertaken in such a way as to be compatible with and complementary to the exercise of the Concurrent Function by any Constituent Council.

Para 3.2 and 3 – to notify the Constituent Council regarding the exercise of a concurrent function 10 working days prior to publication of any Key Decision notice, and to give 15 working days' notice of the exercise of a non Key Decision concurrent function.

The reason for this suggestion is that notification of a proposal “as soon as practicable and in any event before any Key Decision notice is published” might be too late for Constituent Councils to be able to influence what is being proposed.

Para 4.2 and 3 – Constituent Councils to have 10 working days' notice of an intended request for a statutory consent before publication of the MCA's forward plan or publication of the Statutory Consent Request notice.

Again, the additional notice might allow Constituent Councils to be able to influence what is being proposed, rather than trying to do so once items have been published. The reference to “as soon as reasonably practicable” was not felt to be sufficiently precise.

This matter was considered by the Governance and Audit Committee on 21<sup>st</sup> January before the MCA draft was finalised, and they endorsed the earlier version with the above amendments.

**4. FINANCIAL & RESOURCE APPRAISAL**

None arising from this report

**5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

The amendments suggested to the Protocol are in order to allow consideration of proposed decisions prior to formal notice of the decision being given.

**6. LEGAL APPRAISAL**

Contained within the report above

**7. OTHER IMPLICATIONS**

**7.1 SUSTAINABILITY IMPLICATIONS**

None arising from this report.

## **7.2 GREENHOUSE GAS EMISSIONS IMPACTS**

Not applicable

## **7.3 COMMUNITY SAFETY IMPLICATIONS**

No issues arising from this report.

## **7.4 HUMAN RIGHTS ACT**

No issues arising from this report.

## **7.5 TRADE UNION**

No issues arising from this report

## **7.6 WARD IMPLICATIONS**

No issues arising from the report.

## **7.7 IMPLICATIONS FOR CORPORATE PARENTING**

No issues arising from the report.

## **7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

No issues arising from the report.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None

## **9. OPTIONS**

To adopt the Protocol as currently drafted or seek the amendments suggested or other amendments.

## **10. RECOMMENDATIONS**

Executive is requested to:

- (i) Consider the draft Protocol on Concurrent Functions and Associated Statutory Consents attached as Appendix 1 to this report, and either agree it as drafted or seek the amendments suggested or other amendments;
- (ii) Delegate authority to the Chief Executive, in consultation with the Leader, to agree any subsequent changes to the Protocol.

**11. APPENDICES**

Appendix 1 – Protocol

Appendix A - Concurrent Powers, Decisions requiring Constituent Council consent.

**12. BACKGROUND DOCUMENTS**

None

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# Appendix 1

## Protocol for the Exercise of Concurrent Functions and Associated Statutory Consents

This Protocol is dated 2021

### Parties

1. **WEST YORKSHIRE COMBINED AUTHORITY** of Wellington House, 40-50 Wellington Street, Leeds, LS1 2DE (“Combined Authority”).
2. **CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL** of City Hall, Centenary Square, Bradford, West Yorkshire BD1 1HY.
3. **BOROUGH COUNCIL OF CALDERDALE**, of the Town Hall, Crossley Street, Halifax, West Yorkshire, HX1 1UJ.
4. **THE COUNCIL OF THE BOROUGH OF KIRKLEES**, of the Town Hall, Ramsden Street, Huddersfield, West Yorkshire, HD1 2TA.
5. **LEEDS CITY COUNCIL** of Civic Hall, Calverley Street, Leeds, LS1 1UR.
6. **THE COUNCIL OF THE CITY OF WAKEFIELD**, Town Hall, Wood Street, Wakefield, West Yorkshire, WF1 2HQ.

Each a **party** together the **parties**, and the parties (2) to (6) above collectively the “**Constituent Councils**” of the Combined Authority.

### 1 Background and Introduction

1.1 The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 SI 2021/112 made on 29 January 2021 (“2021 Order”) provides for:

- the election of a mayor for the area of the Combined Authority (“Mayor”) from May 2021,
- the Mayor to exercise the functions of a Police and Crime Commissioner, and
- the following functions to be conferred on the Combined Authority:
  - adult education functions of the Secretary of State (to be exercised instead of or concurrently with the Secretary of State),
  - functions of Homes England relating to housing and regeneration (to be exercised concurrently with Homes England),
  - functions relating to grants to bus operators,
  - functions in relation to the designation of a Mayoral Development Area (MDA) and establishing a Mayoral Development Corporation (to be exercised by the Mayor)
  - functions in relation to Business Rates Supplements (to be exercised by the Mayor),
  - functions of the Constituent Councils to be exercised concurrently by the Combined Authority relating to

- education, skills and training,
- housing, regeneration and planning, and
- transport (including in relation to highways, traffic orders, traffic signs, pedestrian crossings, street works, permit schemes and bus lane contraventions).

### **Concurrent Functions**

1.2 Appendix A to this protocol sets out each function (that is, power or duty) of the Combined Authority (including a function exercisable by the Mayor) conferred by the 2021 Order which is exercisable concurrently with the Constituent Councils (a “**Concurrent Function**”).

1.3 Under the 2021 Order, there is

- no transfer of any Concurrent Function to the Combined Authority from any Constituent Council; each Constituent Council may continue to exercise any Concurrent Function in relation to its area,
- no requirement for the joint exercise of any Concurrent Function by the Combined Authority with Constituent Councils – that is, that they are not required to act together, and
- no requirement for a Constituent Council to involve, consult or seek the consent of the Combined Authority in relation to the exercise of any Concurrent Function by a Constituent Council.

1.4 That is, each Constituent Council may continue to exercise any Concurrent Function within their area, and in the exercise of any Concurrent Function no Constituent Council is subject to any restriction or condition imposed by the 2021 Order.

### **Statutory Consents**

1.5 The 2021 Order provides that the Combined Authority’s exercise of specified functions is subject to a consent provision, (“**Statutory Consent**”), to safeguard the Constituent Councils’ role in local decision-making and delivery. These are detailed in Appendix A to this protocol.

### **Aim of this Protocol**

1.6 The aim of this protocol is to promote:

- **co-operation** and **collaboration** between the Combined Authority and the Constituent Councils in a spirit of partnership,
- **transparency** of roles and processes to engender mutual trust and confidence, and
- the **best use of resources** through co-ordination and reducing duplication between the parties.

1.7 The Combined Authority and Constituent Councils have agreed to follow this protocol when exercising any Concurrent Function, and in relation to any Statutory Consent.

- 1.8 The Combined Authority is committed to on-going engagement with Constituent Councils about all aspects of its work. This includes engagement about how the Combined Authority exercises its functions. Any timescales set out in this protocol therefore should be regarded as a minimum; there should be additional lead-in time in relation to the development of any projects or schemes involving the possible exercise of any Concurrent Function.

### **Miscellaneous**

- 1.9 For some Concurrent Functions, (as indicated in Appendix A), the 2021 Order provides that a Constituent Council's duty to exercise the Concurrent Function is met when the Combined Authority carries it out. This means that provided the Combined Authority performs the duty, the Constituent Councils will not be in breach of their statutory duty if they do not do so.
- 1.10 The 2021 Order provides for a Statutory Consent in relation to some functions of the Combined Authority which are to be exercised by the Mayor, (as indicated in Appendix A), including the power to acquire land for housing development under section 17(3) of the Housing Act 1985, which is a Concurrent Function. It is intended this protocol shall extend to the Mayor once they are in office in relation to the exercise of these functions.
- 1.11 Where the Combined Authority and any relevant Constituent Council reasonably consider that the nature and scale of the exercise of any Concurrent Function is of a complex, sensitive or significant nature, then the Combined Authority and Constituent Council may agree a **bespoke protocol** to govern the way the Combined Authority exercises that Concurrent Function<sup>1</sup>.
- 1.12 This protocol does not itself constitute an arrangement for the discharge of functions made in accordance with section 101 of the Local Government Act 1972 and/or the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Any such arrangement may be made by separate agreement between relevant parties.
- 1.13 This protocol does not address the **scrutiny** of the Combined Authority in relation to how it exercises any Concurrent Function, which will be subject to separate arrangements.

## **2 Concurrent Functions – Underlying Principles**

- 2.1 This protocol sets out how the Combined Authority and each Constituent Council intend to **work together** to secure that Concurrent Functions are exercised in the best interests of the inhabitants of their areas and for their mutual benefit, although the Combined Authority and each Constituent Council acknowledge that, by law, a Concurrent Function may be exercised by the Combined Authority or a Constituent Council acting alone (subject to any Statutory Consent requirement).

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<sup>1</sup> The Combined Authority will send a copy of any bespoke protocol to any Constituent Council which is not a party to it, for information.

- 2.2 The Combined Authority will **consult** Constituent Councils about the exercise of any Concurrent Function in accordance with paragraph 3 below.
- 2.3 The Combined Authority will exercise any Concurrent Function **reasonably** and after **taking all relevant factors or considerations into account**, including how any Constituent Council is exercising or proposes to exercise the Concurrent Function and the potential effect of a decision on any Constituent Council. In exercising any Concurrent Function, the Combined Authority will comply with the public sector equality duty under section 149 of the Equality Act 2010<sup>2</sup>.
- 2.4 The Combined Authority will so far as reasonably practicable exercise any Concurrent Function in such a way as to be **compatible** with and **complementary to** the exercise of the Concurrent Function by any Constituent Council.
- 2.5 Subject to each party complying with requirements relating to data protection and the law of confidentiality, the Combined Authority and each Constituent Council agree to **share any information** as reasonably requested by any other party, to facilitate their exercise or proposed exercise of any Concurrent Function.
- 2.6 The parties will consult with each other before **approving, varying or revoking any strategy or plan** which is likely to determine or significantly affect how any Concurrent Function is exercised by the Combined Authority.
- 2.7 The Combined Authority will so far as reasonably practicable seek to develop and agree with each Constituent Council a common and consistent approach to any **monitoring arrangements** relating to any Concurrent Function exercised by the Combined Authority.
- 2.8 The Combined Authority will so far as reasonably practicable seek to develop and share **best practice** with each Constituent Council in relation to the exercise of any Concurrent Function exercised by the Combined Authority.

### **3 Concurrent Functions: Consultation with Constituent Councils**

- 3.1 The Combined Authority will consult the Constituent Councils about any proposal by the Combined Authority to exercise any Concurrent Function, except where the Constituent Councils have agreed that no consultation is required.
- 3.2 The Managing Director will also notify the relevant Chief Executive (or their nominee) of any proposal to exercise a Concurrent Function which would require a Key Decision by the Combined Authority as soon as practicable, and in any event before any Key Decision notice is published by the Combined Authority in relation to exercising the Concurrent Function, and unless the Chief Executive (or their nominee) agrees that no consultation is required, the

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<sup>2</sup> That is, will have due regard to those matters specified in S149 Equality Act 2010.

Combined Authority will then proceed to consult the relevant Constituent Council in the manner set out in 3.3 and 3.4 below about such proposal.

- 3.3 The Managing Director will consult the Chief Executive (or their nominee) of any relevant Constituent Council as soon as reasonably practicable about the proposed exercise of any Concurrent Function, including the commencement date/projected timescales and the manner in which it is to be exercised.
- 3.4 Such consultation must be fair and carried out with adequate notice for responses which must be conscientiously considered by the Combined Authority with a view to reaching agreement on the exercise of the Concurrent Function.

## **4 Statutory Consents: Procedure**

- 4.1 The 2021 Order provides for any **Statutory Consent to be given at a meeting of the Combined Authority**<sup>3</sup>. The request for any consent will therefore be set out in a report to be considered at a meeting of a Combined Authority, and any consent will be duly recorded in the minutes of the meeting.
- 4.2 The Combined Authority will seek any Statutory Consent **in a timely way**. To facilitate this, and to promote transparency, a notice of the request for Statutory Consent (Statutory Consent Request Notice) should be published on the Combined Authority's Forward Plan at least 28 clear days before the Combined Authority meeting at which it is sought, subject to this requirement being waived in exceptional circumstances by any relevant Chief Executive.
- 4.3 To further facilitate the appropriate and timely briefing by the Chief Executive (or their nominee) of the member of the Combined Authority who may provide a Statutory Consent, the Combined Authority's Managing Director will **notify the Chief Executive** of each relevant Constituent Council (or their nominee) as soon as reasonably practicable of any proposal to seek a Statutory Consent, and at the latest when the Statutory Consent Request Notice is published. The Combined Authority will provide the Chief Executive with details about the proposed exercise of the function, including the commencement date/projected timescales and the manner in which it is to be exercised.
- 4.4 In relation to any transport-related function in respect of which a Statutory Consent is required, the Combined Authority agrees that this is subject to the Combined Authority and the Constituent Councils agreeing a **Key Route Network** in respect of which the function is to be exercised.

## **5 Dispute Resolution**

- 5.1 The Combined Authority and the Constituent Councils will act at all times in a constructive spirit of mutual cooperation and partnership to resolve disagreements.

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<sup>3</sup> See further the Combined Authority's Procedure Standing Orders

- 5.2 Any dispute between the Combined Authority and any Constituent Council about the exercise of a Concurrent Function (whether before or after its exercise) will be referred to the Managing Director of the Combined Authority and the Chief Executive of the relevant Constituent Council with a view to resolution.
- 5.3 In default of successful resolution between the parties, any dispute will be referred to the Mayor of the Combined Authority and the Leader of any relevant Constituent Council for resolution, provided always that notwithstanding any recommendations made, any Statutory Consent of any Constituent Council will continue to be required in their absolute discretion.

## 6 Review

- 6.1 The Combined Authority and the Constituent Councils agree to review this protocol **annually** and before any additional concurrent functions which may be conferred on the Combined Authority in future by any other Order are exercisable by the Combined Authority.
- 6.2 The Combined Authority and the Constituent Councils may revise this protocol from time to time, provided such **revisions** are **agreed in writing** by the Managing Director of the Combined Authority and the Chief Executive of each Constituent Council.

## 7 Signature

Signed for and on behalf of the West Yorkshire Combined Authority

Name .....

Date.....

Signed for and on behalf of the City of Bradford Metropolitan District Council

Name .....

Date.....

Signed for and on behalf of the Borough Council of Calderdale

Name .....

Date.....

Signed for and on behalf of the Council of the Borough of Kirklees

Name .....

Date.....

Signed for and on behalf of Leeds City Council

Name.....

Date.....

Signed for and on behalf of the Council of the City of Wakefield

Name .....

Date .....

**Appendix**

Concurrent Functions and Statutory Consents requirements

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## Appendix A: Functions of the Combined Authority conferred by the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021

### Non- Mayoral functions

Note: Questions relating to the Non-Mayoral functions conferred by the 2021 Order (that is, those which are not solely exercisable by the Mayor), cannot be carried without the Mayor's vote in favour of the question.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
<b>Education, Skills and Training Functions</b>				
<b>Power</b> to give a notice to the governing body of an FE institution requiring them to provide specified individuals 16-19 with appropriate education	Section 51A Further and Higher Education Act 1992	Article 5(2)(a)	Y*	N
<b>Duty</b> to promote <b>high standards</b> and fulfilment of potential in exercising relevant <b>education and training</b> functions	Section 13A Education Act 1996	Article 5(2)(b)	Y*	N
<b>Power</b> to secure <b>work experience/</b> <b>Duty</b> to encourage participation in <b>work experience/</b> encourage employers to participate in providing	Section 560A Education Act 1996	Article 5(2)(c)	Y*	N
<b>Duty</b> to exercise functions so as to <b>promote participation</b> by persons under section 2	Section 10 Education and Skills Act 2008	Article 5(2)(d)	Y*	N

\* Any requirement for a Constituent Council to exercise this function may be fulfilled by the exercise of that function by the Combined Authority.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
<b>Duty</b> to identify people in their area who are failing to fulfil their duty under section 2 to participate in education or training.	Section 12 Education and Skills Act 2008	Article 5(2)(e)	Y*	N
<b>Duty</b> to provide services enabling, encouraging and assisting <b>young people and relevant young adults</b> to participate in education and training.	Section 68 Education and Skills Act 2008	Article 5(2)(f)	Y*	N
<b>Power</b> to provide services enabling, encouraging or <b>assisting young people and relevant young adults to participate</b> in education and training.	Section 70 Education and Skills Act 2008	Article 5(2)(g)	Y*	N
<b>Power</b> to provide <b>support</b> given to young people conditional on specified action (e.g. learning support agreement).	Section 71 Education and Skills Act 2008	Article 5(2)(h)	Y*	N
<b>Duty</b> - this places further requirements on arrangements made by a children's services authority in England under section 10 of the Children Act 2004 (which requires authorities to co-operate with each other).	Section 85 Education and Skills Act 2008	Article 5(2)(i)	Y*	N
<b>Housing, Regeneration and Planning Functions</b>				
<b>Power to compulsorily acquire</b> land development/planning	Section 226 Town and Country Planning Act 1990	Article 11(1)(a)	Y	Requires the consent of each member of the

\* Any requirement for a Constituent Council to exercise this function may be fulfilled by the exercise of that function by the Combined Authority.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
				Combined Authority whose area contains any part of the land, or substitute members acting in place of those members.
<b>Power to acquire land by agreement</b>	Section 227 Town and Country Planning Act 1990	Article 11(1)(b)	Y	
<b>Power to appropriate</b> land	Section 229 Town and Country Planning Act 1990	Article 11(1)(c)	Y	
<b>Power to acquire land for exchange</b>	Section 230(1)a Town and Country Planning Act 1990	Article 11(1)(d)	Y	
<b>Power to appropriate</b> land held for <b>planning purposes</b>	Section 232 Town and Country Planning Act 1990	Article 11(1)(e)	Y	
<b>Power to dispose</b> of land held for <b>planning purposes</b>	Section 233 Town and Country Planning Act 1990	Article 11(1)(f)	Y	
<b>Power to develop</b> land held for <b>planning purposes</b>	Section 235 Town and Country Planning Act 1990	Article 11(1)(g)	Y	
<b>Power to extinguish rights</b> over land	Section 236 Town and Country Planning Act 1990	Article 11(1)(h)	Y	
<b>Power</b> to use and develop <b>consecrated</b> land	Section 238 Town and Country Planning Act 1990	Article 11(1)(i)	Y	
<b>Power</b> to use and develop <b>burial grounds</b>	Section 239 Town and Country Planning Act 1990	Article 11(1)(j)	Y	

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
<b>Power</b> to use and develop <b>open spaces</b>	Section 241 Town and Country Planning Act 1990	Article 11(1)(k)	Y	
<b>Power</b> to acquire land for <b>housing development</b>	Section 17 Housing Act 1985 except for <i>S17(3) (compulsory purchase) which is a Mayoral function (see below)</i>	Article 11(1)(l)	Y	Requires the consent of each member of the Combined Authority whose area contains any part of the land, or substitute members acting in place of those members.
<b>Duty</b> to <b>secure buildings</b> where land acquired under section 17	Section 18 Housing Act 1985	Article 11(10)(m)	Y	
<b>Transport-related functions</b>				
<b>Power</b> to be an authority to whom functions may be delegated by SoS/HE or agreements entered into re construct, improve or maintain <b>trunk roads</b> . <i>(Enabling power of SoS/HE)</i>	Section 6 Highways Act 1980	Article 19(1)	Applies to LAs as local highway authorities	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Power</b> to be an authority who may be <b>party to agreement</b> on highway construction, improvement, maintenance etc.	Section 8 Highways Act 1980	Article 19(2)	Applies to LAs as local highway authorities	
<b>Power</b> to make a <b>traffic order</b> re routes for heavy commercial vehicles	Road Traffic Regulation Act 1984	Article 20(1)(a)	Y	Requires the consent of each member of the

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
	Section 1 And 2(4)	Article 20(1)(b)		Combined Authority appointed by a constituent council
<b>Power to make an experimental traffic order</b>	Road Traffic Regulation Act 1984  Section 9	Article 20(1)(c)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council
<b>Power to place Pedestrian crossings</b>	Road Traffic Regulation Act 1984  Section 23	Article 21(1)(a)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Power to place traffic signs</b>  <i>(Power of SoS to direct local authority traffic)</i>	Road Traffic Regulation Act 1984  Section 65	Article 21(1)(b)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Duty to notify of works</b> likely to affect apparatus in street	Section 83 New Roads and Street Works Act 1991	Article 22(1)(a)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Duty to take measures</b> where apparatus affected by major works	Section 84 New Roads and Street Works Act 1991	Article 22(1)(a)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Sharing of costs of necessary measures</b>	Section 85 New Roads and Street Works Act 1991	Article 22(1)(a)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
<b>Sharing the costs of diversionary works</b> between Combined Authority and undertakers	Street Works (Sharing of Costs of Works) (England) Regulations 2000	Article 22(1)(b)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Preparation</b> of Permit schemes	Section 33 Traffic Management Act 2004	Article 23(1)(a)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Implementing</b> Permit schemes	Section 33A Traffic Management Act 2004	Article 23(1)(b)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
Varying/ revoking permit schemes	Section 36 Traffic Management Act 2004	Article 23(1)(c)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Permit schemes</b>	Traffic Management Permit Scheme (England) Regs 2007	Article 23(2)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
	Part 3 of 2004 Act	Article 23(4)	Y	N
<b>Enforce bus lane contravention</b>	Bus Lane Contraventions (Penalty charges, Adjudication and Enforcement (England) Regulations 2005	Article 24(3)	Y	Requires the consent of each member of the Combined Authority appointed by a constituent council.
<b>Assessments of Economic Conditions</b>				

Function	Legislation	Order Reference	Concurrent with Constituent Councils	Relevant CA member(s) to consent
<b>Duty to prepare economic condition assessment</b>	Section 69 Local Democracy, Economic Development and Construction Act 2009	Article 25(1)	Y*	N
<b>Information Sharing</b>				
<b>Information sharing</b> (crime and disorder)	Section 17A Crime and Disorder Act 1998 <sup>1</sup>	Articles 26(1) and 26(2)	Y	N

## Mayoral Functions

Function	Legislation	Order Reference	Concurrent with LAs	Relevant CA member(s) to consent
<b>Housing, Regeneration and Planning functions</b>				
<b>Power to acquire land</b>	Section 9(2) Housing and Regeneration Act 2008	Article 27(2)(d)	N	Requires the consent of each member of the Combined Authority whose local government area contains any part of the land, <b>or substitute members</b> acting in place of those members.
<b>Power to acquire land for housing development</b>	Section 17(3) Housing Act	Article 27(6)	Y	Requires the consent of each

\* Any requirement for a Constituent Council to exercise this function may be fulfilled by the exercise of that function by the Combined Authority.

<sup>1</sup> The Combined Authority is also a relevant authority for the purposes of Section 115 of the Crime and Disorder Act 1998 (disclosure of information).

<i>Function</i>	<i>Legislation</i>	<i>Order Reference</i>	<i>Concurrent with LAs</i>	<i>Relevant CA member(s) to consent</i>
	1985 - compulsory purchase			member of the Combined Authority whose local government area contains any part of the land, <b>or substitute members</b> acting in place of those members.

**Mayoral Development Area (MDA) functions**

<b>Mayoral Development Area (MDA) functions</b>				
<b>MDA - designation</b>	Section 197 Localism Act 2011	Article 27(2)(a)	N	Requires consent of each member of the Combined Authority whose local government area contains any part of the area to be designated as a Mayoral development area, or substitute members acting in place of those members; <b>and the National Park authority</b> if the Combined Authority proposes to exercise the function in respect of the whole or any part of the area of the Peak District National Park.
<b>MDA - exclusion of land</b>	Section 199 Localism Act 2011	Article 27(2)(a)	N	Requires consent of each member of the Combined Authority whose local government area contains any part of the area to be excluded from a Mayoral development area; <b>or substitute members</b> acting in place of those members.
<b>Planning functions in relation to MDA</b>	Section 202 Localism Act	Article	N	Requires consent of each member

	2011	27(2)(a)	<i>of the Combined Authority whose local government area contains any part of the area to be designated as a Mayoral development area, <b>or substitute members</b> acting in place of those members; <b>and the National Park authority</b> if the Combined Authority proposes to exercise the function in respect of the whole or any part of the area of the Peak District National Park.</i>
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## Report of the Director of Finance to the meeting of the Executive to be held on 2nd March 2021.

**DR**

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### **Subject:**

### **Proposed Investments utilising Covid Grant**

### **Summary statement:**

This report provides Members with a number of new recommended investments to help respond and recover from the Covid Pandemic. Funding for the new investments will derive from Government provided Covid related grants.

This report has not been included on the published Forward Plan as an issue for consideration owing to the need first to ensure approval of the Council's Budget as the overriding priority. Now that has been achieved attention can be given to consideration of how Covid 19 funding from Government can be allocated to meet needs in the District. Decisions need to be taken at this meeting to ensure that preparations for the spending can be made as soon as possible. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 11 of the Executive Procedure Rules set out in the Council's Constitution.

### **EQUALITY & DIVERSITY:**

The impact of Covid has had varying degrees of impact across the District. Equality implications have been considered as part of developing proposals which are designed to continue to support the District through Covid and into recovery.

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Chris Chapman  
Director of Finance

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07870 386523  
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### **Portfolio:**

**Leader of the Council and Corporate**

**Overview & Scrutiny Area:  
Corporate**

## Covid Investments

### 1.0 INTRODUCTION

- 1.1 The Qtr 3 Finance Position Statement reported to the Executive on the 2<sup>nd</sup> of February 2021 detailed all of the Covid related expenditure and income losses being incurred by the Council in support of our communities, business and families. The report also detailed the additional Government monies that have been provided to support that much needed effort.
- 1.2 The Local Government Finance Settlement, announced in December 2020 and confirmed in February 2021, and other financial funding announcements by MHCLG over the period provided additional Covid related funding for Local Government. These announcements also provided some certainty of continued funding into the early part of 2021/22. The relative priorities in supporting individuals and the District have been assessed to determine how best to utilise this grant funding.
- 1.3 As part of the Qtr 3 report, £9.5m of additional investment was approved into previously agreed priorities. This largely comprised of £2.4m for Raising Educational Attainment, £1m for Skills House, and £5.4m for Adult Social Care, which is struggling in part due to the tragically high number of deaths. These are in line with Government's expectations of how the money should be used.
- 1.4 As outlined in the Qtr 3 report, this currently leaves approximately £6m remaining of one-off Covid grant funding unallocated base on existing forecasts. The Executive proposes the further use of c£4m of this funding as below outlined below, with the remainder to be held for future Covid pressures given the continually changing situation.
- 1.5 A full update on the financial impact of Covid, and the overall financial position of the Council will be provided in the Qtr 4 Financial Position Statement reported to the Executive on the 6th April 2021.
- 1.6 It is proposed that this decision is exempt from 'call-in' on the grounds of urgency as any delay caused by the call-in process would prejudice the Council's ability to allocate funding to meet pressing needs. Any delay risks causing prejudice to those services, bodies and persons proposed to be recipients of this funding.

### 2.0. Priority investment in response to Covid 19.

Area	Total
<b>Good Start, Great Schools</b>	
<b>No Child Cold in lockdown</b> Supporting families with heating bills. The programme will be funded through a combination of COVID grant and charitable giving through individual and businesses. Fundraising will be promoted via the system partners and coordinated through Give Bradford, both for	£100,000

businesses and through an individual giving page.	
<p><b>School Food Parcels</b></p> <p>Enhancing the food parcels going out to children on Free School Meals during COVID. £15 per child.</p> <p>The weekly cost is forecast at £18,750 and may reduce with takeup of vouchers.</p> <p>The proposal would fund food parcels up to end March 2021.</p> <p><i>NB: Food for children and families in need at weekends and in the holidays is covered elsewhere from one-off monies provided by Government specifically for this purpose as follows:</i></p> <p><i>The government have finally announced the Holiday Activity &amp; Food Programme (HAF) to cover the holiday periods in 2021, which will follow the conclusion of the Winter Food Programme at the end of March 2021. Bradford's indicative funding allocation is £2,866,780.</i></p> <p><i>There will be a Steering Committee responsible for the direction of delivery for the HAF programme, to initiate planning for Summer and Christmas 2021. We will report back on this at a later date.</i></p> <p><i>Due to the shortness of time, the current 66 Voluntary Sector Organisations that have provided food support during Christmas and also for Feb Half Term will be commissioned to provide support over Easter. There will also be a central hub that will provide additional support to families needing food, or VCS organisations identifying families that need support. This will be promoted through schools and the VCS. Referrals will be made to the 01274 431000 telephone number and will allow effective food planning for delivery on the same day the request is received.</i></p> <p><i>HAF Allocation of £150,000 will be made to food banks to cover Sept, Oct, Nov and Dec 2021.</i></p>	£187,500
<b>Better Health, Better Lives</b>	
<p><b>Front line Social Care</b></p> <p>Caseloads have increased, leading to a net increase of 1000 open cases since June 2020; and an average 900 contacts a week, leading to Social Workers carrying an above expected average caseload. Funding will provide capacity and enhance resilience improving service delivery in this essential service and enabling focus on early help /prevention to continue; by appointing to 24 additional temporary posts and 4 practice supervisors predominantly at the front door.</p>	£1,329,628
<p><b>Fostering and adoption</b></p> <p>The need to respond to Covid demands has diverted focus on supporting private fostering. The proposal would invest in a lead practitioner within the service to lead on the development of PF annual report and ensure the associated actions are implemented, thereby meeting statutory requirements and ensuring CYP were</p>	£107,014

<p>receiving the appropriate support.</p> <p>As is the national picture, there is an emerging backlog of cases in care proceedings due to lack of court time and also inability to conclude assessments or start introductions. The investment will dedicated resource to tackle backlog and provide dedicated focus to ensure that children are moved to their forever family home upon the conclusion of care proceedings.</p>	
<p><b>Children in Care participation and engagement</b></p> <p>Covid has meant participation and engagement with Children in Care has been unable to happen in the usual ways. We are keeping with our statutory obligations but there is a need to get plans in place for implementing the new Children in Care and Care Leavers strategy. This will mean additional resource and new ways of engagement to accelerate progress. The investment will enable a stronger sense of participation and engagement with the new strategy, building on what was started when the pandemic took over.</p>	<p>£53,507</p>
<p><b>Children's Homes</b></p> <p>There are an increasing number of staff with positive tests or needing to self-isolate. This proposal would earmark funding should the position become unsustainable enabling additional staff resourcing to be allocated.</p> <p>Due to the lockdown, children are becoming increasingly bored and this is a particular challenge within a group living environment for children and young people who have experienced trauma. Some of this funding will provide much needed resource to enrich the home life of the children and young people thus minimising incidents and preventing placement breakdown.</p>	<p>£64,000</p>
<p><b>Support &amp; Response to Schools</b></p> <p>There is a significant increase in requests from schools for support and advice on logistics and education response to Covid related activity. Investment will allow more efficient and effective response to schools to support pupils. Enables schools to respond appropriately to guidance and infection control measures.</p>	<p>£50,000</p>
<p><b>Worth Connecting, Supporting Mental Health &amp; Well-Being</b></p> <p>Continuing work originally led by Positive Minds which secured £500k investment into Bradford to deliver the project and support people in the district, this investment is now near the end but needs have never been greater, due to Covid-19. The proposal offers an intervention which supports older people to digitally connect, they work in partnership with other providers like Age UK and BTM. Worth Connecting is currently hosted by Carers Resource; they have a positive flexible approach to adapting the offer.</p> <p>Worth Connecting is helping to reduce isolation for older people who are either shielding or being cautious about leaving home. Not only has their face to face support network disappeared but also they are</p>	<p>£150,000</p>

<p>living with undiluted fear. Support is being delivered by telephone or video call. Worth Connecting is both delivering support directly or facilitating support from other organisations.</p> <p>£150, 000 could allow a flexed continuation of the offer until March 2022, recognising that this situation is highly likely to produce additional challenges and situations throughout 2021.</p>	
<p><b>Improving Access to Health &amp; Care (through VCS)</b></p> <p>It is clear that vast amounts of Covid messaging, direct community engagement, challenging of misinformation and rumours and accessible means of communicating have already been done in the Bradford District. The proposal would build upon this and, as a partnership, support the further development of dissemination of accessible information in as wide a range of mediums as possible and give access to digital technology that can be utilised for the wider wellbeing of individuals and communities.</p> <p>The proposal will provide £60,000 for each Area Committee to invest in supporting Covid response activity, including potential engagement with community bodies/VCS. Alongside this £50,000 will be allocated to Stronger Communities for additional activity within the district.</p>	<p>£350,000</p>
<p><b>Suicide Prevention Support</b></p> <p>Suicide rates are increasing. A sub-group of the Bradford Suicide Prevention group have been meeting to formulate actions to support people to get help when they have had suicidal feelings. It was recognised in a past audit that often despite referrals to services, sometimes people who die by suicide do not attend the service even if they have been referred several times. The suicide prevention group includes all key partners and lived experience insight.</p> <p>Suicide is a complex issue influenced by many factors, life events are often the trigger that influences suicidal feelings, including relationship breakdown &amp; debt, that sometimes people following crisis contact may feel that a mental health service cannot help them. The check in offer would reach out to people who have supplied their contact details and consent to receive a 'check IN' call. The offer would be made independently whether the person has agreed to see someone at setting or not.</p>	<p>£75,000</p>
<p><b>Increase Infection Control Capacity</b></p> <p>Creation of a temporary fixed term infection prevention practitioner post to work in a joint role across existing Infection Prevention Teams. The role would work across across Public Health and the acute sector, providing support to the existing infection prevention teams in their work on managing the response to COVID. This would include:</p> <ul style="list-style-type: none"> <li>• providing support and advice to the social care sector in the managing COVID outbreaks in care homes and other social care settings,</li> <li>• support for the acute sector response to COVID outbreaks in hospitals,</li> <li>• training of staff on safe use of PPE and other measures to</li> </ul>	<p>£43,000</p>

<p>prevent the spread of the virus</p> <ul style="list-style-type: none"> <li>• supporting the COVID vaccination programme</li> <li>• developing and supporting the implementation of new guidance</li> </ul>	
<p><b>Environmental Health Officer</b></p> <p>There is a need for specialist support to manage unauthorised traveller encampments and the two fixed traveller sites (approx. 35 family units) and increase activity to support infection control. An officer with specialist knowledge of travellers/tenancy enforcement issues would ensure that critical policies and procedures are developed and implemented. This would enable day to day engagement with the site residents to provide clear guidance, encourage social distancing, limiting contact between families and encouraging the uptake of vaccines than the current arrangements that we have.</p>	£57,000
<p><b>Mental Health Covid Recovery</b></p> <p>Covid-19 has brought significant challenges to the mental health system with an expectation that, without a transformation of our current health and social care service offer, demand for services in the medium to long-term will not be able to be met. This sum will invest in subject matter experts and a small project team for 2 years and be matched by the NHS to realign the work of operational teams and commissioned services.</p>	£415,000
<p><b>Support local charities</b></p> <p>A small fund for local charities who support older or disabled people, who are strategically important to HWB, and who are struggling to manage financially beyond the end of Covid-19 because of fixed costs. Commissioners in HWB will operate an 'open book' policy and grant fund monies where appropriate. The fund will be monitored monthly and be reduced if no bids are forthcoming.</p>	£50,000
<p><b>Safe, Strong and Active Communities</b></p>	
<p><b>Youth Covid Ambassadors</b></p> <p>The YCA have evidenced strong outcomes not only in supporting outbreak control but also in wider outcomes such as reducing isolation; improving long term health; enhancing community engagement. Existing YCA are funded to Nov 21; the proposal would be to extend hours of existing ambassadors and recruit a further 30 to extend the provision and provide stronger links and engagement across the District.</p>	£300,000
<p><b>Right of Way – Paths</b></p> <p>During the national lockdowns due to Covid since March 2020, the Council's countryside sites, rights of way network, woodlands, parks and other open spaces have seen a significant increase in use, as the public are encouraged to exercise locally. It is evident that having such places close to where people live is key to physical and mental well-being and also contributes to the quality of life and local environment. This high level of use reflects that fact but, combined with recent particularly wet weather, has resulted in clear signs of damage and wear and tear to path networks, parking areas and so on. Rectifying these issues clearly impacts upon existing</p>	£250,000

<p>maintenance and investment budgets, and so additional funds are requested to address the worst of the damage across the Council's "green" assets and make them more resilient going forward where sustained high levels of use are expected.</p>	
<b>An Enabling Council</b>	
<p><b>Finance Service</b></p> <p>The additional audit/assurance, reporting, accounting and completion of returns regarding Covid, combined with tracking the impacts on current year budget and MTFs is placing strain on effective budget monitoring and resource planning.</p> <p>The funding would enable the engagement of temporary resource enabling the authority to maintain fulfil additional reporting requirements.</p>	£75,000
<p><b>Legal Services</b></p> <p>Covid is increasing the demand upon legal services both in reviewing and advising on legislation and in supporting services with the impact of demand pressures arising from Covid; for example adult social care increased requests for legal advice as a result of Covid, particularly with the constant changes in rules and guidance relating to care homes/services/visiting etc., additional property legal work in respect of licences for testing and vaccination centres, collaboration agreement with DHSC, legal advice on grant regimes/ subsidy control implications, and advice on Covid and Public Health (Control of Disease) Regulations and guidance (regular changes requiring briefing notes to senior leadership team) and increasing enforcement activity in respect of breaches of the legislation (prosecutions/notices/ warnings/advice).</p>	£50,000
<p><b>Committee Secretariat</b></p> <p>Additional support is needed to manage the additional workload caused through remote working and remote Committee meetings. By its nature this increases the workload of the officers and an additional officer would assist with managing the workload and also assist the wellbeing of the team.</p> <p>Additional support is required to support the school appeal process. The process this year has been further hampered by the Covid pandemic, leading to the relevant Regulations being amended because face to face appeals cannot presently take place. This has made the process much longer and more difficult to manage with appeals being undertaken remotely and a large number of appeals being done on paper only.</p>	£90,000
<p><b>HR Services</b></p> <p><b>Health &amp; Wellbeing Services:</b> Requirements for health and wellbeing of the workforce – WFH, in front line services, on site, with/out access to IT – loneliness, mental health, physical health, social/financial wellbeing, domestic abuse/grief and bereavement.</p> <p><b>Redeployment Support:</b> Increased capacity required to ensure the</p>	£37,850

effective utilisation of staff from services that have been 'stood down' into frontline Covid support roles, or other roles within BMDC	£120,000
<p><b>Registrars</b></p> <p>There is a backlog of birth registrations of approximately 1200. This backlog has not changed/reduced since September when the number of deaths starting rising and the team had to concentrate on registering deaths. The team are registering some births so the backlog is not increasing but are unable to reduce the backlog with the current staffing.</p> <p>Future demand may increase further as weddings/civil partnerships ceremonies recommence, this will be assessed at that point in time.</p>	£45,000
<b>Total</b>	£4,000,519

### **3.0 RISK MANAGEMENT**

The Financial risks of future known and uncertain liabilities are being addressed through contingencies and provisions and are outlined in the Quarterly Finance Position Statements reported to the Executive.

### **4.0 LEGAL APPRAISAL**

This report is submitted to the Executive in accordance with the Budget and Policy Framework Procedure rules. There are no other legal implications arising from this report.

### **5.0 OTHER IMPLICATIONS**

#### **6.1 EQUALITY & DIVERSITY**

None

#### **7.1 SUSTAINABILITY IMPLICATIONS**

None

#### **8.1 GREENHOUSE GAS EMISSIONS IMPACTS**

None

#### **9.1 COMMUNITY SAFETY IMPLICATIONS**

None

#### **10.1 HUMAN RIGHTS ACT**

None

## **11.0 TRADE UNION**

None

## **12.0 WARD IMPLICATIONS**

None

## **13.0 IMPLICATIONS FOR CORPORATE PARENTING**

None

## **14.0 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

None

## **15.0 NOT FOR PUBLICATION DOCUMENTS**

None

## **16.0 RECOMMENDATIONS**

### **That the Executive**

- 16.1 Note the contents of this report
- 16.2 Approve the £4.0m of continued investment in priority areas as outlined in section 2 to be funded from available Covid related grant monies.
- 16.3 Resolve that this decision is exempt from 'call-in' on the grounds of urgency, for the reasons set out in paragraph 1.5 of this report.

## **17.0 BACKGROUND DOCUMENTS**

- Qtr 3 Finance Position Statement 2020-21 – Executive 2<sup>nd</sup> February 2021

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