

## Minutes of a meeting of the Executive held on Tuesday, 5 October 2021 in the Council Chamber, City Hall - City Hall, Bradford

Commenced 10.30 am  
Concluded 11.40 am

### Members of the Executive – Councillors

<b>LABOUR</b>
Hinchcliffe
I Khan
Ross-Shaw
Ferriby
Jabar
Duffy

Observers: Councillors Dearden, Poulsen and Winnard

### Councillor Hinchcliffe in the Chair

#### 39. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

#### 40. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted to review restricted documents.

#### 41. RECOMMENDATIONS TO THE EXECUTIVE

There were no recommendations to the Executive.

#### 42. BINGLEY GRAMMAR SCHOOL

The Strategic Director Children's Services submitted a report (**Document "U"**) which asked the Executive to approve the request to allocate Basic Needs funding to allow construction works at Bingley Grammar School to be undertaken to create suitable space for a Specialist Resourced Provision (subject to consultation and approval) for children and young people with SEND and the enlargement of the school premises, increasing the overall capacity of the school.

The Strategic Manager Intelligence and Sufficiency stated that the decision would be the start of the commencement of a full consultation, including the SEND element. The funding would be used for a number of schemes at the School, with the School making a contribution in line with DfE guidance. The creation of additional spaces would enhance provision in the area and enable local children to secure a place at the School, without the need to travel out of area.

The Head of Bingley Grammar was present and stated that he welcomed the additional funding, that it would create much needed space at the School and remove the need for portacabins.

The Deputy Leader and Education and Skills Portfolio Holder welcomed the investment adding that the School had achieved excellent results over the years, with a good Ofsted rating.

A Bingley Ward Councillor was present and stated that he also welcomed the much needed investment in what was a popular School, however, he hoped that the new investment would also address the existing traffic and parking issues being experienced by local residents.

In relation to a question on the SEND provision in the District, it was stated that the aim of creating the extra provision would be to ensure that children remained in the District and did not have to travel out of area.

Another Ward Councillor was also present and he also urged that the existing highways and traffic issues be addressed as part of the proposals. In response it was stated that the Council's highways' service would produce a workable solution.

#### **Resolved –**

**That the request to allocate £6.1 million Basic Needs funding to allow construction works at Bingley Grammar School be approved to create suitable space for a Specialist Resourced Provision (subject to further consultation and approval) and the enlargement of the School premises, increasing the overall capacity of the School.**

#### ***ACTION: Strategic Director Children's Services***

Children's Services Overview and Scrutiny Committee

#### **43. APPROVAL TO BUILD A NEW CARE HOME FACILITY IN SALTAIRE**

The Strategic Director Health and Wellbeing submitted a report (**Document "V"**) which outlined proposed plans to build a new care home facility in Saltaire, which will modernise the Council's care home estate and provide a more dignified setting for older people in need of short-stay residential care.

The Health and Wellbeing Portfolio Holder stated that the need for new provision had been discussed for some time. The proposed facility would support short stay respite care and hospital leavers and provide more modern en-suite facilities for

residents.

The Strategic Director stated that in creating the new home, the two existing care homes would be closed with staff given the option of transferring to the new home or being redeployed. He added that the proposal would reduce the overall number of short stay beds by 12 across the District, however, this would be acceptable as more people would be seeking services in their own homes.

The Leader stressed that care home staff were valued employees and it was important that no job losses would result.

**Resolved –**

**That Option 2 set out in Document “V” to replace both homes with the Saltaire scheme be approved.**

***ACTION: Strategic Director Health & Wellbeing***

Health & Social Care Overview & Scrutiny Committee

#### **44. HOME FARM TRUST**

The Strategic Director Health & Wellbeing presented a report (**Document “W”**) which set out service delivery options to transfer the day services currently operated by ‘Home Farm Trust’ to Council control in the short term and to deliver transformation in the long term.

The Health and Wellbeing Portfolio Holder stated that she welcomed the proposals and that the aim was to expand opportunities for those with a learning disability.

The Strategic Director stressed that national evidence showed that the most successful and sustainable day opportunities had people who used the service at the heart of governing and constantly evolving that service. User Led Organisations (ULO), enabled people with learning disabilities (with appropriate support) to decide the direction of the organisation to ensure it continued to deliver what people wanted.

In addition, the Council had been working to move towards a more person-centred community-based model of support, with clients assigned personal budgets to manage their care.. The intention was to offer people more of what they want, to promote greater independence and encourage community engagement in order to improve outcomes for people with learning disabilities.

It was also reported that the views expressed through the consultation /questionnaire process had been incorporated into the proposals.

**Resolved –**

**(1) That the proposed transition of the current Home Farm Trust Day**

**Services contract to a temporary Special Purpose Vehicle (SPV) on 31 March 2022 be supported, as a temporary vehicle from which to launch the Reimagining Day Services Strategy on 1 April 2022 as set out in Document “W”; and**

- (2) **That the establishment of the proposed temporary vehicle, its governance and strategic oversight be delegated to the Strategic Director of Health and Wellbeing and the Portfolio Holder for Health & Wellbeing, in consultation with the Director of Finance and City Solicitor, subject to compliance with the Council’s wider Corporate Strategy.**

***ACTION: Strategic Director Health & Wellbeing/Director of Finance and City Solicitor***

Health & Social Care Overview Scrutiny Committee

#### **45. BEREAVEMENT SERVICES STRATEGY - HEATON CREMATORIUM UPDATE**

The Strategic Director, Place submitted a report (**Document “X”**) which updated the Executive on delivery of the adopted Bereavement Strategy relating to the procurement of a principal contractor for the new Heaton Crematorium.

The Health and Wellbeing Portfolio Holder stated that the Council had invested in a long term Bereavement Strategy to replace outdated Crematoria, with the new Oakworth Crematorium facility opening in due course. She thanked staff within the Bereavement Services for their dedication and hard work. Additional funding was now required for the Heaton proposal as construction and building costs had increased significantly in the face of rising global costs.

The Assistant Director Sport and Leisure stressed that construction costs were now 25% more than what had been envisaged when the original allocation had been made.

In response to a question from the main Opposition Group Leader regarding value for money and any potential impact on the new Oakworth facility as a result of rising costs, the Assistant Director stated that the project would be delivered on time and on budget. A full assessment was being carried out in relation to the proposed Bierley Crematorium and this would be reported in due course in the context of increased land and construction costs.

The Leader stressed the volatility of the markets and that future projects and their cost implications would have to be reassessed at design/build stage.

**Resolved –**

- (1) **That approval be given for the Strategic Director Place in consultation**

with the Director of Finance & IT, to award the contract to the successful tenderer for the construction of Heaton Crematorium as detailed in Document "X" within the overall programme budget of £23 million.

- (2) That a further report be presented to the Executive on the costs for Bierley Crematorium in due course.
- (3) That in accordance with paragraph 8.7.4 of Part 3E of the Constitution, the recommendations above are not subject to call-in as the matter is urgent for the reasons set out in paragraphs 5.1 to 5.3 of Document "X".

***ACTION: Strategic Director Place/Director of Finance***

Regeneration & Environment Overview & Scrutiny Committee

**46. BLIGHT SITE - LAND NORTH EAST OF DRAUGHTON GROVE, BD5 WIBSEY**

The Strategic Director Place submitted a report (**Document "Y"**) which informed the Executive on issues, actions and solutions related to a nuisance area of land where the owners cannot be traced.

The Assistant Director Neighbourhoods stated that the land had been the subject of complaints for many years to Ward Councillors and the Council. Of the nine incidents since 2012, the Council has had to remove the waste seven times, setting charges as appropriate against the Land, in the absence of being able to locate the landowners. Legal powers used included the Environmental Protection Act Section 59 notice, Prevention of Damage by Pests Act Section 4 and Community Protection warnings and notices. Whilst the use of enforcement powers provided a mechanism to clear rubbish, it had not prevented nor discouraged repeated fly tipping, which could only be effectively stopped by the Council gaining control and securing the land against unauthorised access.

He added that if the Land was acquired, it was intended to use funding from the budget allocation for finding solutions to persistent fly tipping sites, in order to install robust fencing and gates to prevent future fly tipping, in anticipation of the Land being put to productive use in the future.

The Leader stated that the issues set out in the report straddled a number of Portfolio areas and Members felt that action was urgently needed to resolve the issues affecting the Land. She thanked officers and residents for the work done thus far.

A Ward Councillor for the area was present and stated that this piece of land was well known as a blight site and in welcoming the proposals, she hoped to work with local residents to turn the area into an open green space.

**Resolved –**

- (1) That the Executive is satisfied that the condition of the land needs to be improved to prevent further deterioration and that the future use of the land for either a proposed reclamation scheme to provide an amenity space/community allotment site or for housing development is in the public interest and that any harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the scheme will generate, having also taken into account at this stage, the statutory obligations under the Equality Act 2010 in relation to the differential impact a Compulsory Purchase Order might have on various groups of persons with protected different characteristics and human rights legislation.**
- (2) That a Compulsory Purchase Order be made pursuant to Section 89 of the National Parks and Access to the Countryside Act ) 1990 for the use of the land as an amenity space/community allotment site or under Section 17(1) of the Housing Act 1980 for use of the land for housing development, including Section 1 of the Localism Act 2011 and the Acquisition of Land Act 1981 and all other relevant and enabling powers to secure the compulsory acquisition of the derelict, neglected and unsightly land situate to the north east of Draughton Grove, Little Horton, Bradford, shown edged red on the plan appended here to as Appendix C to Document “Y”.**
- (3) That authority be delegated to the Strategic Director Place to:**

  - (i) decide on the most appropriate future use of the land in consultation with the Portfolio Holder and taking soundings from Ward Members**
  - (ii) make, any necessary, minor or technical amendments to the Compulsory Purchase Order;**
  - (iii) draft the “Statement of Reasons” to accompany the Compulsory Purchase Order”, to justify the use of compulsory purchase powers,**
  - (iv) prepare the Compulsory Purchase Order Map and Schedule and all other legal documentation necessary to support and accompany the Compulsory Purchase Order to the appropriate Secretary of State for confirmation;**
  - (v) approve any agreements with landowners setting out the terms for withdrawal of any objections to the Compulsory Purchase Order;**
  - (vi) confirm the Compulsory Purchase Order, if satisfied that it is appropriate to do so, in the event that the relevant Secretary of State notifies the Council that the Council has been given the power to confirm the Compulsory Purchase Order;**

- (vii) promote any modifications to the Compulsory Purchase Order, if expedient to do so;
  - (viii) take all and any necessary action, as the case may be to promote the Compulsory Purchase Order and to continue or open negotiations as the case may be for the acquisition of the land included in the Compulsory Purchase Order and any other land needed for the reclamation scheme and to authorise acquisitions by agreement where the use of compulsory purchase powers is in contemplation and to approve the purchase price, advance payments and all other compensation payments;
  - (ix) take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of the land claimed to be blighted by the threat or presence of the Compulsory Purchase Order;
  - (x) take all necessary action, should the quantum of compensation flowing from the threat or use of compulsory purchase powers be in dispute and be referred to the Upper Tribunal (Lands Chamber) or other form of arbitration; and
  - (xi) take and do all other things necessary to promote or as the case may be to withdraw the Compulsory Purchase Order or incidental to the implementation of the above recommendations.
- (4) That all land acquired for the reclamation scheme be held for recreational or housing purposes, as the case may be.

***ACTION: Strategic Director Place***

Corporate Overview and Scrutiny Committee

**47. VOLUNTARY COMMUNITY AND ENTERPRISE SECTOR (VCSE) INFRASTRUCTURE PROCUREMENT STRATEGY**

The Strategic Director Place submitted a report (**Document “Z”**) which advised the Executive of the forthcoming procurement of a combined VCSE contract for services with a value in excess of £2 million, which had been reported in line with the requirements of Contract Standing Orders (CSO 7.2.1) prior to the commencement of the procurement process.

The Assistant Director Neighbourhoods stated that the proposals would bring together four different community support arrangements and funds, which had previously not been allocated to ensure comprehensive coverage. These arrangements would be replaced with a single point of contact.

It was stressed that the market engagement on the proposed strategy had been extensive, and that it was intended to go to market by the end of the month.

The Leader welcomed the opportunity for VCS providers to collaborate and attract external funding.

**Resolved –**

- (1) That no changes be made to the current funding support made available to the VCSE sector.**
- (2) That the option to review the grant be welcomed with the input of the sector and the integration of the funds into one contract for service delivery be approved for tender with the timeline given.**

***ACTION: Strategic Director Place***

Corporate Overview and Scrutiny Committee

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

That the minutes of the West Yorkshire Combined Authority dated 29 July 2021 be received.

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Executive**

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