

## **Agenda for a meeting of the Executive to be held on Tuesday, 4 January 2022 at 10.30 am in Council Chamber, City Hall - City Hall, Bradford**

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

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

### **Notes:**

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- Given the restrictions on room capacity, 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) or [yusuf.patel@bradford.gov.uk](mailto:yusuf.patel@bradford.gov.uk) by 10.30 on Thursday 30 December 2021 and request to do so. You will then be advised on how you can participate in the meeting. Access to the meeting cannot be guaranteed if those wishing to attend do not register given the Council must comply with the Covid regulations and guidance.
- If you wish to observe the proceedings 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.
- On the day of the meeting you are encouraged to wear a suitable face covering (unless you are medically exempt) and adhere to social distancing. Staff will be at hand to advise accordingly.

### **From:**

Parveen Akhtar  
City Solicitor

### **To:**

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)

## **A. PROCEDURAL ITEMS**

## 1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

## 2. MINUTES

**Recommended –**

**That the minutes of the meeting held on 2 November 2021 be signed as a correct record (previously circulated).**

(Jill Bell - 01274 434580)

## 3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Jill Bell - 01274 434580)

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

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

(Jill Bell - 01274 434580)

### **B. STRATEGIC ITEMS**

<b>LEADER OF COUNCIL &amp; CORPORATE</b>
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<i>(Councillor Hinchcliffe)</i>
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#### 5. **CALCULATION OF BRADFORD'S COUNCIL TAX BASE AND BUSINESS RATES BASE FOR 2022-23**

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The report of the Director of Finance (**Document “AM”**) estimates the Council's Council Tax and Business Rates bases for 2022-23. These bases in turn determine the amount of taxation raised in 2022-23.

Section A of this report estimates the Council Tax Base. This involves considering: total dwellings in the district; exemptions, discounts and the Council Tax Reduction Scheme among others items.

Section B estimates the Business Rates base, starting with the total rateable value of property used by businesses in the district.

Section C summarises the implications of the tax bases for the 2022-23 revenue budget.

#### **Recommended -**

- (1) **That the number of Band D equivalent properties for 2021-22 for the whole of the Bradford Metropolitan District is fixed at 143,420 (as set out in Appendix A, line 13 of Document “AM”).**

- (2) That the Council Tax Base for 2021-22 for each Parish (set out in Appendix B of Document “AM”) is approved.
- (3) Further that Bradford's £1.12mm share of the anticipated 2021-22 Council Tax surplus is approved. Also that the Police and Fire share of the surplus (as set out in 6.3 of Document “AM”) is noted.
- (4) That the latest estimate of the gross shares of Business Rates income for 2022-23, are noted. These are set out below:  
50% is paid to Central Government - £64.6m 1% is paid to the West Yorkshire Fire Authority - £1.29m 49% is retained by the Council - £63.3m
- (5) That authority is delegated to the Section 151 officer in consultation with the Leader of the Council to make any necessary amendments to the Business Rates estimate arising from the completion of the 2022-23 NNDR1 form and to include the amended figures in the 2022-23 Budget papers for Council.

(Andrew Cross 07870 386523)

## C. PORTFOLIO ITEMS

### REGENERATION, PLANNING & TRANSPORT PORTFOLIO

*(Councillor Ross-Shaw)*

## 6. FINAL ARRANGEMENTS FOR THE ESTABLISHMENT OF A JOINT UTMC SERVICE FOR WEST YORKSHIRE 13 - 32

The purpose of the report of the Strategic Director of Place (**Document AO**) is to update Executive on the work carried out to establish a joint West Yorkshire UTMC service, upgrade existing traffic signals and infrastructure and the final form of this service design in accordance with Executive's resolution of 11 September 2018.

### Recommended –

- (1) That Executive note the work which has been done to date on developing proposals for the joint West Yorkshire UTMC service and note the issues which have prevented bringing this to fruition.
- (2) That Executive note and endorse the proposal to establish a Centre for Excellence dedicated to the training of young professionals in the field of traffic signal design and

operation which complements the Council's own approach to encourage new graduates into this area of engineering.

- (3) That the Strategic Director, Place in consultation with the Portfolio Holder be delegated authority to enter into the Memorandum of Understanding on behalf of the Council.

(Richard Gelder – 01274 437603)

## **7. A650 TONG STREET HIGHWAY IMPROVEMENT PROJECT**

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The report of the Strategic Director of Place (**Document “AP”**) will provide Executive an update on the development of the A650 Tong Street Highway Improvement project as part of the West Yorkshire+ Transport Fund (WY+TF) and Department for Transport (DfT) Major Road Network (MRN) fund seeking Executive's endorsement of the schemes further development, benefits and proposals.

It will also request that delegated authority be given to the Strategic Director Place in consultation with the portfolio holder to progress a range of issues to ensure delivery of the scheme within the required timescales, including the use of compulsory purchase powers to achieve the desired objectives.

### **Recommended -**

**That the Executive approve the following recommendations:**

- (1) Support and approve the proposals including further development as the preferred approach to the delivery of the A650 Tong Street Highway Improvement Project.
- (2) That the Strategic Director: Place be authorised to manage the scheme programme as appropriate to meet changing circumstances.
- (3) That the Strategic Director: Place be authorised to make any necessary applications to obtain planning permission for any aspect of the scheme that may require such consent.
- (4) That the Strategic Director: Corporate Resources be authorised to promote and take whatever action is necessary to submit the CPO and SRO to the Secretary of State for Transport for confirmation.
- (5) That further update reports are presented to Executive following approval of the Full Business Case by the DfT and / or West Yorkshire Combined Authority.
- (6) That the Executive is satisfied that the A650 Tong Street Highway Improvement Project is in the public interest and

that any harm caused by the use of CPO/SRO powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the improvement scheme will generate, having also taken into account at this stage, the Council's statutory obligations under the Equality Act 2010 in relation to the differential impact a CPO/SRO might have on various groups of persons with protected different characteristics;

**(7) That in principle, the following Orders be made -**

- a. The City of Bradford Metropolitan District Council (Tong Street, Bradford) (Highway Improvement Scheme) Compulsory Purchase Order 2022, pursuant to Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and Section 1 of the Localism Act 2011 and Section 40 of the Road Traffic Regulation Act 1984 for the purpose of relieving or preventing congestion of traffic by providing off-street parking places together with means of entrance to and egress from them and all other relevant and enabling powers to secure the compulsory acquisition of such land and rights that are needed to promote the scheme.**
- b. The City of Bradford Metropolitan District Council (Tong Street, Bradford) (Highway Improvement Scheme) (Side Roads) Order 2022, pursuant to Sections 14 and 125 of the Highways Act 1980.**

**(8) That the Strategic Director: Place in consultation with the Portfolio Holder for Regeneration, Planning and Transport be given delegated authority to:**

- a. Progress and develop the scheme proposals through the DfT's and West Yorkshire Combined Authority's Assurance Processes and undertake consultation on scheme proposals.**
- b. As may be required, secure the procurement of specialist external services having regard to the Council's Contract Standing Orders and national procurement legislation in order to advise the Council on matters relating to the delivery of the A650 Tong Street Highway Improvement Project.**
- c. Investigation of land ownership of land required for the delivery of the A650 Tong Street Highway Improvement Project.**
- d. Undertake negotiation with land owners to secure**

by private treaty any land required outside of Council ownership for the delivery of the A650 Tong Street Highway Improvement Project.

- e. Where necessary, issue requisition notices requiring those believed to have an interest in relevant property to provide title information and details of their interest in land.
- f. Determine whether and the extent to which a CPO and SRO are needed to be made and submitted to the Secretary of State for Transport for confirmation, subject to being satisfied that there is sufficient justification to support the making of a CPO and SRO and that there is evidence that due diligence and probity of governance has been correctly followed and observed in complying with all relevant statutory procedures, including but not limited to the Council's statutory duties and obligations under human rights and public sector equality legislation;
- g. vary and determine the exact statutory powers to make the CPO and SRO and if necessary, to make minor or technical amendments to each of the Orders to determine and settle the extent of the land needed to be included in the CPO and the extent of any associated highway alterations in the SRO, including varying and finalising the exact CPO boundary and highway alterations to be placed in the SRO;
- h. modify and settle the draft "Statement of Reasons" to justify the use of compulsory purchase powers, the CPO Map and CPO Schedule and all other legal documentation necessary to support and accompany the CPO and SRO to the Secretary of State for Transport for confirmation;
- i. authorise if necessary, an application to be made to the Secretary of State for Levelling Up, Housing and Communities or any other appropriate Secretary of State pursuant to Section 19: Acquisition of Land Act 1981 to obtain approval to include in the CPO any additional land needed to be acquired to replace land currently used for open space recreation, allotment land and any disused burial sites and any other special kinds of land where such statutory approval is needed to replace such land being lost as a result of the scheme;

- j. approve agreements with landowners setting out the terms for withdrawal of any objections to the CPO, including where appropriate, seeking exclusion of land from the CPO and highway alterations from the SRO;
- k. confirm the CPO if satisfied that it is appropriate to do so, in the event that the Secretary of State for Transport notifies the Council that the Council has been given the power to confirm the CPO;
- l. promote any modifications to the CPO and SRO if felt expedient to do so;
- m. take all and any necessary action, as the case may be to continue or open negotiations with persons for the acquisition of land and rights needed to facilitate the scheme and any other interests included in the CPO and SRO and any other land and rights needed for the 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;
- n. take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the CPO or requests for the Council to exercise its statutory discretionary powers to acquire land and rights and any other interests on "hardship and compassionate" grounds
- o. 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;
- p. to take and do all things necessary or incidental to the implementation of the above resolutions; and

(9) That all land acquired for the scheme be held for highway purposes.

(Richard Gelder - 01274 437603)



## **FRAMEWORK**

Following Executive decision to formally adopt the South Pennine Moors Special Protection Area (SPA) / Special Area of Conservation (SAC) Planning Framework as a Supplementary Planning Document (SPD) on 6<sup>th</sup> July 2021, a limited number of additional representations were identified post Executive decision which have now been reviewed and included within the Statement of Consultation with subsequent minor amendments made to the SPD. The report of the Strategic Director of Place (**Document “AQ”**) therefore seeks Executive approval to formally adopt a slightly amended version SPD for use in the determination of planning applications. This SPD is in support of Policy SC8 in the adopted Local Plan Core Strategy.

Its purpose will be to provide the information necessary to enable planning officers and developers to understand the necessary steps to ensure compliance with the Habitats Regulations. It is an enabling strategy, unblocking potential Habitats Regulations Assessment (HRA) issues at the individual development project level where recreation pressure is difficult to mitigate on a piecemeal basis because it relies on a suite of integrated activities.

The SPD also sets out the level of developer contributions that should be provided to fund the measures required to avoid or mitigate any adverse impacts on the internationally protected species and habitats that arise from development within the Bradford District.

The South Pennine Moors SPA/SAC Planning Framework was subject to a public consultation which ran for a period of 6 weeks from the 8<sup>th</sup> February to 24<sup>th</sup> March 2021, in tandem with the consultation for Regulation 18 draft Local Plan. This report provides details of the key issues which have arisen from the consultation and the subsequent changes which are proposed to the SPD as a result.

### **Recommended -**

- (1) That the South Pennine Moors SPA/ SAC Planning Framework with the changes as detailed, attached in Appendix 1 to Document “AQ”, be adopted as a Supplementary Planning Document.**
- (2) That authority be delegated to the Strategic Director Place in consultation with the Portfolio Holder to carry out any minor amendments of a drafting or similar nature necessary, prior to the formal publication of the adopted South Pennine Moors SPA/ SAC Planning Framework SPD.**

(Andrew Marshall – 01274 434050)

## **9. EXCLUSION OF THE PUBLIC**

### **Recommended –**

**That the public be excluded from the meeting during consideration of :**

- (a) the NFP Appendix to Document “AN” - Steeton and Silsden Crossing Project,**
- (b) the NFP appendix to Document “AR” - The proposed relocation of Baildon Library from Ian Clough Hall into the former Baildon Social Club building**
- (c) NFP Document “AS” and appendices - St James Wholesale Market Relocation**

**on the grounds that it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that if they were present, exempt information within Paragraph 3 (Information relating to Financial or Business Affairs) of Schedule 12A of the Local Government Act 1972 (as amended), would be disclosed and it is considered that, in all the circumstances, the public interest in excluding public access to the relevant part of the proceedings outweighs the interest in publication of the report.**

## **10. STEETON AND SILSDEN CROSSING PROJECT**

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**The report of the Strategic Director of Place (Document “AN” that contains NFP Appendix A) will provide Executive an update on the development of the Steeton and Silsden Crossing project and to seek Executive’s endorsement of the schemes further development, benefits and proposals.**

**It will also request that delegated authority be given to the Strategic Director Place in consultation with the portfolio holder to progress a range of issues to ensure delivery of the scheme within the required timescales, including the use of compulsory purchase powers to achieve the desired objectives.**

### **Recommended –**

**That the Executive approve the following recommendations:**

- (1) Support and approve the proposals including further development as the preferred approach to the delivery of the Steeton and Silsden Crossing Project.**
- (2) That the Strategic Director: Place be authorised to manage the scheme programme as appropriate to meet changing**

circumstances.

- (3) That the Strategic Director: Place be authorised to make any necessary applications to obtain planning permission for any aspect of the scheme that may require such consent.
- (4) That the Strategic Director: Corporate Resources be authorised to promote and take whatever action is necessary to submit the CPO and SRO to the Secretary of State for Transport for confirmation.
- (5) That the Executive is satisfied that the Steeton and Silsden Crossing Project is in the public interest and that any harm caused by the use of CPO/SRO powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the improvement scheme will generate, having also taken into account at this stage, the Council's statutory obligations under the Equality Act 2010 in relation to the differential impact a CPO/SRO might have on various groups of persons with protected different characteristics;
- (6) That in principle, the following Orders be made -

  - a. The City of Bradford Metropolitan District Council (Steeton and Silsden Crossing) (Highway Improvement Scheme) Compulsory Purchase Order 2022, pursuant to Sections 239, 240, 246, 250 and 260 of the Highways Act 1980; and Section 1 of the Localism Act 2011 and Section 40 of the Road Traffic Regulation Act 1984 for the purpose of relieving or preventing congestion of traffic by providing off-street parking places together with means of entrance to and egress from them and all other relevant and enabling powers to secure the compulsory acquisition of such land and rights that are needed to promote the scheme.
  - b. The City of Bradford Metropolitan District Council (Steeton and Silsden Crossing, Bradford) (Highway Improvement Scheme) (Side Roads) Order 2022, pursuant to Sections 14 and 125 of the Highways Act 1980.
- (7) That the Strategic Director: Place in consultation with the Portfolio Holder for Regeneration, Planning and Transport be given delegated authority to:

  - a. Progress and develop the scheme proposals through the West Yorkshire Combined Authority's

**Assurance Processes and undertake consultation on scheme proposals.**

- b. As may be required, secure the procurement of specialist external services having regard to the Council's Contract Standing Orders and national procurement legislation in order to advise the Council on matters relating to the delivery of the Steeton and Silsden Crossing Project.**
- c. Investigation of land ownership of land required for the delivery of the Steeton and Silsden Crossing Project.**
- d. Undertake negotiation with land owners to secure by private treaty any land required outside of Council ownership for the delivery of the Steeton and Silsden Crossing Project.**
- e. Where necessary, issue requisition notices requiring those believed to have an interest in relevant property to provide title information and details of their interest in land.**
- f. Determine whether and the extent to which a CPO and SRO are needed to be made and submitted to the Secretary of State for Transport for confirmation, subject to being satisfied that there is sufficient justification to support the making of a CPO and SRO and that there is evidence that due diligence and probity of governance has been correctly followed and observed in complying with all relevant statutory procedures, including but not limited to the Council's statutory duties and obligations under human rights and public sector equality legislation;**
- g. vary and determine the exact statutory powers to make the CPO and SRO and if necessary, to make minor or technical amendments to each of the Orders to determine and settle the extent of the land needed to be included in the CPO and the extent of any associated highway alterations in the SRO, including varying and finalising the exact CPO boundary and highway alterations to be placed in the SRO;**
- h. modify and settle the draft "Statement of Reasons" to justify the use of compulsory purchase powers, the CPO Map and CPO Schedule and all other legal documentation**

**necessary to support and accompany the CPO and SRO to the Secretary of State for Transport for confirmation;**

- i. authorise if necessary, an application to be made to the Secretary of State for Levelling Up, Housing and Communities or any other appropriate Secretary of State pursuant to Section 19: Acquisition of Land Act 1981 to obtain approval to include in the CPO any additional land needed to be acquired to replace land currently used for open space recreation, allotment land and any disused burial sites and any other special kinds of land where such statutory approval is needed to replace such land being lost as a result of the scheme;**
- j. approve agreements with landowners setting out the terms for withdrawal of any objections to the CPO, including where appropriate, seeking exclusion of land from the CPO and highway alterations from the SRO;**
- k. confirm the CPO if satisfied that it is appropriate to do so, in the event that the Secretary of State for Transport notifies the Council that the Council has been given the power to confirm the CPO;**
- l. promote any modifications to the CPO and SRO if felt expedient to do so;**
- m. take all and any necessary action, as the case may be to continue or open negotiations with persons for the acquisition of land and rights needed to facilitate the scheme and any other interests included in the CPO and SRO and any other land and rights needed for the 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;**
- n. take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the CPO or requests for the Council to exercise its statutory discretionary powers to acquire land and rights and any other interests on “hardship and compassionate” grounds**
- o. 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;

p. to take and do all things necessary or incidental to the implementation of the above resolutions; and

(8) That all land acquired for the scheme be held for highway purposes.

Richard Gelder – (01274 437603)

11.	<b>PROPOSED RELOCATION OF BAILDON LIBRARY FROM IAN CLOUGH HALL INTO THE FORMER BAILDON SOCIAL CLUB BUILDING</b>	189 - 208
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The report of the Strategic Directors of Corporate Resources and Place (**Rep 7 that contains NFP appendix A**) seeks approval to relocate Baildon Library away from the Ian Clough Hall site into the former Baildon Social Club.

This proposal would improve the library facilities and allow for the eventual demolition of Ian Clough Hall which does not meet current standards.

**Recommended -**

- (1) That option 2 to relocate Baildon Library into the former social club be approved.**
- (2) This option will include:**
  - (a) The temporary relocation of the library into 2-4 Northgate;**
  - (b) The demolition and disposal of the top two tiers of the Ian Clough Hall site;**
  - (c) The acquisition of the former Baildon social club on the terms detailed within the Confidential Appendix and**
  - (d) The refurbishment of the former social club at the costs detailed within the confidential appendix, to convert the premises into a public library.**
  - (e) The former site be added into the Capital Disposal programme with receipts earmarked to support the overall capital programme**

12. EXCEPTION TO THE FORWARD PLAN

**NOTE**

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

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

13. ST JAMES WHOLESALE MARKET RELOCATION

The report of the Strategic Director of Place will present **Not For Publication Document “AS”** on the relocation of St James Wholesale Market.

**Recommended –**

**That the recommendations contained in NFP Document “AS” be agreed.**

(Darren Starkey - 01274) 437366

14. MINUTES OF THE WEST YORKSHIRE COMBINED AUTHORITY

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To receive the minutes of the meeting(s) of the West Yorkshire Combined Authority held on 22 October 2021 attached.