

## **Decisions of the Executive on Tuesday, 4 January 2022**

**These decisions are published for information in advance of the publication of the Minutes**

**CALL IN PERIOD ENDS ON 11 JANUARY 2022 AT 17.00**

**Notes:**

- (a) Decisions may be called in by the Chair of the Corporate Overview & Scrutiny Committee, or by the Chair of the Corporate Overview & Scrutiny Committee when requested to do so by one member of the Committee or a member of another committee or by the Committee member representing the third largest group on the Council.***
- (b) The request to call in must be in writing and be signed by a Member, give a reason for the request and sent to the Chair of the Corporate Overview & Scrutiny Committee, who will deliver the request to Committee Secretariat, Room 111, City Hall by the date and time specified.***
- (c) Decisions which are subject to call in cannot be acted upon until the call in period expires.***
- (d) Decisions marked \* may not be called in under Paragraph 8.7 of Part 3E of the Constitution.***

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To:

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| <b>LEADER OF COUNCIL &amp; CORPORATE</b> |
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*(Councillor Hinchcliffe)*

**1. CALCULATION OF BRADFORD'S COUNCIL TAX BASE AND BUSINESS RATES BASE FOR 2022-23**

**Resolved -**

- (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)*

**ACTION: Director of Finance**

**REGENERATION, PLANNING & TRANSPORT  
PORTFOLIO**

*(Councillor Ross-Shaw)*

**2. FINAL ARRANGEMENTS FOR THE ESTABLISHMENT OF A JOINT UTMC SERVICE FOR WEST YORKSHIRE**

**Resolved –**

- (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)

ACTION: Strategic Director of Place

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

**Resolved -**

**That the following recommendations be approved:**

- (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)**

**ACTION: Strategic Director of Place**

**4. SOUTH PENNINE MOORS SPECIAL PROTECTION AREA (SPA) / SPECIAL AREA OF CONSERVATION (SAC) PLANNING FRAMEWORK**

**Resolved -**

- (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)**

**ACTION: Strategic Director of Place**

**5. EXCLUSION OF THE PUBLIC**

**Resolved –**

**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.**

**6. STEETON AND SILSDEN CROSSING PROJECT**

**Resolved –**

**That the following recommendations be approved:**

- (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)**

**ACTION: Strategic Director of Place**

**7. PROPOSED RELOCATION OF BAILDON LIBRARY FROM IAN CLOUGH HALL INTO THE FORMER BAILDON SOCIAL CLUB BUILDING**

**Resolved -**

**(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**

Regeneration & Environment Overview & Scrutiny Committee

(Ben Middleton - 07582 101816  
Christophe Hamard - 07582 100469)

ACTION: Strategic Directors of Corporate Resources and Place

**8. ST JAMES WHOLESALE MARKET RELOCATION**

**Resolved –**

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

(Darren Starkey - 01274) 437366

ACTION: Strategic Director of Place

FROM: Parveen Akhtar  
City Solicitor  
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Jill Bell 01274 434580