

## Decisions of the Council on Tuesday, 24 January 2023

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

#### Decisions

6. **PETITIONS (Standing Order 11)**

Save Keighley Household Waste and Recycling Centre – Keighley Central Ward.

**Resolved** – That the petition be referred to Executive.

7. **PUBLIC QUESTION TIME (Standing Order 13)**

A public question requested a meeting with the Leader of the Council in relation to Steeton and Eastburn Parking Scheme.

**Resolved** – That a response be provided and published on the Council’s website.

8. **MEMBERSHIP OF COMMITTEES AND JOINT COMMITTEES (Standing Order 4)**

**Resolved** – That the following membership changes be approved:

- Health and Social Care Overview and Scrutiny Committee – Councillor Caroline Whitaker to replace Councillor Celia Hickson. Councillor Celia Hickson to replace Councillor Caroline Whitaker as an alternate.

11. **RECOMMENDATIONS FROM THE EXECUTIVE AND COMMITTEES (Standing Order 15)**

**Resolved** –

- a) That the Parental Leave Policy for Elected Members is adopted, subject to realignment with the Members;’ Allowances Scheme.
- b) That the Policy is to be kept under review with the first review being undertaken after one year of adoption.

**Action: Director of Legal and Governance**

12. **NOTICES OF MOTION (Standing Order 17)**

**12.1 – Reducing HGV traffic on narrow, unsuitable roads**

Moved by: Councillor Rebecca Poulsen

Seconded by: Councillor Debbie Davies

With the addition and deletion of appropriate words, the motion be amended to read as follows:

Council notes:

- Government figures show that HGV traffic nationally is increasing, with the most recent figures (September 2021) showing that whilst car traffic had decreased, there has been an 8.9% increase in HGV traffic in just one year.
- The growth of HGV traffic on many of our local roads generates noise and air pollution and undermines resident health and safety. It can have a real impact on the quality of life of residents living on affected streets, including sleepless nights and mental health problems. It affects cyclists and pedestrians, especially older or vulnerable people and families with small children.
- One significant cause of HGV traffic along unsuitable roads is the use by lorry drivers of Google Maps and / or sat navs that are only intended for car use. In extreme cases, HGVs are routed up narrow, unsuitable routes and become stuck (one example is Mill Carr Hill Road, between Oakenshaw and Bierley).
- Locally, a large volume of HGV traffic is caused by new development and residents frequently report frustration that the appropriate routing of construction traffic is not given sufficient care and attention as part of the planning process, and seems like an afterthought, when from their perspective it should be front and centre. Bradford Council does not require a 'Construction Traffic Management Plan' to be submitted at the same time as a planning application for major development.

Council resolves to:

- Ask the Portfolio Holder for Regeneration, Planning and Transport to write to Mark Harper MP, Secretary of State for Transport, expressing this Council's support for the Local Government's Association's call for HGVs to be required to use commercial satnavs and asking for his support.
- Instruct officers to ensure that the 'National and Local Information Requirements – Planning Applications (including Outline, Reserved Matters and Variation of Condition)' document makes the submission of a 'Construction Traffic Management Plan' a mandatory validation requirement for planning applications for major developments. This will allow our officers, councillors and the public to have access to more information when determining the suitability of planning applications.
- Instruct officers to produce a 'Construction Traffic Management Plan' guidance document for developers that highlights the importance of routing construction traffic away from narrow, unsuitable and residential roads in order to ensure that this is an integral feature of any planning applications and is actively considered at the earliest possible stage in the planning process.
- Instruct officers to consult with ward members regarding routes to be considered during development of the Construction Traffic Management Plan.

## **12.2 – BMDC Supporting Local Businesses**

Moved by: Councillor Susan Hinchcliffe

Seconded by: Councillor Alex Ross-Shaw

That with the addition of the following words the motion be amended to read as follows:

Council notes that:

- The Council has a target to increase the amount of Council spending on resources locally to 50% of the total by next year and the latest figures published showed this position was actually worsening from 36.8% in 2020/21 to 35.9% in 2021/22 of third party spend with suppliers operating within the Bradford District.
- This target was set pre-pandemic. Much has changed since then including:
  - o A far higher proportion of the Council's spend during the pandemic was spent on PPE sourced often from overseas suppliers.
  - o The cost of living crisis has meant that energy costs have increased by an estimated 118%, which means that this element of spend now accounts for a greater proportion than it did. There are no local energy suppliers.
  - o Brexit.
- Much was promised during the Brexit campaign including that the UK would no longer be subject to EU public sector procurement regulations. However, the Government has still not completed the legislative process for the Procurement Bill and when it is completed there will be a six-month transitional period before public bodies can formally utilise any benefits that this may afford, these are not yet clear – in the meantime Public Contract Regulations (PCR 2015) are still applicable.
- In addition to the price-quality ratio, Public Contract Regulations 2015 currently allow for the qualitative, environmental and social aspects, linked to the subject matter of the procurement to be considered when developing the evaluation criteria. This is why the Council Executive adopted the Social Value and Inclusive Growth Procurement Policy in December 2017 which means that we are required to consider Social Value obligations for all activity above £100k where appropriate.
- Cost will always play a role in the fair procurement of goods and services, but through progressive procurement, organisations can take a wider look at the impact of their work and make a conscious choice to support local business and communities where possible.
- Each £1 spent in Bradford District is then spent a further seven times within the district, incentivising the selection of local contractors, in order to get more value for money by retaining wealth in local communities (Community Wealth Building) helping them become more self-sufficient and resilient, strengthening the Bradford District economy.

Council resolves to:

Review the Contract Standing Orders and see whether these can be updated to mandate or encourage certain requirements such as, but not restricted to:

- Look at how the procurement process can be made simpler for potential local suppliers to bid for opportunities (within the rules and regulations that we have to observe) and placing emphasis on the duty on contracting authorities to have regard to SMEs, via actions such as breaking bigger contracts down into smaller ones and encouraging cooperatives to tender
- look at how the council's procurement of goods and services can be overhauled to maximise the benefits to local communities, in the form of increased local economic activity, employment, inward investment and attracting and retaining talent etc.
- consider the reduction in carbon footprint and other supply chain sustainability benefits of using local suppliers when awarding contracts
- build two-way relationships with local suppliers and representative organisations to ensure that any contracts awarded locally other than in a lowest bid scenario provide a "something-for-something" approach benefitting communities and citizens.

Once Contract Standing Orders are reviewed and agreed:

- publish a guide which clarifies for the council, its contracting partners and potential suppliers, the council's latest procurement policies and the legal requirements for tenders to prioritise local suppliers.
- work with other public agencies across the district to develop a new Local Economy Support Strategy focussing on how all public agencies can support the district's economy with how they procure.

### **12.3 – Transparency and accountability for the Council's Capital investment Programme (CIP)**

Moved by: Councillor Susan Hinchcliffe

Seconded by: Councillor Alex Ross Shaw

That with the addition of the following words the motion be amended to read as follows:

Council notes:

- That the Executive has been open and transparent about the financial challenges the Council is facing. Regular reports have been published and debated at Executive as well as at Full Council to make sure all councillors and members of the public are aware of the rising costs of social care and the impact of the cost of living crisis on the council's financial position.
- The Executive has already identified a number of capital schemes and taken these out of the Capital investment plan. These were outlined in the 14th December budget proposals. The Council will keep the Capital Plan under review given the ongoing national economic volatility which the Conservative Government continues to preside over.
- The deep disappointment of our residents and businesses that Bradford district was missed out by Government from the current Levelling Up Fund

bidding round. This would have given the district £104 million additional capital to support the council's capital budget for regeneration.

- The Squire Lane project is progressing well. The specification is being finalised and the Council is in ongoing negotiations with partners. With rising inflation, any capital project, either in the public or private sector, is challenging but should there be any significant changes to the delivery model, these would be brought back to Executive in the normal way.
- Not for Publication reports are few and far between. These reports are always available to all 90 elected members to view as are reasonably necessary to enable them to carry out their duties. Opposition members have been in every Executive where these have been discussed. The City Solicitor advises the Council on issues of commercial sensitivity, it would be folly to publish in contradiction to this legal advice. Companies bidding to deliver a project for the Council would know what the top price the Council could stretch to, were the papers public. We have a duty to get the best price for the Bradford district council taxpayer.
- The Council welcomes and actively encourages private sector investment in the district.

The Council resolves to:

- Continue to keep the Capital Investment Plan under review and seek out other forms of finance to deliver capital plans, regeneration ambitions and Levelling Up bids when the Government Levelling Up Funding has failed.
- Offer as much transparency and ability for the public and councillors to scrutinise all capital projects as is reasonably possible and to avoid making these projects subject to 'Not for publication' exemption where possible.

#### **12.4 – Private Rented Housing in Bradford District**

Moved by: Councillor Alex Ross-Shaw

Seconded by: Councillor Kamran Hussain

That with the addition of the following words the motion be amended to read as follows:

This Council believes that:

- The people of the Bradford district deserve access to affordable and safe homes which are of a decent standard.
- Constructive and professional relationships with landlords drives up standards in the private rented sector by providing opportunities for effective communication and enables issues to be dealt with quickly without needing to resort to formal enforcement action

This Council notes that:

- A significant number of residents of the district live in homes which are privately rented and that this number has increased in recent years. The private rented housing sector has doubled in size since 2002.

- That most private landlords provide homes of a good standard and they play a vital role in providing homes for residents of the district.
- Local authorities have a duty under Part 1 of the Housing Act 2004 to keep housing conditions under review and identify action needed. Undertaking such reviews and subsequent action is complicated by incomplete data in the sector.
- Much time for enforcement work is spent simply identifying landlords, agents, and properties. This erodes teams' capacity to take enforcement action.
- However, the Housing Standards team implementation of a triage system has dramatically increased the amount of interventions they can make, and over 1,000 improvements are undertaken every year driven by Council intervention.
- Nonetheless poor housing conditions persist in the private rented sector. The most recent English Housing Survey data shows that 23% of private rented sector properties fail to meet the Decent Homes Standard and 13% have category 1 hazards.
- It is estimated up to a third of Local Authorities have implemented selective licensing of Private Rented Properties and focus on areas that have been identified as hotspots for poor housing standards and significant number of rogue or criminal landlords.
- The Council previously applied for funding to develop a business case for selective licensing, but the government refused it.

This Council further notes that:

- The publication of the Government white paper – A fairer deal for renters - in 2022 and the plans to introduce a Renters Reform Bill in 2023 that aid Councils to better regulate and enforce housing standards and poor landlord practices.
- The Social Housing Regulation Bill will introduce new powers and regulations to the social housing sector, some of which may be transferable and relevant to driving up standards in the private rented sector as well.

This Council resolves to:

- Request the Regeneration & Environment Scrutiny Committee hold a review of the Private Rented Sector across Bradford and the different ways of managing and improving the quality of housing provision.

## **12.5 – Future Overview and Scrutiny Arrangements**

Moved by: Councillor Susan Hinchcliffe

Seconded by: Councillor Sue Duffy

Council notes:

- The benefits of Scrutiny and the important work it does all year round across the Council and with partners to improve services for residents.
- The benefits of the new Bradford Children's and Families Trust which is on track to start on 1st April. We all welcome the appointment of the Trust's new Chief Executive.
- For clarity that the Director of Children's Services role within the Council and the Lead Portfolio Holder for Children and Families are statutory and remain

unchanged as a result of the establishment of the Trust. Outcomes and accountability will remain with the Council, overseen by the Director of Children's Services.

- The purpose of Scrutiny as set out in the Council's constitution, is to look at:
  - The strategies, plans, policies, functions and services directly relevant to the corporate priority about customer services and e-government, that improve the Council's ability to deliver, govern and change, community cohesion and all other corporate matters not falling within the responsibility of any other Overview and Scrutiny committee.
  - The strategies, plans, policies, functions and services directly relevant to the corporate priority about safer and stronger communities.
  - The co-ordination of the discharge of the overview and scrutiny role within the Council and in relation to external bodies.
  - Supporting the Executive through its contribution towards the improvement of the Council's performance.
  - Co-ordinating the development of the overview and scrutiny role within the Council.
  - The annual review of Scrutiny which assesses Councillors' view of Scrutiny and helps inform training requirements for members.
  - The training in place for Elected Members on Scrutiny to make sure the Council is able to discharge its functions appropriately.

The Council resolves that:

- With the establishment of the Bradford Children's and Families Trust, the role of scrutiny as set out in the Council's constitution, will not change.
- Regular briefings will continue to be made available for all elected members on the establishment of the Children's Trust. This is particularly the case for Children's Scrutiny members so they are clear about how Scrutiny will be exercised, to hold the Bradford Children's and Families Trust to account, once established.
- Scrutiny training for members continues to be promoted and developed to deliver continuing improvement across all the council's functions as stated in the council's constitution.
- All members will continue to take their Corporate Parenting responsibilities seriously.

## **12.6 – New photo ID rules risk disenfranchising legitimate voters**

Moved by: Councillor Matt Edwards

Seconded by: Councillor Caroline Whitaker

Council notes:

From 4 May 2023, Government have said that voters in England will need to show photo ID to vote at polling stations in local elections, Police and Crime Commissioner elections, UK parliamentary by-elections and recall petitions. From October 2023 it will also apply to UK General elections.

- Our democracy is stronger when more people take part in it. The voters should choose their leaders; not the other way around. There should be no gerrymandering or restriction of access to the vote for electoral gain.
- Despite the extremely low level of fraud, the government has estimated it will spend up to £180m over the next decade to introduce ID at polling stations.
- The Electoral Reform Society says elections are generally very well run in the UK with extremely low levels of electoral fraud. In 2019, out of over 58 million votes cast there were only 33 allegations of personation at a polling station.
- Organisations including the Electoral Reform Society and the Good Law Project oppose the government's policy for voter ID, with the ERS saying it is an expensive distraction and we should instead be tackling "the huge challenges that undermine our democracy, not putting up paywalls around polling stations".
- The Association of Electoral Administrators (AEA) says the projected timelines are "optimistic at best, undeliverable at worst".
- The Local Government Association also says it should be delayed to give elections staff more time to implement the changes.
- Research shows disadvantaged groups are less likely to have ID. The richer you are, the more likely you are to have an ID.
- The list of approved ID will predominantly be those held by older people. While "Older Person's Bus Passes" and equivalent older people travel cards are on the approved list, equivalent travel passes for young people will not be accepted. This has prompted concern that younger people without ID will find it comparatively harder to vote.

Council resolves to:

- The Leader to write to the Secretary of State for Levelling Up, Housing and Communities supporting the LGA's call not to implement this policy for the local elections in May 2023 due to the risks of disenfranchising legitimate voters, and to reconsider its introduction given the long term risks and costs.
- If the government is to push ahead with mandatory voter ID, the Council Leader will request additional on-going funding from the government to reflect the on-going costs to councils to deliver this costly scheme.
- If the scheme goes ahead, instruct officers to utilise all existing channels and means of communication to supplement the publicity campaign by the Electoral Commission to make more voters aware of the need to show photo ID at polling stations in the May 2023 local elections and beyond.
- To consider a *specific* campaign to encourage young people to register for an appropriate ID utilising social media channels and encourage schools and colleges within Bradford District to provide information to students.

**FROM:** Asif Ibrahim  
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