

Agenda for a meeting of the Regeneration and Environment Overview and Scrutiny Committee to be held on Tuesday, 21 March 2023 at 5.30 pm in Council Chamber - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN	BRADFORD INDEPENDENTS GROUP
Mohammed K Hussain Cunningham Dearden M Hussain Rowe	Herd	Watson	Elahi

Alternates:

LABOUR	CONSERVATIVE	GREEN	BRADFORD INDEPENDENTS GROUP
Choudhry Mukhtar Shafiq Walsh Wheatley	Davies	Warnes	Sajawal

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.

From:

To:

Asif Ibrahim

Director of Legal and Governance

Agenda Contact: Su Booth/Louis Kingdom

Phone: 07814 073884/07890 416570

E-mail: susan.booth2@bradford.gov.uk/louis.kingdom@bradford.gov.uk

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The Director of Legal and Governance will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. 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 must consider their interests, and act according to the following:*

Type of Interest

You must:

Disclosable Pecuniary Interests

Disclose the interest; not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

Other Registrable Interests (Directly Related)

Disclose the interest; speak on the item only if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

OR
Non-Registrable Interests (Directly Related)

Other Registrable Interests (Affects)

Disclose the interest; remain in the meeting, participate and vote unless the matter affects the financial interest or well-being

OR
Non-Registrable Interests (Affects)

*(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward, and
(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest;
in which case speak on the item only if the public are also allowed to speak but otherwise not do not participate in the*

discussion or vote; and leave the meeting unless you have a dispensation.

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *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.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. MINUTES

Recommended –

That the minutes of the meeting held on 31 January 2023 and 21 February 2023 be signed as a correct record (previously circulated).

(Su Booth/Louis Kingdom – 07814 073884/07890 416570)

4. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

Any referrals that have been made to this Committee up to and including the date of publication of this agenda will be reported at the meeting.

5. 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.

(Su Booth/Louis Kingdom – 07814 073884/07890 416570)

B. OVERVIEW AND SCRUTINY ACTIVITIES

6. TENDER FOR "STORES FACILITY MANAGEMENT"

1 - 6

The Strategic Director, Place will submit a report (**Document "AA"**) in line with Contract Standing Orders, to provide Members with an update on the provision of Stores Facility Management that is currently provided by the incumbent third party Contractor and the need to renew the contract.

Recommended –

That it be noted that:

(i) it is the intention of the Strategic Director, Place, to award a new contract for 'Stores Facility Management' to a third party contractor, through the Yorkshire Purchasing Organisation (YPO) Framework, to commence on 1 September 2023 and run for four years with the option to extend for one further year.

(ii) the estimated value of the 'Stores Facility Management' contract over five years is in excess of £5 million and this matter is therefore reported to the Committee in accordance with Paragraph 4.6 of Part 3G of the Council's Constitution (Contracts Standing Orders).

(Richard Galthen – 01274 437442)

7. FLY-TIPPING IN THE BRADFORD DISTRICT

7 - 24

The Strategic Director, Place will submit a report (**Document "AB"**) to provide Members with an update on the number of instances and the handling of fly-tipping within the Bradford District.

Recommended –

That the report be noted and that a further update be provided in 12 months' time.

(Amjad Ishaq / Stuart Russo – 01274 433682 / 437146)

8. ACTIVE TRAVEL; SCHOOL STREETS AND PLAY STREETS

25 - 42

The Strategic Directors of Health and Wellbeing, Children's Services and Place will submit a report (**Document "AC"**) to provide Members with an update on School Streets projects and the development of a Play Streets approach within the Bradford district.

Recommended –

That the report be noted by the Regeneration and Environment Overview and Scrutiny Committee.

(Caroline Tomes / Andrew Smith / Michelle Pickles – 01274 437352 / 434674 / 432812)

9. UPDATE ON THE WORK OF THE HOUSING OPERATIONS SERVICE - HOUSING STANDARDS TEAM AND HMO TEAM 43 - 56

The Strategic Director, Place will submit a report (**Document “AD”**) to provide Members with an update on housing conditions and the work of the teams taken to address these.

Recommended –

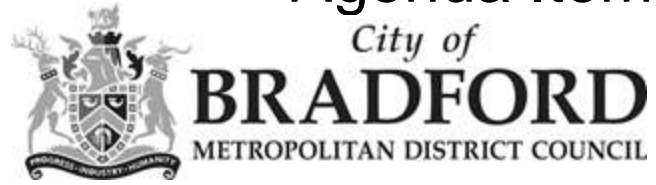
That the Committee note the report and request a further update on the work of the housing standards team in 12 months’ time.

(David North / Ruth Hudson / Shonu Miah – 01274 437629)

10. WORK PROGRAMME

A verbal report will be given by the Lead Scrutiny Officer to update Members on work planning and a discussion will take place on the Committee’s work programme for the remainder of the 2022/23 municipal year.

(Caroline Coombes - 07970 413828)



Report of the Strategic Director Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee 21st March 2023

AA

Subject:

Tender for “Stores Facility Management”

Summary statement:

Fleet & Transport Services need to renew the agreement for stores facility management that is currently provided by the incumbent third party Contractor.

The function of the facility is to manage the sourcing, supply and storage of parts and consumables for a fleet of approximately 1,600 vehicles and items of plant.

Due to the estimated contract value being £5m over 5 years, Fleet & Transport Services are submitting this report to the Scrutiny Committee in line with Contract Standing Orders.

Alan Lunt
Strategic Director

Portfolio:

Place

Report Contact: Richard Galthen –
Principal Officer
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E-mail: Richard.Galthen@bradford.gov.uk

Overview & Scrutiny Area:

Regen & Env

1. SUMMARY

The scope of the current contract is to source, provide and store parts and consumables for supply to a fleet of approximately 1,600 vehicles and items of plant equipment. This involves dealing with over 25 different manufacturers, and providing a service which is available 365 days per year based within the Council's Fleet Workshop.

Fleet & Transport Services are seeking to implement a new contract using YPO Framework 921 to source a Contractor. By using this framework, we do not have to publish an EU tender as YPO, which is a publicly owned body, have already evaluated and appointed a number of suppliers able to meet the criteria required.

We will only need to publish our specification to the selected framework suppliers and evaluate their responses to source the best overall value for money.

Due to a miscommunication surrounding use of this framework, the tender process has already been completed with Fleet Factors being the preferred supplier. The Award of contract has not been done yet.

2. BACKGROUND

The current "Stores Facility Management" contract has been in place since 01/09/2018. Fleet Factors are the current contractor and this is due to expire 31/08/2023. Fleet Factors is privately owned and the Council has no legal interest in it.

The contract ensures the Council's entire fleet has a stock and supply chain of parts and consumables at a reduced price rate in order to minimise downtime for essential services whilst maintaining value for money.

It is proposed that the new contract is awarded through YPO Framework 921 to start 01/09/2023 and run for 4 years with the option to extend for 1 further year. The estimated total contract value is £5m based on current fleet size and expenditure.

3. OTHER CONSIDERATIONS

Prior to this option various others were considered. We did provide the service "in house" for a while but this was not cost effective as we didn't have the technical expertise, systems or buying power that is available from private sector companies. There is no current proposal to return to in-house provision.

To insource all requirements, we would need a minimum of two full time employees, at least one delivery vehicle, purchase of bespoke IT systems capable of interacting with multiple national companies and databases. We would also not be able to secure the high volume-based discounts that a national company the size of Fleet Factors, Euro-Car-parts, GSF etc. are able to attain.

Estimated costs for insourcing would be at least £200k to £300k as a minimum per year.

4. FINANCIAL & RESOURCE APPRAISAL

Currently, all parts and consumables are sourced by the contractor with costs recharged to the various Council departments when maintenance or repairs are required to vehicles and plant.

The contract includes the supplier to work within Shearbridge Depot, providing two members of staff, all IT systems, stock control, collection and delivery of parts and specialist advice. Additionally, the supplier is to on charge the Council and “on-cost” for the management of the contract and daily operation. This is historically around 10% of contract expenditure (circa £100k per year).

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

The financial risk is minimal as the items are owned and held by the contractor, and only paid for by the Council as and when each item is required for use. All stock held on site belongs to the contractor until it is issued for a job. Likewise, all ICT systems and furniture required to operate the new contract will be supplied by the successful contractor. If for any reason the contractor needed to withdraw from the contract, we would have no liabilities as such beyond those that had already accrued prior to termination.

6. LEGAL APPRAISAL

There are no legal implications other than those touched upon in other parts of this report. There will be employment law issues arising from the proposed TUPE transfers of staff, and vocational pension advice may be required in relation to their pension transfers. Further legal advice may be required on these issues in due course, the transfer should make provision for the return of or transfer of title to the new supplier of any current stock held by Fleet Factors at the date of the new contract.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

All contractors available to submit tenders via the YPO Framework have signed terms and conditions including having equality and diversity policies which mirror or are broadly the same as those operated by the Council, and which permit the Council to implement the public sector equality duty in relation to any matters that arise within the new service.

7.2 SUSTAINABILITY IMPLICATIONS

This contract will help Fleet & Transport Services maintain and repair the Council's vehicles and machinery in the most efficient manner and with the least environmental impact. The repair of, rather than purchase of, new plant and machinery and the re-use of viable parts will minimise the energy used within Council's Fleet and Transport

System. This in turn, helps our services to operate as efficiently as possible and contributes to the sustainable use of the Councils resources and equipment.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Greenhouse gas and particulate emissions will be reduced by efficient fleet maintenance of engines and transmission systems, and the storage of equipment and spares on site will reduce unnecessary journeys.

7.4 COMMUNITY SAFETY IMPLICATIONS

N/A

7.5 HUMAN RIGHTS ACT

N/A

7.6 TRADE UNION

N/A

7.7 WARD IMPLICATIONS

N/A

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

N/A

7.9 IMPLICATIONS FOR CORPORATE PARENTING

N/A

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

N/A

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

- Establish a new Contract via YPO framework – Current contract has proved to be value for money over the last 5 years. Various companies are able to offer this service in line with our requirements.
- Bring back in house – This option is not advised based on previous

experience. We do not have the buying power, expertise, ICT systems or staff to be able to match the value that private contractors can provide in this market.

10. RECOMMENDATIONS

That it be noted that:

(i) it is the intention of the Strategic Director, Place, to award a new contract for 'Stores Facility Management' to a third party contractor, through the Yorkshire Purchasing Organisation (YPO) Framework, to commence on 1 September 2023 and run for four years with the option to extend for one further year.

(ii) the estimated value of the 'Stores Facility Management' contract over five years is in excess of £5 million and this matter is therefore reported to the Committee in accordance with Paragraph 4.6 of Part 3G of the Council's Constitution (Contracts Standing Orders).

11. APPENDICES

N/A

12. BACKGROUND DOCUMENTS

N/A

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Report of the Director of Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 21st March 2023

AB

Subject:

Fly-tipping in the Bradford District.

Summary statement:

A report providing an update on the number of instances and the handling of fly-tipping within the Bradford District.

EQUALITY & DIVERSITY:

There are no equality or diversity issues affected by this report.

David Shepard
Director of Place

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Portfolio:

Healthy People and Places

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

The report provides an update on the work of the Environmental Enforcement Team in relation to fly-tipping as well as the number of incidents occurring within the district and how this compares to other local authorities. The report will also contain an update on the work undertaken by the Environmental Task Force.

2. BACKGROUND

Fly-tipping is a national problem and not just specific to the Bradford district. Public and private land-owners up and down the country are engaged in combatting this criminal activity. Local authorities, the Environment Agency, DEFRA, Keep Britain Tidy and many others organisations are directly contributing to this fight either by carrying out clearances, investigations, or providing research and guidance; despite all this the issue of fly-tipping is one that persists.

The latest release by DEFRA shows that the number of incidents of fly-tipping fell by 4% nationally between 2020/21 and 2021/22 whilst within this district, the number of incidents fell by 9.5%. The issue of fly-tipping has many contributory factors and it is not possible to state what the driving force is for these reductions, and if there is a new trend being established.

3. REPORT ISSUES

Environmental Enforcement

- 3.1 The Environmental Enforcement Team is responsible for enforcing legislation relating to waste and the visible environment. The Team consists of 10 full time equivalent (FTE) staff working across 5 area-based teams located in Area Coordinators' Offices. The Enforcement Officers work alongside the Neighbourhood Wardens and are managed by a Warden and Environmental Enforcement Manager.
- 3.2 Environmental Enforcement Officers respond to complaints generated through the Council's Contact Centre and from referrals by Wardens and other Neighbourhoods' staff. Typically, these referrals (known as service requests) can range from fly-tipping, rubbish in gardens, waste from commercial premises, burning of waste to rodent infestations. Last year the Environmental Enforcement Team dealt with 10,211 service requests of which 2,854 were in relation to complaints about fly-tipping.
- 3.3 Enforcement Officers deal with a range of issues, but a large volume of these issues are waste-related service requests. Neighbourhood Wardens are important in providing assistance by engaging with local residents and encouraging positive behaviour change without the need for formal enforcement action. Enforcement Officers triage their work and delegate some work to Wardens who are able to do door knocking to speak to residents and businesses and promote responsible waste management practices such as raising awareness about recycling, promoting the bulky waste service and encouraging the use of household waste recycling centres. This approach allows Enforcement Officers to focus their work on more serious cases or where Wardens' interventions are not having the desired outcome.
- 3.4 Fly-tipping is a criminal offence that carries an unlimited fine or up to 5 years'

imprisonment upon successful prosecution. Bradford Council will prosecute serious cases of fly-tipping and can also issue fly-tipping fixed penalty fines of £400 or £100 depending on the nature and circumstances of the offence. Nationally there have been year-on-year increases in fly-tipping. In 2021/22 – 9,700 incidents of fly-tipping were recorded by the Contact Centre in Bradford and 5,186 tonnes of fly tipped waste and litter was collected by the Council.

- 3.5 The Environmental Enforcement Team actively investigates fly-tipping incidents to identify and take enforcement action against offenders. Where individuals are identified, the Team will look to issue fixed penalty notices, issue formal cautions or prosecute for the most serious offences. Prosecutions can be lengthy, resource intensive and costly and since their introduction in 2019, the preferred enforcement option for fly-tipping has been to issue fixed penalty notices. In addition, the Enforcement Team can seize vehicles that have been involved in fly-tipping and the team has been increasing the use of this strategy to disrupt environmental crime activity.
- 3.6 In 2021/22 the Enforcement Team dealt with 10,211 service requests. Of these 2,854 service requests related to fly-tipping and were referred to the Enforcement Team for investigation. The table below highlights some of the actions taken by the Enforcement Team in relation to waste offences over the last 3 years:

	2020/21	2021/22	2022/23 (Apr-Jan)
TOTAL SERVICE REQUESTS RECEIVED	11,607	10,211	8,763
REPORTS OF FLY-TIPPING	3,599	2,854	2,207
PERCENTAGE DUE TO FLY-TIPPING	31%	29%	22%

ENFORCEMENT ACTIONS	2020/21	2021/22	2022/23 (Apr-Jan)
Community Protection Warning	858	876	644
Other Warning Letters	74	176	74
Community Protection Notices	144	193	158
Other Statutory Notices	166	161	158
EPA s33 - Fly-tipping Fixed Penalty Notice (FPN)	13	62	53
EPA s34(2A) - Householder Duty of Care FPN	20	16	17
EPA s88 - Littering From Vehicle FPN	35	46	14
EPA s88 - Litter From Person FPN	43	29	22

Litter From Vehicle Penalty Charge Notice (Civil Offence)	69	115	439
Dog Fouling FPN	3	8	5
Other Fixed Penalty Notices	7	10	7
Offences Caught on CCTV		129	453
Enforcement Action Taken/Pending from CCTV		65	435
Vehicles seized	1	2	10
Prosecutions & Cautions	6	6	11

Enforcement Actions 2020/21

Investment in CCTV

- 3.7 Over the last 3 years the Environmental Enforcement Team has been allocated a total £150,000 capital funding to purchase and deploy CCTV to help capture fly-tipping and littering incidents. This much needed investment has allowed the Team to proactively target fly-tipping and littering hotspots in order to identify and enforce against people committing these offences and the investment is paying dividends.
- 3.8 A total of 137 fixed CCTV cameras have now been deployed at 78 locations across 13 Wards and a significant number of fly-tipping incidents have been caught on camera resulting in enforcement action being taken and cases currently under investigation. The more extensive use of CCTV has resulted in an increase in fly-tipping and littering fixed penalty notices being issued and also contributed to the number of vehicles being seized
- 3.9 The number of fixed fly-tipping cameras by Ward are as follows:

BINGLEY	1
BOWLING & BARKEREND	21
BRADFORD MOOR	4
CITY	29
CLAYTON & FAIRWEATHER GREEN	1
GREAT HORTON	18
MANNINGHAM	17
SHIPLEY	5
TOLLER	11
WIBSEY	2
KEIGHLEY CENTRAL	4
KEIGHLEY WEST	4

QUEENSBURY	6
WYKE	6
TONG	1
LITTLE HORTON	7
TOTAL	137

- 3.10 Following a successful trial of new 4G cameras that utilise smartphone technology, the team has purchased a further 10 4G cameras which are now being deployed in areas where historically installation of fixed CCTV was not possible. The 4G cameras can be controlled remotely and provide high resolution images which can be reviewed at the CCTV control room or at the Enforcement Team offices.
- 3.11 In addition the team continues to use a range of cameras (such as “VIPA” and “wildlife cameras”) that allow surveillance to be done at locations where fixed or 4G cameras are not suitable. As these locations vary throughout the year it isn’t possible to list these in a locality breakdown.
- 3.12 In order to further increase the team’s ability to detect fly-tipping and littering incidents the team has invested capital funding in a bespoke CCTV review suite based at Sir Henry Mitchell House that allows direct access to review and download footage of litter from vehicles and fly-tipping offences caught on camera. This has resulted in a significant increase in the number of fixed penalty fines being issued.

Litter from vehicles - Caught on Camera.

- 3.13 Public littering continues to be a problem both nationally and locally and like many cities there are a significant number of takeaways in the district and this has resulted in takeaway litter being a persistent issue in some parts of the district.
- 3.14 Litter enforcement will complement existing strategies (such as education and engagement) to reduce takeaway litter, especially takeaway litter being dropped from vehicles. New legislation introduced in 2020 now allows registered keepers to be fined if the driver or passengers drop litter from the vehicle.
- 3.15 The team is currently working with Street Cleansing to identify hotspots where litter is being dropped from vehicles. Litter enforcement cameras have already been deployed at 4 locations in Bradford resulting in 578 fines being issued for litter from vehicle offences since the introduction of the cameras. Over the next 2 months a further 15 cameras will be deployed at litter hot spots across the district.
- 3.16 The public are being encouraged to report litter from vehicles where offences are caught on dash-cams. Information on how to report littering is on the Council website, and also on new pay-and-display car parking tickets. VMS boards (vehicle messaging boards) will also display anti littering information in the coming weeks, as long as there are no priority messages to be displayed.

3.17 Working with the Police – Sting Operations

- 3.18 The Environmental Enforcement Team continue to work with the Police to target illegal waste operators and seize vehicles that have been involved in fly-tipping.
- 3.19 This year the Environmental Enforcement Team and Operation Steerside worked in partnership in a sting operation to stop the criminal activities of a prolific fly tipper. The fly tipper had been caught on camera using a van to dump large amounts of waste in at 6 locations across Bradford. The person was advertising on social media as a responsible and legitimate waste removal business vehicle but was deceiving members of the public by offering to take waste for a fee and then dumping the waste illegally.
- 3.20 Checks revealed that the van had no registered keeper and could not be located. Officers from the Environmental Enforcement Team set up a sting operation and contacted the waste operator via social media to collect waste from a location in Bradford. On arrival the person was stopped by the Police and the vehicle was seized by the Environmental Enforcement Team.
- 3.21 Persons in connection with the business have now been interviewed and a prosecution is pending. In 2022/23 the team have seized 10 vehicles involved in fly-tipping and the team will continue to work with the Police to target environmental criminals who prey on the public.

Environmental Task Force – Supplementary Funding

- 3.22 Additional funding was allocated to the Council to aid Covid recovery. One of the projects funded was the Environmental Task Force (ETF). A total of £200,000 from this funding was used to increase the Enforcement Officer resources within the team.
- 3.23 The funding has resulted in two additional Senior Environmental Enforcement Officers and an extra two Environmental Enforcement Officers being appointed to the Environmental Enforcement Team.
- 3.24 The two additional Senior Enforcement Officers have been providing advice and support to managers and officers on complex cases, taking the lead on some proactive enforcement initiatives such as seizing vehicles, stop and search operations to target illegal waste carriers and helping officers to prepare prosecution files. The seniors have also been providing training and developing procedures to better equip existing Enforcement Officers to do their role.
- 3.25 The two additional Enforcement Officers have provided much needed support to the existing teams, and over the last 12 months have been involved in 10 vehicle seizures and multiple Stop and Search operations.
- 3.26 The improved performance around the use of CCTV in detecting offenders has been largely due to these additional resources, as it has allowed one of the Senior Enforcement Officers to dedicate time to the deployment of CCTV and subsequent monitoring of CCTV footage.

3.27 The funding for the additional Enforcement Officers resource will come to an end in June 2023.

Environmental Task Force - Projects

3.28 As well as the investment in the Environmental Enforcement team, the Task Force is working on a number of projects to identify sustainable solutions to waste-related problems such as litter and fly-tipping, to increase public awareness of the problems and to promote positive behaviour change; some of the projects are outlined below.

LitterLotto

3.29 The LitterLotto app was launched on the 16th January 2023. The app allows individuals to record the litter that they collect. It is a National scheme with sponsors which offers cash prizes and incentives for binning your litter.

- Rewards positive behaviour rather than only enforcing littering offences.
- Encourages more people to litter-pick and uses an app to record their achievements.
- Makes litter-picking more measurable and motivates users as well as providing litter-picking data for the Council.
- LitterLotto raises awareness of the ongoing litter issues in Bradford.
- Allows us to develop localised campaigns with local sponsors to target hotspot areas.

3.30 The recent media coverage following the launch has already generated contact from other authorities interested in this approach.

Landlord & Tenant Environmental Agreement.

3.31 Neighbourhood Services, Waste Management and Housing Standards Teams continue to experience ongoing environmental issues with some rented residential properties. These include fly-tipping on the highway, waste in gardens, contaminated recycling bins, side-waste, litter, overhanging vegetation and vermin.

3.32 A landlord and tenant booklet has been designed and is ready for the marketing team to produce. This booklet clearly sets out the Councils expectations and the responsibilities of landlords and tenants.

3.33 In conjunction with this, an agreement has been drafted which can be signed by both parties at the start of or during a tenancy, ensuring both landlords and tenants are aware of, and take responsibility for, the management of waste from the property.

3.34 This will be cascaded to all landlords, and in particular to 'problem' landlords and tenants known to the Environmental Enforcement team; this will set clear standards and expectations and support future enforcement action if it is still required.

3.35 This approach will allow Enforcement Officers to establish who is responsible for waste-related issues at a particular property as often this is a source of dispute between both landlords and tenants.

Tackling waste in Back Streets

- 3.36 Fly-tipping and household waste on back streets continues to be an ongoing issue. A trial process is currently taking place which uses a series of posters and letters to encourage behaviour change. This is supported by door knocking and the sharing of information about the responsibilities of residents.
- 3.37 The aim is to not only reduce fly-tipping but to send clear messages about ensuring that neighbourhoods are clean and tidy. The process also encourages each property to take responsibility for their own section of back street adjacent to their property. The focus is around all residents on a street taking some accountability and all playing their part in making it a better place to live.

Clean Street Award

- 3.38 As a follow-on from the 'back street procedure' we aim to issue an award to a street where the residents have maintained the cleanliness of their street.
- 3.39 The Councils Neighbourhood Wardens and Ward officers work tirelessly engaging with residents to keep their streets clear of litter and waste. The 'Clean Street Award' looks at working with residents through an action day and talking about how to keep it clean. This starts with an offer of clean-up support from the task force.
- 3.40 The street is monitored for a period of 6 weeks with ongoing engagement with residents to maintain the work. Where a consistent change is identified the residents will receive a thank-you card and signs will be erected promoting that the residents have received a Clean Street Award. Social media will also be used to promote the street and encourage other participants from other streets.

Social Media

- 3.41 The ETF are working with the marketing team to produce some bespoke short videos to promote on a number of platforms. These will be focused on fly-tipping which will highlight the penalties when waste is not disposed of correctly. These will also provide information on how to check if a waste carrier is licenced to remove your waste and how to ensure that it is disposed of correctly. In addition to this, any success stories or witness appeals will also be promoted to raise awareness and continue to promote the Councils' commitment to tackling fly-tipping.

Environmental Task Force – Clean Teams

- 3.42 The Environmental Task Force funding allowed for the provision of two teams consisting of a Driver Coordinator and two operatives each. This additional Cleansing resource has enabled the ETF to take referrals from Area Coordinators Offices to tackle long standing environmental problems affecting our neighbourhoods. The teams have been tidying up abandoned and neglected land, snickets, unadopted streets, and fly-tipping / litter hotspots across the district.
- 3.43 As well as removing fly-tipping and litter, the multi-skilled teams are able to provide attention-to-detail by removing weeds, and cutting back foliage and overhanging

vegetation.

- 3.44 This element of the Task Force has had a huge impact on the ability to undertake clean-up work that could not have been achieved with existing resources and in many cases been able to implement longer-term solutions.
- 3.45 To date the ETF clean teams have addressed 427 clean-up referrals and helped transform and improve some of our neighbourhoods. The duration of each referral can vary between a few hours, up to week-long projects. Often the taskforce has also been a valuable support in providing a quick response to urgent problems.

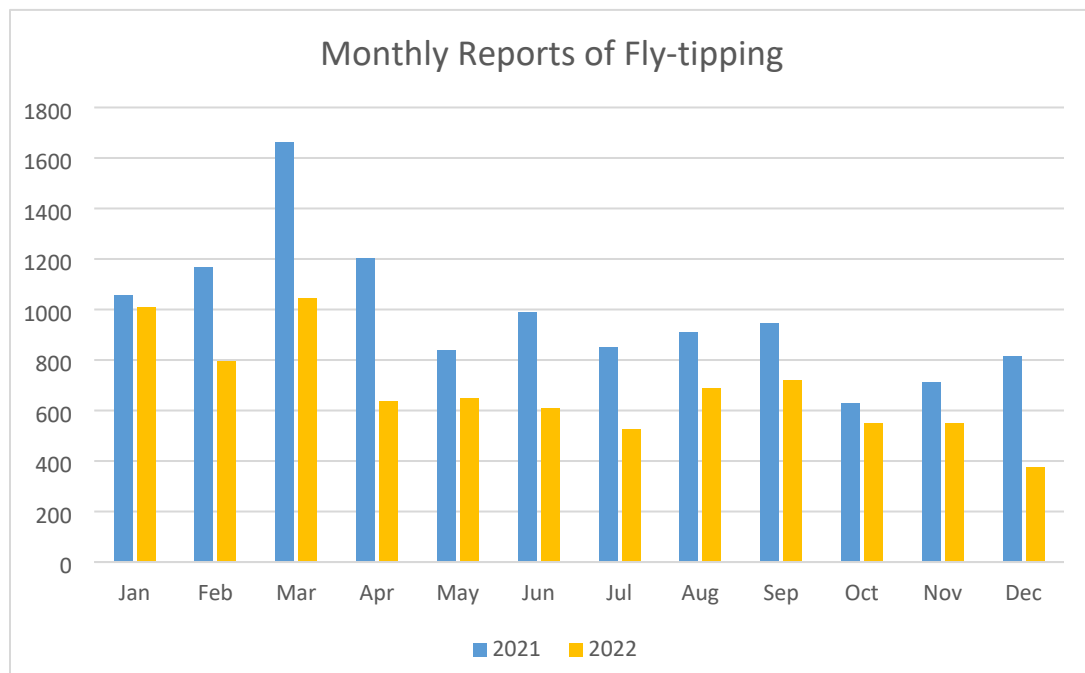
Capital funding to improve fly tipped sites

- 3.46 Over the last three years, capital funding totalling £150,000 has been allocated to remove waste and undertake landscaping works to defend land that has historically suffered from fly-tipping. A number of sites across Bradford have been improved.

Street Cleansing

Fly-Tipping Incidents

- 3.47 The table below shows the number of fly-tips reported to the council by month for 2021 and 2022.
- 3.48 There was a change in the corporate Customer Relationship Management System (CRM) in April 2022 which may have contributed to reduced reporting, however in the preceding months to the change there was already a pattern of reduced reporting of fly-tipping to the council when looking at the same month in 2021.



3.49 Due to the delays in rolling out the reporting mechanisms for the new CRM system it is not currently possible to provide a breakdown of fly-tipping by ward or Area Constituency, though this is being addressed for future reports.

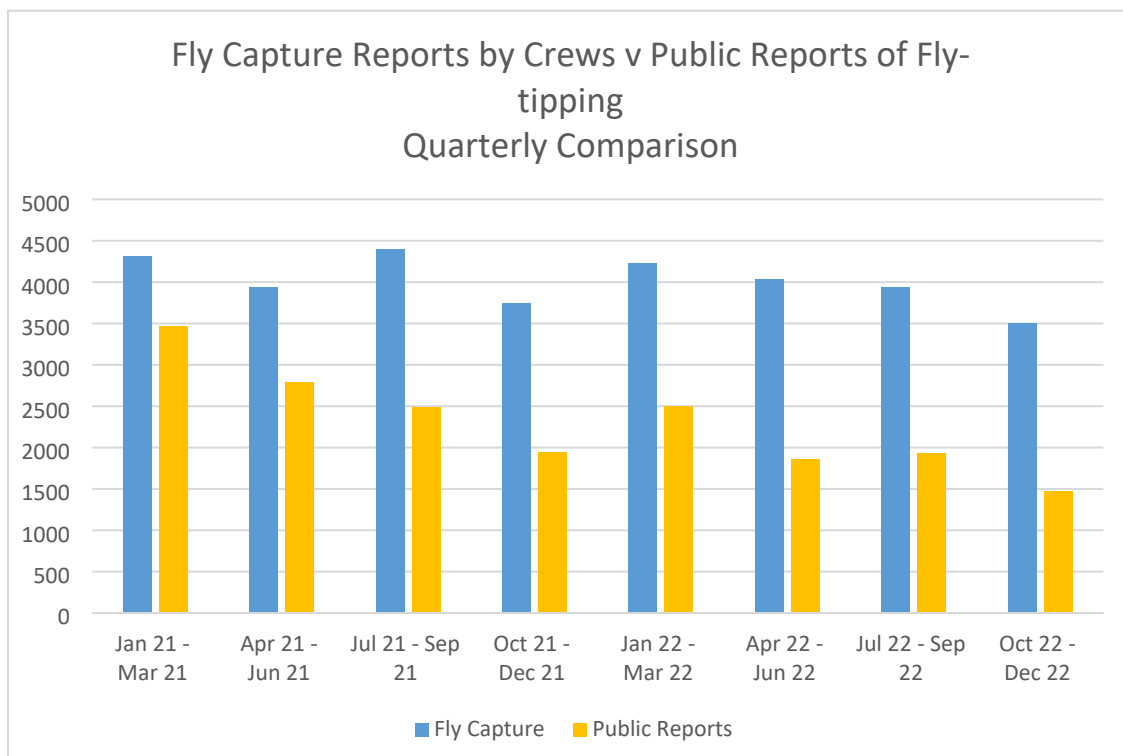
‘Fly Capture’ Data

3.50 Fly Capture was the name for the statutory data-capture process for fly-tipping under the historic National Indicators. Whilst the name and the National Indicators have gone, the requirement for the same data to be captured has remained under the Anti-Social Behaviour Crime and Policing Act 2014; this data is reported online to the Environment Agency and each year DEFRA publishes a national data set.

3.51 Fly Capture data simply classifies all fly-tips by its size, main waste type and its land-type; it doesn’t break down geographically any lower than the name of the local authority. This data allows for comparisons between regions and local authorities.

3.52 Fly Capture returns will always be higher than the number reported by the public because this figure will include all those fly-tips discovered by crews whilst on their daily routes as well as those reported by the public.

3.53 The graph below compares the quarterly return for Fly Capture data compared to the quarterly total for publicly reported fly-tipping. Both sets of data show a downwards trend over the last four quarters, indicating that even taking in to account any issue with reduced online-reporting, there is a reduction in fly-tipping incidents over this period.



3.54 When comparing Bradford MDC to other local authorities it is important not to look at the total incidents published, and use the rate per 1000 people; as the district is one of the most populous in the country, the district would expect to have one of the

highest incident totals. By using the number of incidents per 1000 people it is possible to establish a more useful table to act as a comparator between the 308 local authorities included in DEFRA's annual report.

- 3.55 It must be stressed that this table shouldn't be seen as a 'performance' league table as there are many contributory factors, such as housing types, rental versus house-ownership levels, car ownership levels, population density, deprivation etc. Out of the 308 authorities in the data-set, the 12 authorities with the highest rate of incidents per 1000 people are all urban London authorities, whilst 11 of the 12 authorities with the lowest levels of fly-tipping are rural ones. The table is useful however, as it provides some context as to the scale of the problem within local authorities when compared to other authorities that may have similar issues and composition.
- 3.56 In 2021/22 Bradford MDC had 29.77 incidents per 1000 people down from 33.20 in 2020/21. Bradford MDC rate was the 37th highest rate per 1000 people in 2021/22 which is down from 36th in 202/21. The data for the 50 local authorities with the highest rates of fly-tipping can be seen in Appendix 1.
- 3.57 Within the Yorkshire & Humber region, Bradford MDC had the highest rate of fly-tipping incidents per 1000 people in 2021/22. It is important to note though that the return for Leeds only includes public-reported fly-tipping; if Bradford only used public-reported fly-tipping its rate per 1000 people would be 17.7 compared to Leeds's rate of 17.0, suggesting a similar level of fly-tipping is being experienced by these two neighbouring authorities.

Local Authority	Incidents p/1000 people 2021/22
Bradford	29.8
Sheffield	22.3
Rotherham	18.9
Barnsley	18.6
Leeds**	17.0
Kingston upon Hull, City of	16.2
North East Lincolnshire	15.2
Kirklees	14.9
Doncaster	11.9
Wakefield	10.9
Scarborough	10.9
North Lincolnshire**	8.7
York	8.2
Calderdale	8.1
Selby	7.2
Richmondshire	5.7
Hambleton	5.1
Harrogate	3.5
East Riding of Yorkshire	3.3
Craven	2.1
Ryedale	1.1

*** Two authorities have not included all fly-tipping in their return so their rate p/1000 will be higher than stated*

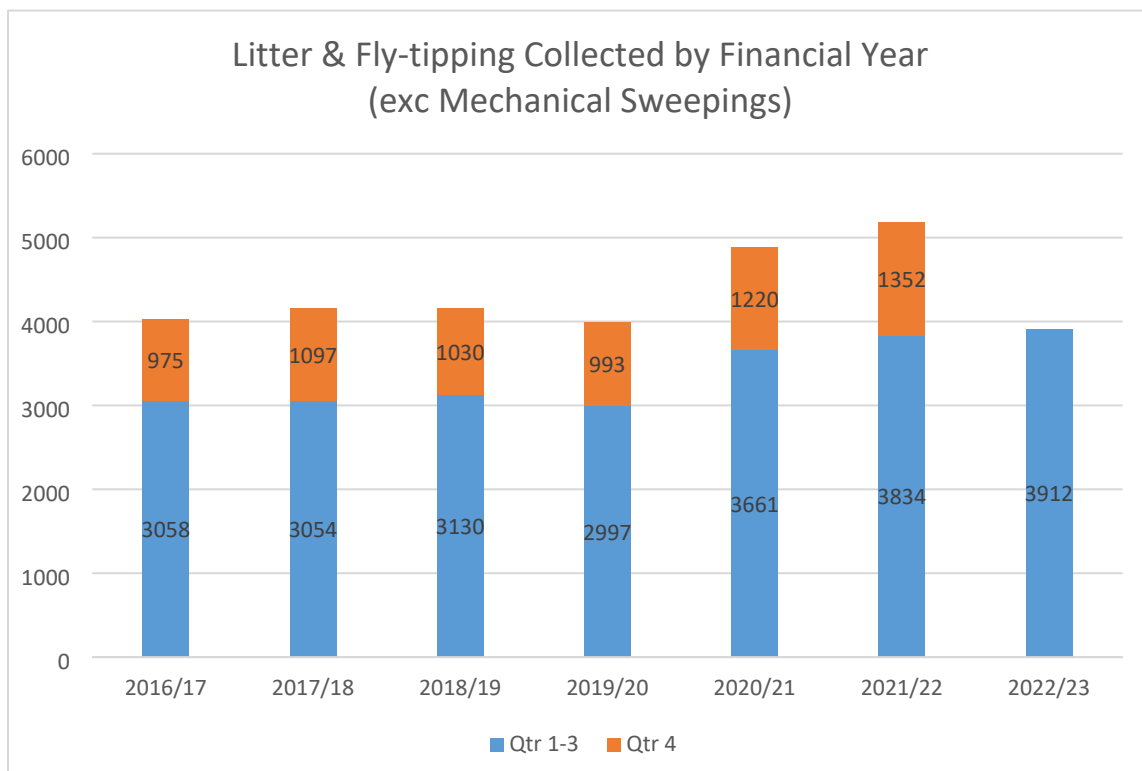
3.58 The table below shows that the Bradford district has experienced a similar proportional reduction to the region as a whole; the national reduction stated by DEFRA was 4%.

	Fly-tipping Incidents		Reduction	% Reduction
	2020/21	2021/22		
Yorkshire & Humber	180,110	163,904	16,206	9.0%
Bradford MDC	18,001	16,285	1,716	9.5%

Tonnage of Waste Collected

3.59 As litter and fly-tipping are collected co-mingled using the same vehicles it isn't possible to identify an accurate tonnage for fly-tipped waste; however, by looking at the total of all waste excluding mechanical sweeping it is possible to see if there are any significant changes in waste being collected that might support other data on fly-tipping.

3.60 The table below shows that the tonnages being collected by street cleansing are similar to last two years after three financial quarters.



New Regulations about Persistent Organic Pollutants

- 3.61 As of 1st January 2023 The Environment Agency announced that upholstered items cannot be disposed of mixed with other waste types. The reason for this is that they may contain Persistent Organic Pollutants (POP's). These chemicals do not breakdown in the natural environment and can find their way in to the food chain. POP's pose several different types of health risk to all animal and human life and their use has been banned under the The Persistent Organic Pollutants Regulations 2007.
- 3.62 Common items that are affected by the new regulations are:
- Sofa beds / sofas / armchairs
 - Upholstered headboards
 - Bean bags / cushions
 - Futons
 - Upholstered dining or office chairs etc
- 3.63 These items need to be destroyed in specific ways that ensures no particles escape and everything is burnt to ensure complete destruction. This means the disposal cost of such materials is likely to double.
- 3.64 These new rules also impact upon the collection of items too as these items cannot be damaged as part of their collection, and if they are already damaged they cannot be transported with any other waste materials. The impact on any services that collect waste are:
- a compaction vehicle (bin wagon) cannot be used to collect them
 - a transit must be used and utmost care taken not to damage these items during transit to the disposal site, meaning less efficient loads
 - if the items are already damaged at the point of collection, then the upholstered items must be transported with no other waste types on board i.e. an independent extra trip to the disposal site
- 3.65 It is too early to accurately assess the full impact of these changes and some early sampling suggested that around 11% of fly-tips reported to the council may contain items that fall under the POP's regulations, though some clean teams estimated that 30% of their fly tips could be affected by these changes which could see a lot of extra journeys resulting in reduced productivity for litter-picking as well as fly-tipping response times.
- 3.66 The main fly-tipping collection team, handling approximately 80% of the fly-tipping reports across the district, uses a compaction vehicle allowing the team to reduce travel-time and maximise productivity. Compaction vehicles are particularly useful for handling large items such as sofas and armchairs. Due to the new regulations it now means that when the compaction vehicle attends any fly tip that contains any upholstered items, it can take all other waste items but must leave the upholstered items behind and request a transit to attend the same site to collect these remaining items.

- 3.67 Some members of public who observe the above behaviour, and being unaware of the regulations. may feel the council is being inefficient and complain; to help manage this perception briefing notes have been sent to Customer Services and each Area Constituency office.
- 3.68 Extra trips for Clean Teams directly reduces the time they can spend on their normal cleansing duties and the concern is that this may start to impact on overall cleanliness standards.
- 3.69 Another possible impact of the regulations is dependent on how commercial firms adapt to the changes; currently customers buying new furniture from most retailers have the option to pay to have the old items taken away at the same time as the delivery of the new items. There is a risk that by passing the increased disposal costs to customers, some less scrupulous people may feel inclined to fly-tip these items.
- 3.70 Another risk to increased fly-tipping may materialise as the council proceeds with changes to the Bulk Collection Service in order to accommodate the new regulations. The current service operates by utilising the efficiency of a compaction vehicle to crush waste and minimise time spent traveling to tip-off. Any replacement service has to use a less efficient method of collection meaning that there will be an increased cost and longer lead-time for collection. These are issues that may create further pressure on street cleansing, subject to people's behaviours, though these changes are unavoidable to ensure compliance with the regulations.
- 3.71 Currently sites at some of our neighbouring authorities are not ready to receive upholstered items unlike our own sites here in Bradford; this may see some localised fly-tipping around border areas if people are being turned away from sites within these neighbouring authorities and less scrupulous people chose to dump these items illegally.
- 3.72 The street cleansing service will keep monitoring the issue both here within the district and nationally.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 This report is a briefing on levels of fly tipping and enforcement within the district at the present time. The overall Environmental Enforcement budget is £623k and includes the cost of fly tipping and enforcement. A one off investment of £200k from the Environmental Task Force funding was allocated to Environmental Enforcement to further support the work of the team, this will be fully utilised by 31st March 2023. Furthermore, a capital scheme totalling £300k has enabled the service to proactively target fly-tipping and littering hotspots through the use of CCTV.
- 4.2 The introduction of the new restrictions on collecting and disposing of items that may contain POP's will have an impact on not only council bulk collections, household waste sites but also on private commercial services such as skips and other removal services. There is a risk of increased levels of fly-tipping for these

particular items, as well as the increased difficulty in collecting these items by the fly-tipping removal service.

- 4.3 Whilst this change can be borne by the service, without increased resources it is likely to see a reduction in productivity and therefore an increase in the time taken to attend fly-tipping incidents and potentially reduce overall productivity from cleansing teams.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

None specific

6. LEGAL APPRAISAL

None specific

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

The new rules around collection and disposal of items potentially containing POP's have been introduced to minimise the risk of harmful substances working their way in to the food chain.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

It is highly likely that there will be an increased carbon footprint for the service operating with the new regulations around POP's in place, requiring separate or extra collections for a range of commonly fly-tipped items. Some early estimates suggest that 11%-30% of fly tips contain items that cannot be compacted and will need a separate collection.

7.3 COMMUNITY SAFETY IMPLICATIONS

None specific

7.4 HUMAN RIGHTS ACT

None specific

7.5 TRADE UNION

None specific

7.6 WARD IMPLICATIONS

None specific

7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS

(for reports to Area Committees only)

None specific

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

None specific

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None specific

8. NOT FOR PUBLICATION DOCUMENTS

None specific

9. OPTIONS

This report is providing an update on the subject of fly-tipping and there are currently no required decisions to be presented to members.

10. RECOMMENDATIONS

That the report be noted and that a further update be provided in 12 months' time.

11. APPENDICES

- 11.1 Appendix 1 - Fly-tipping incidents p/1000 people - Top 50 Authorities based on 2021/22 data released by DEFRA

12. BACKGROUND DOCUMENTS

- 12.1 Fly-tipping statistics for England, 2021 to 2022 - GOV.UK

<https://www.gov.uk/government/statistics/fly-tipping-in-england/fly-tipping-statistics-for-england-2021-to-2022#impact-of-coronavirus-covid-19-on-fly-tipping>

Appendix 1 - Fly-tipping incidents p/1000 people - Top 50 Authorities based on 2021/22 data released by DEFRA

Local Authority	Incidents p/1000 people
City of London	289.7
Camden	154.6
Hounslow	116.7
Hammersmith and Fulham	109.3
Brent	105.7
Lewisham	98.4
Westminster	91.4
Merton	82.3
Haringey	75.9
Newham**	73.8
Southwark	73.6
Croydon	68.3
Redcar and Cleveland	63.1
Kensington and Chelsea	59.5
Newcastle-upon-Tyne	58.1
Pendle	52.2
Boston	49.8
Reigate and Banstead	49.3
South Tyneside	42.9
Nottingham	42.6
Peterborough	41.5
Southampton	40.4
Liverpool	39.2
West Northamptonshire	38.3
Harrow	37.6
Stevenage	36.1
Sunderland	35.3
Waltham Forest**	35.3
Sandwell	33.8
Ealing**	33.6
Norwich	33.6
Welwyn Hatfield	31.1
Hyndburn	30.8
Barrow-in-Furness	30.5
Greenwich	30.0
Bradford	29.8
Gateshead	28.8
Blackburn with Darwen	28.3
Lincoln**	28.1
Rochdale	27.9
Luton	27.8
Burnley**	27.5
Darlington	27.4
Dartford	26.4
Lancaster	26.3
Tower Hamlets	26.3
Kingston upon Thames	26.0
Blackpool	25.7
Manchester**	25.5
Coventry	24.7

**** Five authorities have not included all fly-tipping in their return so their rate p/1000 will be higher than stated**

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Report of the Strategic Directors of Health and Wellbeing, Children's Services and Place to the meeting of the Regeneration and Environment Committee to be held on 21st March 2023

AC

Subject:

Active Travel; School Streets and Play Streets

Summary statement:

This report provides an update on School Streets projects and the development of a Play Streets approach within the Bradford district.

EQUALITY & DIVERSITY:

The School Streets scheme is intended to improve the safety and quality of the streets around pilot schools in several areas of Bradford district and is intended to have a positive impact on local residents, parents and school pupils from several protected characteristics groups, dependent on the make-up of the local population.

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Portfolio/s:
Healthy People and Places
Cllr Sarah Ferriby
Regeneration and Planning and Sport
Cllr Alex Ross-Shaw
Children and Families
Cllr Imran Khan

Overview & Scrutiny Area:
Health and Social Care
Regeneration and Environment
Children's services

1. SUMMARY

- 1.1 This report provides an update on School Streets and Play Streets projects within the Bradford district following a paper received at Committee on 22nd March 2022.

2. BACKGROUND

- 2.1 At a Council meeting on 16 July 2019, a motion on school parking issues was heard, and it was resolved that:

- i) The Active Places group progress work to support the delivery of Play Streets, School Streets and active travel wherever possible.
- ii) The Active Places group work with partners, such as Better Start Bradford and the Sport England local delivery pilot, to ensure a joined-up approach which has local communities at its heart and to ensure the most efficient use of resources.
- iii) Officers develop an action plan under the authority of the portfolio holder and submit the action plan to the relevant Overview and Scrutiny committees (Health and Social Care, and Regeneration and Environment)

- 2.2 A report was brought to the Regeneration and Environment Overview and Scrutiny Committee in December 2020, detailing proposals for the scheme. At the meeting it was resolved: *That a further report to be presented to the Committee on completion of the pilot schemes to give details of the delivery, experiences of the schools and community and realisation of the outcomes and provide details of a Play Streets Policy.*

- 2.3 A subsequent report was brought to the same Committee in March 2022, where it was resolved: *That a further update on School Streets projects, to include information on the development of a Play Streets policy, be added to the Committee's 2022/23 programme of work.*

- 2.4 Physical activity not only improves physical and mental health, but it also leads to social, economic and environmental benefits. Born in Bradford (BiB) data has shown that 77% of 5-11 year-olds in the cohort study don't do the recommended 60 minutes of moderate-to-vigorous activity each day, while the local Public Health England National Child Measurement Programme shows 41.5% of children in the District in 2021/22 left primary school overweight or obese, compared to the England average of 47.8%. Overweight and obesity among children has continued to rise across both the District and the country since the last official publication of data from before the Covid-19 pandemic halted the collection of this data.

- 2.5 The local whole systems approach to reducing obesity (including physical inactivity as a core element) began in late 2017 as part of the delivery of the Healthy Bradford Plan (now Living Well). Initiating the whole systems process included bringing together partners from across the system to map the root causes of inactivity and unbalanced diets, and an action plan. A new Children and Families Living Well weight management service launched in autumn 2022. This is an innovative District wide service that offers telephone support to families when they receive a results letter

from the National Child Measurement Programme. The service is run by a dietician and mental health nurse who offer expertise and leadership. Staff help families to make sustainable behaviour changes in key areas such as enjoying physical activity, healthy eating behaviours and good sleep routines to support children to grow into their weight in a healthy way.

- 2.6 The places where we live, learn, work and socialise have an integral role to play in promoting physical activity. This includes creating highly connected communities so that active travel is the easy option, as well as creating places where people want to go to engage in play and other activities for leisure.

School Streets – Tranche 1 pilot schools

- 2.7 The streets around schools, and especially primary schools, are often congested at the beginning and the end of the school day, with parents and carers dropping off and collecting children. Not only does this prevent those children being driven from walking or using more active modes of travel, it increases pollution on those streets, and creates a more dangerous environment with respect to road safety. School Streets are an attempt to change behaviour by making people think about how they travel to and from school, choose an alternative mode of travel for at least part of the journey, and to dissipate the congestion directly outside a school.
- 2.8 A School Street is a street around a school that is closed temporarily to vehicles at drop-off and pick-up time, with only pedestrians, cyclists and those vehicles with exemptions (e.g. local residents/businesses) being able to use the roads at these times. 11 schools were initially chosen for the School Streets programme (referred to as Tranche 1 pilot schools). Unfortunately, two schools withdrew from the pilot. Following consultation with schools, residents, and other stakeholders, a final total of 9 schools therefore began the pilot in June 2021.
- 2.9 Experimental Traffic Regulation Orders for the pilot Schools Streets were promoted and the closures came into force on 28 June 2021 at the 9 pilot sites. Operational times vary to coincide with the individual school's start and finish time. Residents within the extents of the School Street areas are provided permits to allow exit and access during these times; there are also other exemptions including for deliveries and pupils with mobility issues for example. The area covered by each scheme is indicated by temporary signs at the entry points; wherever possible these are backed by provision of traffic cones and temporary 'road closed' signs to put across the road.
- 2.10 Feedback from other local authority areas highlighted that even when School Street schemes are working well, they are unlikely to achieve close to 100% compliance as many people have legitimate reasons for needing to drive at least part of the school journey. For instance, in the London Borough of Hackney, one scheme resulted in "the number of students travelling by car decreasing by 45%", whilst "cycling to school increased by 60%"¹. This can be hard for schools to manage as the Council does not have capacity for regular site presence. Instances of non-compliance also make it difficult for staff to manage and can feel unjust to parents who are complying, making it hard for them to remain motivated, and risk

¹ Hackney Council: <https://hackney.gov.uk/school-streets>

undermining the scheme. A detailed evidence review of the potential impact of School Streets was included as part of the December 2020 report provided to this Committee.

- 2.11 In general, feedback from parents and schools about the start of the schemes in summer 2020, and observation of the restart of the schemes at the start of the September 2020 term was initially positive. The majority of parents appeared to comply with the scheme, either by walking to school or parking outside the zone and walking the last bit of the journey. However, at some schools the road layout has meant that even a small number of non-compliant cars created problems. Over the course of the first 6 months, feedback from school staff collated during site visits has been mixed.
- 2.12 Officers have maintained contact with the pilot School Street schools at various stages of the 18-month experimental period, including site visits and virtual workshops with Head Teachers and key school staff involved in the scheme. Council officers have been working alongside schools to find and implement improvements where issues have been raised. Table 1 summarises the main challenges and issues raised, and the proposed solutions which have been offered to participating schools.
- 2.13 Following feedback from schools, a School Streets toolkit has been developed to support the implementation and maintenance of School Streets. This includes guidance, a memorandum of understanding, Frequently Asked Questions and answers, and sample messaging that schools can send out to parents and the local community to explain and maintain support for the schemes. It also includes a site plan individualised for each planned School Street. See Table 1 below.

Table 1: Pilot School Street issues and solutions in development

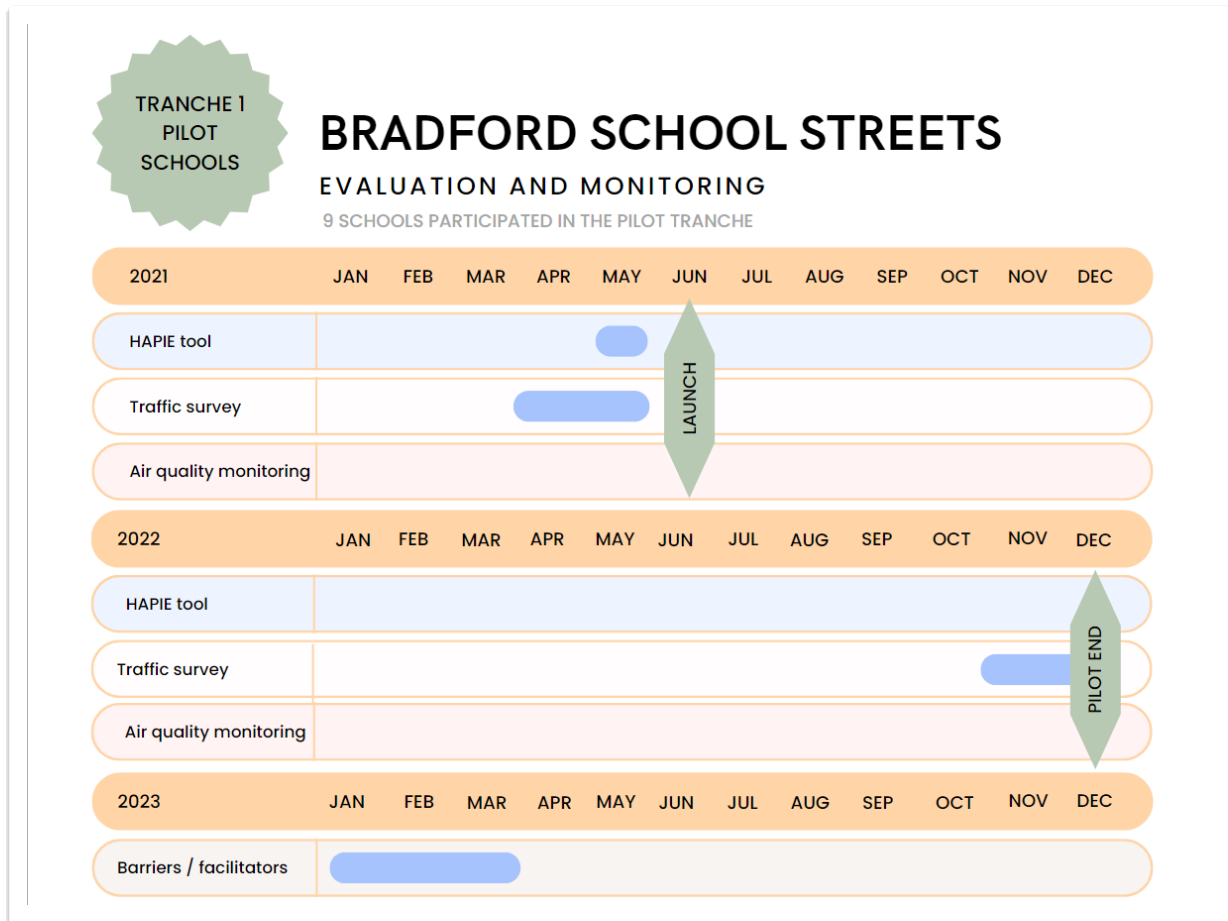
School Street issues raised	Proposed solutions
<p>Signage and storage</p> <ul style="list-style-type: none"> • Road signs for the pilot schemes were placed on existing lamp and other posts to reduce costs. Where the location was not quite right this could lead to inappropriate parking and build-up of cars at the edge of the scheme, or the boundary being further away than needed and therefore harder for the school to oversee. • Portable road closure signs and cones heavy/ cumbersome for school staff to move. • Poor quality temporary signage, was easily damaged/vandalised/and deteriorated rapidly. This undermined the validity of the scheme. 	<ol style="list-style-type: none"> 1. Review and adjust timings and boundaries with the schools as pilot schemes were made permanent, and for the next round of schemes. 2. Provide lighter, easier-to-carry road closure signs/cones, Hi-Viz jackets. 3. Provide permanent road signs, placed from the start in bespoke locations using dedicated posts for School Street signs,

<p>Limited awareness and understanding of the scheme More and earlier engagement/promotion of the scheme required for:</p> <ul style="list-style-type: none"> • school community eg children and parents, staff, governors • local community, - residents and local organisations • businesses, taxi companies, • other local schools, colleges, organisations potentially generating significant through-traffic at the time of the restrictions. • residents, local councillors, MPs, faith communities 	<ol style="list-style-type: none"> 1. Toolkit including: description & explanation of the scheme, its purpose, needs, operation; Memorandum of Understanding between Council and School, draft communications for schools to adapt and use with the school community - all in one place 2. Enhanced communication materials and support to help promote the scheme: <ul style="list-style-type: none"> • Assemblies to raise awareness with pupils and families • Road Safety Team supports the scheme, offering their service. • Council webpage • Information for the school website e.g. timings, maps/aerial view of scheme • Provide school-parent comms to send as texts eg class by class - allowing parents to use Google Translate functions
<p>Road and staff safety when marshalling the scheme</p> <ul style="list-style-type: none"> • Dangerous and speeding vehicles around the school • Personal safety concerns when marshalling or re-directing traffic • Dealing with confrontation and potential conflict when marshalling or re-directing traffic • Having a School Street Staff Operative/Volunteer to help marshal the scheme • Reported lack of response from parents/volunteers to support marshalling the scheme 	<ol style="list-style-type: none"> 1. Encourage logging and reporting of dangerous driving 2. Re-develop and provide on-site training offer 3. Discussions with police to explore w options for enforcement 4. Greater involvement of traffic wardens and neighbourhood officers to support the schemes 5. Raise awareness/provide clarity over expectation: Requirement of a visible presence from a known member of the community or school, see Memorandum of Understanding.
<p>Encouraging and enabling walking, cycling, scooting Support with encouraging walking, cycling, scooting and reducing car travel to school</p>	<ol style="list-style-type: none"> 1. Discussion with schools to identify potential park and stride sites 2. Link schools to Active Travel offers/schemes 3. Log and provide minor infrastructure changes that promote safe walking e.g. pavement-side barriers 4. Explore potential safe drop-off/pick up points close to schools.

2.14 Local evaluation of School Streets has been ongoing, as a collaboration between council officers plus Act Early (a research group, based across both Bradford and University College London, are evaluating the impact and reception of School Streets). Evaluation and monitoring of the pilot schools has included:

- **Health And Place Intervention Evaluation (HAPIE) tool** – the Act Early team piloted this survey tool which included a standard measure of wellbeing, physical activity, play and street perception. Due to delays in the academic ethical approval process, and the need to launch school streets as early as possible before the Summer holidays, there wasn't as much time as would have been ideal to circulate the surveys. Despite this the baseline survey received 135 child responses and almost 70 parent responses. This tool will be repeated for any new school launching School Streets, allowing comparison of how people travel to school and outcomes before and after scheme implementation.
- **Traffic Surveys** - the Highways team undertook traffic counts close to the schools to gather baseline, pre-intervention data of the school journey. Follow-up traffic counts were undertaken in December 2022.
- **Air Quality Monitoring** – unfortunately it was not possible to organise air quality monitoring outside identified School Streets prior to launching; therefore, this form of evaluation was postponed to Tranche 2 schools.
- **Barriers / Facilitators** - Act Early have contacted all schools who participated in the pilot to invite them to participate in in-depth interviews to generate qualitative insight into barriers and facilitators regarding implementation of the scheme.

Figure 1: Evaluation and monitoring of Tranche 1 pilot School Streets in Bradford District



- 2.15 Preliminary results from Tranche 1 Pilot Schools are outlined below.
- 2.16 The **Health And Place Intervention Evaluation (HAPIE) tool** was conducted prior to Tranche 1 Pilot Schools launching, and reported adults were concerned about safety on the School Street and surrounding areas. In contrast, the children mainly felt safe. Regarding air quality, adults seem to be split / neutral / have less strong feelings around air pollution. Whereas air pollution seemed more of a concern for the children than road safety.
- 2.17 **Traffic surveys** were carried out prior to first implementation of the School Streets in June 2021. These were repeated in December 2022. A summary of key figures is provided in Table 1. With the exception of 2 sites all showed a reduction in the number of cars entering the School Street area at school start and finish times, and this was despite some of the School Streets not being retained on a permanent basis by the time of the 'after' surveys. It should be noted that scheme extents have been modified at 3 of the 4 sites that have been converted to permanent schemes; this will have a significant positive impact on compliance. For example, it is evident from a recent site visit to a primary school, that the % reduction figure is likely to be much higher than indicated by the survey results.

Table 1: Summary of the percentage change of cars entering School Street zones at school start and finish times, comparing June 2021 and December 2022.

School Street location	% change
BD3, Undercliffe	-16%
BD5, Bowling	-20%
BD2, Bolton	-5%
School 1 BD18, Shipley	-30%
School 2 BD18, Shipley	-77%
BD5, Wibsey	16%
BD4, Bierley	-26%
BD15, Allerton	85%
BD8, Girdlington	-52%

- 2.18 **Qualitative Interviews to identify implementation barriers and facilitators** with Tranche 1 Pilot Schools were being undertaken by Sophie Arthurs-Hartnett, PhD candidate, ActEarly. This research identified the primary motivation to participate in School Streets was to improve road safety for children. For example:

"We walk to school so the parking is not an issue for us in general but the roads around school are definitely crazy at school times it would be beneficial to reduce the amount of traffic around school including unsafe parking and driving" Parent/Guardian

"...when I heard that they were bringing in the school streets. I was over the moon, ecstatic. I was like I'm not going to have to worry that I'm going to come home from school with one fewer child then I took in because that, that is how dangerous it is. I think. And I'm sure you'd all agree. It is not outside the realms of possibility that a child will get killed outside those school gates." Parent/Guardian

- 2.19 Concerns were raised regarding the long-term resourcing of the scheme, particularly in marshalling the road closure:

"So when they did the pilot scheme, which was the end of the school year last year, they had volunteers at the end of the road that were checking for residential parking permits so that you could enter the street and that was really beneficial, because as soon as they disappeared, it just went straight back to normal and the amount of accidents that happened on [...] Road because people park so tightly... it's quite dangerous because there are a lot of kids that come that way" Parent/Guardian

"I think it's really challenging to do that being led by the school if you want to try to maintain good relationships with the parents. So, when the PCSO's have been around, that has been better for us because they've kind of taken the lead and they've issued tickets, and that helps, behaviour does improve but it only improves for a few days. If they were regularly there, then it would be consistent...But we've got no jurisdiction at all as to where our parents choose to park and there's nothing we can do about that other than advise and that's been the same from day one. All we can do is advise and this is what we have consistently attempted to do." School staff member

- 2.20 Of the original 9 schools that formed the pilot scheme, 4 have now become permanent School Streets sites. These School Streets will receive permanent signage and have a soft relaunch. 3 of the schools have had modifications to the extent of the scheme, and timings, which we anticipate will support better compliance. At school sites where the scheme has not been retained, officers across a number of teams (including Highways, Road Safety, Public Health and Neighbourhoods) are continuing to work with the schools to explore alternative interventions to improve road safety and reduce pollution for the school communities.

School Streets – Tranche 2 schools and control schools

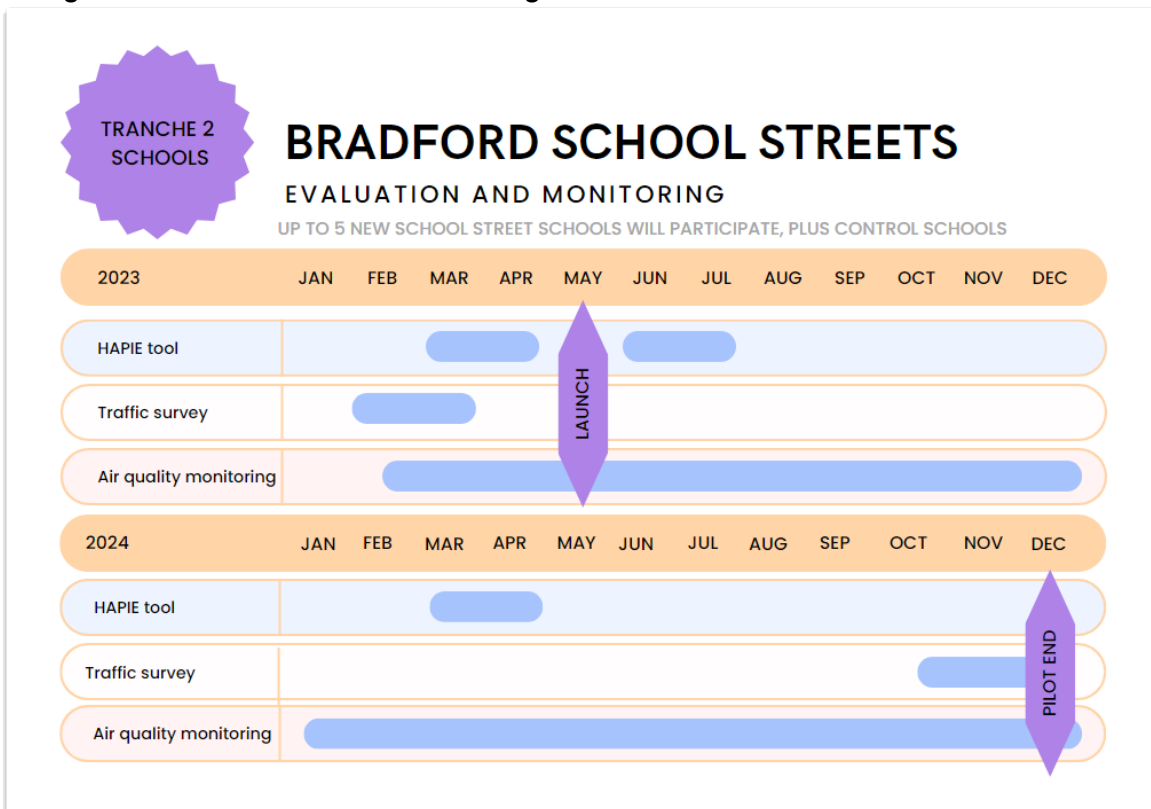
- 2.21 The Council has been awarded funding from the Government's Active Travel Fund to promote and install a minimum of 5 further School Streets. The Highways team have used the original criteria (outlined in 2.9) to shortlist schools where a School Street may be possible and could show an impact on the intended outcomes. It is anticipated Tranche 2 School Street sites will be confirmed early Spring 2023.
- 2.22 Lessons learnt from the Tranche 1 pilot schools have been integrated into the process for the Tranche 2 schools. For example, all School Street sites will be provided with permanent signage from the offset, and the new Toolkit (see 2.13) which was developed following feedback from pilot schools, has been shared to all prospective schools to help them better understand the scheme, what is expected of schools, and what support is available. Council officers have been liaising with prospective schools through a virtual workshop with school staff and site visits.
- 2.23 As part of the evaluation and monitoring for Tranche 2, control schools will be identified. Having matched-controls will allow us to be confident that any results are likely to be due to the School Street intervention, rather than other confounding variables. These control schools will closely match the Tranche 2 confirmed School Street schools by ethnicity, proportion of Free School Meals (proxy for financial

security), and pollution or proximity to a main road.

2.24 Figure 2 provides an overview of how the Tranche 2 School Streets are planned to be evaluated. Plans to evaluate and monitor Tranche 2 include:

- **Health And Place Intervention Evaluation (HAPIE) tool** – the Act Early team will ask parents and children to complete this survey before the Tranche 2 School Streets launch, and two follow-up periods, to measure changes in self-reported travel modes and perceptions of the School Streets both immediately post-implementation and in the longer term. Surveys will be completed at our Tranche 2 School Streets and control schools.
- **Traffic Surveys** - the Highways team will conduct traffic counts at both the Tranche 2 School Streets and control schools, both pre and post Tranche 2 School Streets launching.
- **Air Quality Monitoring** – the Air Quality team have sourced diffusion tubes to be used at both Tranche 2 School Street sites and control schools; these will provide a general measure of air quality over time. The Air Quality team have also acquired some real-time air pollution monitors, and are planning to install these outside at least one Tranche 2 School Street site and one control school, for comparison.

Figure 2: Evaluation and monitoring of Tranche 2 School Streets in Bradford District



Play Streets

- 2.25 Play Streets are low-cost, neighbour-led short road closures, creating a safe space for children to play freely together on their doorstep. There are over 90 Play Streets policies in place across the UK which have resulted in more than 1100 Play Out sessions over the last ten years. Benefits of implementing Play Streets include enabling connections between neighbours (Stenning, 2020), improving children's health and wellbeing through free play (Ferguson, 2019) resulting in meaningful health and social benefits at scale (Page et al, 2017). However, research has highlighted that more deprived areas are less likely to apply for Play Streets (Page et al, 2017) therefore to ensure equity of the opportunity to benefit from Play Streets, targeted support should be considered.
- 2.26 During the height of the COVID-19 pandemic, some Local Authorities enabled and encouraged Play Streets as a way to create more space for social distancing and have continued to support Play Streets initiatives. However, across Bradford district, changing levels of restrictions and uncertainty about new waves of infection meant that the Council had not been able to pursue the Play Streets scheme.
- 2.27 Play Streets are classed as an event on the highway that requires a mandatory legal road closure order under S.16A of the Road Traffic Regulation Act 1984. Road closures need to be coordinated with other events on the highway network and as such require an advance notification period.
- 2.28 For the purposes of Play Streets, only 'U' Roads (unclassified roads used by residents to access / egress properties, these form around 60% of the districts' road network) will be considered, as these carry the least amount of traffic and are likely to cause less disruption to traffic movements.
- 2.29 In December 2022 a local multi-partnership working group was established to review progress to date, and work towards establishing Play Streets in the district. The group have received advice and guidance from Playing Out CIC (national organisation who help support Play Streets become established) and Leeds City Council officers who have an established Play Streets policy, process and website.
- 2.30 A draft council Play Streets policy has been drawn-up and is being considered across relevant council departments. It is modelled on the Playing Out CIC approach, adopted in many other local authority areas, which includes the intention for Play Street applications to be free of charge for residents. Once the policy and process for Play Streets has been agreed internally, the working group are looking to test the approach in communities where Play Streets would complement on-going initiatives for children and young people.

3. OTHER CONSIDERATIONS

- 3.2 The project team is working with the Road Safety team to integrate the no-idling campaign messages with other road safety messages delivered to primary schools, parents, carers and children by the Road Safety team. This should reinvigorate the issue, and help to ensure consistency of messaging. Once this has been reviewed we will aim to re-launch the campaign with schools and provide new, subsidised banners that incorporate air quality, road safety and walk to school messaging.

4. FINANCIAL & RESOURCE APPRAISAL

4.1 The government provided allocations to local transport authorities from an Emergency Active Travel Fund (EATF). This was emergency grant funding which supported local transport authorities with producing cycling and walking facilities, the funding is in separate tranches.

- Tranche1 supported the installation of temporary projects for the COVID-19 pandemic
- Tranche 2 (and subsequent Tranches) will allow the creation of longer term projects

4.2 As part of Bradford's Active Travel Fund(ATF) Tranche 2 funding award, a budget of £66,000 was allocated for School Streets. This allocation was approved by the Strategic Director – Place and Portfolio Holder for Regeneration, Planning & Transport.

4.3 The initial pilot scheme has been promoted and delivered within the Active Travel budget.

4.4 The Council's ATF Tranche 3 allocation includes a budget of £70,000 for an extension to the current cohort of School Streets. The expectation is that this will deliver a minimum of 5 further schemes.

4.5 There is no currently no identified external funding for Play Streets. Final development of the Play Streets operational model will determine if the costs required to launch and support the implementation and safety of Play Streets can be covered within existing resources or through relevant partners within the district.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

5.1 There is a multi-agency School Streets group and a multi-agency Play Streets group which meet regularly. Governance is established through the Bradford district Physical Activity strategy (launched in 2022) and steering group, this also covers Active Travel, and reports updates to the Living Well steering group.

5.3 As with any action undertaken on the highway, there are risks involved, both to road users (be they pedestrians, cyclists or vehicle owners) and to the organisers of the closure. Whilst the Council can advise on the best method to employ to close a particular street, and issue the relevant legal Order to facilitate such a closure for play purposes, the overall responsibility for the safety of all parties involved would be the responsibility of the organiser.

6. LEGAL APPRAISAL

Public Health

6.1 Public health has a responsibility to support and enhance the population's health and wellbeing. School streets will enhance wellbeing for children and families and

contribute to all four of the Overarching Indicators of Public Health - Wider Determinants of Health, Health Improvement, Health Protection and Healthcare and Premature Mortality.

The schemes should impact and/or be able to contribute to the following indicators:

- School readiness
- Child excess weight in 4-5 and 10-11 year olds
- Children aged 5-16 sufficiently physically active for good health
- Hospital admissions caused by unintentional and deliberate injuries for children and young people under 25
- Excess weight in adults
- Physically active and inactive adults
- Self reported well being
- Fraction of mortality attributable to particulate air pollution
- Mortality rate from causes considered preventable

Education Law

6.2 Section 508A of the Education Act 1996 places a general duty on local authorities to promote the use of sustainable travel and transport. The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority's area. The duty relates to journeys to and from institutions where education or training is delivered.

6.3 There are five main elements to the duty which local authorities must undertake:

- an assessment of the travel and transport needs of children, and young people within the authority's area;
- an audit of the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
- a strategy to develop the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;
- the promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
- the publication of Sustainable Modes of Travel Strategy.

6.4 The Act defines sustainable modes of travel as those that the local authority considers may improve the physical well-being of those who use them, the environmental well-being of all or part of the local authority's area, or a combination of the two.

6.5 Department for Education Guidance provides that Local authorities should, in large part, base their assessment of children and young people's travel and transport needs on the data provided by schools or colleges, often contained within school travel plans. Effective school travel plans, updated as necessary, put forward a package of measures to improve safety and reduce car use, backed by a partnership involving the school, education, health and transport officers from the local authority, and the police. These seek to secure benefits for both the school and the children by improving their health through active travel and reducing congestion caused by school runs, which in turn helps improve local air quality.

Many travel plans are produced as a result of planning conditions placed on new developments by local authority planning departments. This highlights the need for all relevant departments (e.g. highways departments, planning departments, transport departments, children's services, environment departments, and public health) to be fully engaged when addressing this duty.

- 6.6 Local authorities are required to publish their Sustainable Modes of Travel Strategy on their website by 31 August each year.
- 6.7 Sections 508B and 508C of the Act make provision for local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. These provisions apply to home to school travel arrangements, and vice versa. They do not relate to travel between educational institutions during the school day.
- 6.8 Parents are responsible for ensuring that their children attend school regularly. However, section 444(3B) of the Act provides that a parent will have a defence in law against a prosecution by a local authority for their child's non-attendance at school where the local authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.
- 6.9 Section 508B of the Act deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. Schedule 35B of the Act defines eligible children – those categories of children of compulsory school age (5-16) in an authority's area for whom free travel arrangements will be required.
- 6.10 The Guidance provides that creating safe walking, cycling and travel routes and encouraging more pupils to walk and cycle to school is one of the best ways to reduce the need for transport and associated costs. But an authority should also consider whether it is reasonable to expect the child's parent to accompany the child along a route which would otherwise be classified as being unsafe.

Highways

- 6.11 The Highways Scheme of Delegation document provides Highways Officers at an appropriate level to initiate Experimental TROs and S16A event orders subject to mandatory consultation with the Chair of an Area Committee and notification of Ward Members. In the case of any objections being received the matter must be reported back to Area Committee. In the case of decisions to make these orders, or convert an Experimental Order a permanent TRO an Executive Decision Sheet should be approved. An experimental Order lasts for 18 months and is subject to objections for an initial 6-month period or for a 6-month period following any amendment.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

- 7.1.1 Bradford has a range of difficult and persistent Health Inequalities; these are complex and have been highlighted during the COVID-19 pandemic. School Streets

will support more regular walking, cycling and physical activity generally which is known to have a positive impact in reducing obesity levels, for both adults and children. Additionally, it is hoped that reducing school time traffic will contribute to improving poor air quality around school street areas at drop-off and pick-up times, another detrimental factor for some of our communities.

- 7.1.2 Some of the pilot schools chosen are in areas of high deprivation and will help to support some of these communities to make lifestyle changes and free up the streets from unwanted traffic
- 7.1.3 The pilot schools have been chosen using the processes laid out in Appendix 2. This has identified the must be taken when expanding the programme not to inadvertently increase inequalities. It must also be noted that there may need to be different approaches made in some areas of the district where total road closures would impact perversely on other resident's health and wellbeing
- 7.1.4 The Equality Act 2010 requires the Local Authority to consider how its decisions and policies affect people with different protected characteristics.

7.2 SUSTAINABILITY IMPLICATIONS

- 7.2.1 Walking to school and other alternative methods for school journey are inherently more sustainable than cars. Not only does walking improve the immediate effects by limiting pollution from car emissions, it can also contribute to the reduction of future expenditure. Pollution causes damage to its surroundings, including both buildings and nature. By reducing the amount of carbon dioxide produced, fewer resources will be needed to address the impairments to the surrounding environment caused by pollution.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

- 7.3. The transport sector is responsible for 27% of greenhouse gases emissions, the most of any sector. The first few minutes when starting up and driving cars produces the highest emissions because the emissions control equipment has not yet reached its optimal operating temperature. Less pollution will also lead to lower rates of asthma and wheezing.

The Department for Transport says that it's possible to achieve a 60% carbon dioxide reduction in the UK's domestic transport sector by 2030, but only with real and early change in travel behaviour. Research suggests choosing to walk a short journey instead of travelling in a car can have significant advantages for the environment over a year. One of the best ways individuals can reduce their carbon footprint and contribute to reducing air pollution is to leave the car at home for short trips and walk instead.

7.4 COMMUNITY SAFETY IMPLICATIONS

- 7.4.1 The current situation means that there is often poor driving and parking practice outside schools when children are being dropped off and picked up. This increases the potential for conflict between pedestrians and vehicles, with children at particular risk of harm. This worries parents and communities, leads to increased

car use and reluctance to let older children walk to school. It ~~and~~ causes concerns for the immediate community in terms of accessing their homes and environment. Reducing and/or stopping traffic at school dropoff and pickup times will significantly reduce the potential for conflict and also increase local residents' perceptions of safety. It may support better and more constructive relationships with schools too.

7.4.2 Reducing the number of cars on the road and parked in our streets means quieter, safer and more appealing roads, encouraging more people to walk and cycle.

7.5 HUMAN RIGHTS ACT

7.5.1 The Human Rights Act 1998 sets out the following rights;

- Right to life and prohibition from the deprivation of life
- The right to respect for private and a family life
- The right to personal liberty
- Freedom from torture and degrading treatment/punishment
- Freedom from slavery and forced labour is prohibited
- Right to a fair trial

The implementation of the School Streets pilot will indirectly support the right to respect for private and a family life which due to the impact of school traffic is currently curtailed during school drop off and pick up times.

7.6 TRADE UNION

7.6.1 The aim of the scheme is to improve road safety, air quality and wellbeing and to reduce disputes over parking and safety issues during the start and end of the school day. It is hoped that the schemes also improve working conditions for school Page14 staff and local residents at these times.

7.7 WARD IMPLICATIONS

7.7.1 The current position whereby schools and neighbourhoods are often inundated with traffic during schools pick up and drop off times has been a continuing difficulty for the 5 area offices. Staff such as the Ward Officers and Council Wardens have been abused and/or berated for trying to support schools to manage problematic behaviour from parents and guardians. Additionally, the schools themselves have attempted to manage traffic and experienced similar behaviour and abuse. The pilot is designed to look at this and it is expected that lessons will be forthcoming from it in order to support potential continued roll out.

7.7.2 Ward Councillors have been formally consulted during the scheme promotion process.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

7.8.1 The role of local authorities and the application of corporate parenting principles are set out in section 1 of the Children and Social Work Act 2017. In order to thrive, children and young people have certain key needs that good parents generally meet. Local authorities **must** have regard to these seven needs identified in the Children and Social Work Act, when exercising their functions in relation to looked-

after-children and care leavers (relevant children and former relevant children) as follows:

- to act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- to encourage those children and young people to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and young people
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- to prepare those children and young people for adulthood and independent living.

This responsibility will remain despite the proposed arrangements for a Children's Company. Ensuring the safety and well-being of children is a requirement of all Council officers not only those whose specific job is to work with looked after children. As such, arrangements for the delivery of services should include specific terms to ensure that this important statutory role is maintained and supported.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

- 7.9.1 There is no immediate impact from a Privacy Impact Assessment as the pilots and any evaluations will not involve the use of identifiable personal data

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

- 9.1 That the Regeneration and Environment Overview and Scrutiny Committee notes the report.

- 9.2 That the Regeneration and Environment Overview and Scrutiny members may wish to discuss the issues outline in the report.

10. RECOMMENDATIONS

- 10.1 The Regeneration and Environment Overview and Scrutiny Committee notes the report

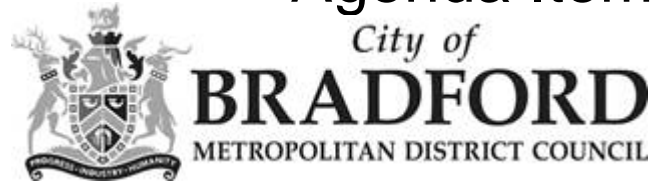
11. APPENDICES

None

12 BACKGROUND DOCUMENTS

- Active Travel Full Evidence Review

- Report to the Regeneration and Environment Overview and Scrutiny Committee
December 2020 - Active Travel - School Streets and Play Streets
- Report to the Regeneration and Environment Overview and Scrutiny Committee
March 2022 - Active Travel - School Streets and Play Streets



Report of the Strategic Director of Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 21st March 2023

AD

Subject:

Update on the work of the Housing Operations Service – Housing Standards Team and HMO Team

Summary statement:

The Housing Standards Team and Houses in Multiple Occupation Team deliver a number of statutory functions to address housing conditions across the district. This report provides an update for members on housing conditions and the work of the teams taken to address these.

EQUALITY & DIVERSITY:

Poor quality rented housing affects the most vulnerable and disadvantaged residents in the district and those with protected characteristics are disproportionately represented in the rental sector. Some of the most acute housing quality issues are within already deprived parts of the district which contain significant sized populations with Protected Characteristics. The provision of good quality affordable housing in the district has a positive impact on those groups and individuals who suffer multiple disadvantages associated with inadequate housing. Living in safe and good quality accommodation improves life chances in terms of health, employment and educational outcomes.

David Shepherd
Strategic Director of Place

**Portfolio: Regeneration, Housing, Planning
& Transport**

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Overview & Scrutiny Area:
Regen and Environment

1. SUMMARY

The Housing Standards Team and Houses in Multiple Occupation Team deliver a number of statutory functions to address housing conditions across the district. This report provides an update for members on housing conditions and the work of the teams taken to address these.

2. BACKGROUND

- 2.1 Members have been clear that the provision of quality and affordable housing is a key strategic priority and recognise the importance of a good quality private rented sector in the Council's "A place to call home, a place to thrive, Housing Strategy for the Bradford District 2020-2030".
- 2.2 Members last received an update on the work of the Housing Standards team in March 2020. This report provides an update on activity since that date.
- 2.3 The Housing Standards and HMO Teams are based within the Economy and Development service and are a statutory service responsible for inspecting property in order to ensure compliance with various pieces of housing and other legislation. The service is largely reactive, but does include some proactive work, and particularly focuses on conditions in the private rented sector, although it does perform a number of statutory functions relating to statutory nuisance and filthy and verminous premises across all tenures.

The HMO Team is also responsible for the administration and enforcement of the mandatory licensing scheme for Houses in Multiple Occupation (HMOs).

3. REPORT ISSUES

- 3.1 It is important to note that shortly after the previous report to members, in March 2020, the global Covid pandemic began. The Housing Operations Service continued to function throughout the initial and subsequent lockdowns and restrictions, however services were impacted upon and limited in certain circumstances.

During this period the service found alternative ways of addressing and resolving issues relating to housing standards, however in terms of the number of cases dealt with and properties improved, there was negligible impact. The service took a very proactive role with colleagues in Public Health to appreciate the vulnerabilities of service users in some of the district's worst housing stock. The safety of service users, both in terms of housing standards and of Covid, plus the safety of staff was a priority and the service worked tirelessly to ensure that the health and safety of residents was protected.

- 3.2 In the most recent full calendar year, 2022, the service received 1,789 service requests, all of which related to housing condition and, the majority of which were from the private rented sector. Appendix 1 provides a breakdown on the service requests received in 2022 by ward.

- 3.3 The main legislation enforced by the teams is the Housing Act 2004 (although there has been a significant increase in the amount of legislation applying to the private rented sector and landlords over the past 3 years). This legislation came into force in April 2006 and uses the Housing Health and Safety Rating System (HHSRS) as the prescribed method of assessing a dwelling's condition. Under the HHSRS officers are required to ensure that each property is assessed against 29 separate hazards. Using the assessment tool, hazards are categorised as either Category 1 or Category 2 hazards.
- 3.4 In the financial year 2021/22 the most frequently scored hazards were Fire, Damp and Mould, Excess Cold and Electrical Hazards. This is consistent with previous years and with statistics for the remainder of 2022.
- 3.5 The service works with landlords to ensure compliance with legislation. Wherever possible this is through education and encouragement but the service does use enforcement powers, in line with the Council's Enforcement Policy, where necessary.
- 3.6 During 2022:
- The teams served 514 informal notices ('Notifications of Works Required') requiring work to be completed in rented accommodation.
 - The teams also served 541 formal notices requiring works to be undertaken.
 - Housing conditions were improved in 903 properties, of which 334 properties contained children aged 0 -18 years. Of those improved, the majority were in the private rented sector, a small number were owner occupied and only 63 (7%) were social housing, this reflects the reduced involvement and activity that the teams have with social landlords due to the nature of their stock and their management of it.
- 3.7 The HMO Team is responsible for the enforcement of standards in Houses in Multiple Occupation (HMOs), such as bedsits and shared houses. These are statistically proven to pose a higher risk of fire than singly occupied houses and therefore require a higher standard in terms of fire safety. Measures included higher specification for fire alarm systems and fire doors and fire stopping measures.
- 3.8 Since April 2006 certain high risk categories of HMO have been required to obtain a licence in order to operate. This is known as mandatory licensing. This applied to properties occupied by 5 or more occupants, the occupants to comprise two or more households on 3 storeys or more. In October 2018 new legislation extended the scope of mandatory licensing so that the requirement is now regardless of the number of storeys.

Such properties are deemed to be of a higher risk in relation to fire safety, due to their size and mode of occupation i.e. sharing of amenities and sanitary facilities. The HMO Team is responsible for administering the mandatory licensing scheme. The Council has a zero tolerance approach towards owners who operate licensable properties without a licence. There are currently 353 licensed HMOs in the Bradford district.

- 3.9 The service utilises a number of methods including data analysis and physical

surveys to identify potential properties in multiple occupation including those that might be subject to licencing. This helps to identify properties that can then be prioritised for proactive inspection and further intervention by the team.

- 3.10 The teams work closely with the Housing Options service and undertake housing inspections for the service to ensure compliance with standards as part of the new approach to provide additional housing options in the private rented sector. During 2022 the teams carried out inspections of 106 properties in support of the Private Sector Lettings Scheme.

The introduction of the new Homelessness Reduction Act 2017 increased the Council's responsibilities towards households that are at risk of becoming homeless. This has, in turn, increased the role of the Council's Private Sector Lettings Scheme in identifying suitable accommodation for some of these households and therefore increased the number of properties that the teams have inspected to ensure they are of a suitable standard.

- 3.11 The Housing and Planning Act 2016 introduced a number of amendments to the Housing Act 2004. One of these amendments was to introduce a new section into the Act which establishes the legal basis for imposing civil penalties for specific offences under the Housing Act 2004.

A civil penalty is a financial penalty imposed by a Council on an individual or organisation as an alternative to prosecution. Under the above legislation the Council is able to impose a civil penalty of up to £30,000 per offence for a number of offences under the Housing Act 2004.

Officers worked with colleagues across West Yorkshire to agree a consistent approach with regard to the enforcement approach to Civil Penalty notices for Housing Act offences and level of monetary fine. This is important due to the fact that property owners often operate across local authority boundaries.

During 2022 the teams served 25 final notices (CPNs) with a total value of £276,893. To date the service has issued a total of 73 CPNs with a value of £ £902,519. The Housing service works closely with the Council's Debt Recovery team to pursue and collect the debt with the purpose of using the repaid funds to support the service continue its function.

- 3.12 From October 2018, by creating a system of triage, the teams have prioritised service requests which present the greatest risk to health and safety of occupants i.e. where Category 1 hazards are more likely to be present. For lower risk service requests i.e. Category 2 hazards, the teams write to the landlord with a list of works identified by the tenant and advice leaflets. If the works are not carried out within 28 days the Council will then arrange an inspection. By triaging service requests those with a high likelihood of a Cat 1 or a non-compliant landlord have been prioritised for inspection based on risk.

This approach has released capacity and enabled the team to embark on a programme of proactive enforcement against known non-compliant landlords and agents in the district in line with Government guidance (Tackling rogue landlords and improving the private rental sector - MHCLG).

- 3.13 The triage approach was initially piloted for a 6 month period but has now become an established approach due to positive results. Analysis of the process and outcomes showed that the information requested through triage can be relied upon to assess whether an inspection or a letter is required and that it is an effective way to identify and address low risk properties, maximising the use of officer resource. During 2022, 334 service requests were resolved through the triage system.
- 3.14 Officer capacity released through the implementation of triage has so far been used to:
- Undertake proactive enforcement activity targeted at non-compliant managing and letting agents, i.e. those who repeatedly fail to comply with informal notices, those who do not apply acknowledged standards to all properties and those who fail to be members of a Government redress scheme.
 - Deliver a proactive enforcement approach in conjunction with other Council services in targeted areas/locations.
 - Carry out a proactive enforcement approach to certain accommodation types, for example mixed use buildings on key arterial routes.
- 3.15 Agents and landlords on the whole respond positively to proactive inspections. All are advised beforehand of the reasons for the approach and what is expected of them. There is usually no objection to the inspections and more co-operation than obstruction. It is made clear to agents/landlords why the inspections are taking place and as a result the relationship between them and the tenant has not been jeopardised. Officers are not aware of any threats of retaliatory eviction.

There is also anecdotal evidence to suggest that many 'good' landlords have moved their business from non-compliant agents because they feel that the advice they were given that the property was in suitable condition for renting was inaccurate and therefore unprofessional.

- 3.16 Proactive enforcement in general within the housing standards teams, usually on a geographical basis, has been used on a number of occasions and has always proven to be a positive and effective way of improving housing conditions in the private rented sector. The response from owners where hazards have been identified has been generally positive and remedial action has in the main been taken without the need for formal enforcement action. Proactive enforcement generally results in relationships between landlords and tenants remaining stable and amicable which is welcomed by both parties.
- 3.17 The Domestic Minimum Energy Efficiency Standard (MEES) Regulations - Since the 1st April 2020 (or 1st April 2018 for new tenancies), landlords can no longer let or continue to let properties covered by the MEES Regulations if they have an EPC (Energy Performance Certificate) rating below E, unless they have a valid exemption in place. Landlords can face financial penalties of up to £5,000 for not meeting the minimum standards.

As part of a Yorkshire and Humber consortium led by York City Council, the Housing Standards Team in Bradford was successful in gaining funding from BEIS (Department for Business, Energy & Industrial Strategy) to embark on a project to target properties let illegally where the EPC was below an E (G and F). The project

provided funding for an enforcement officer for 6 months.

948 rented properties were identified as being non-compliant. The funding provided EPC assessor training to the enforcement officer and the team has subsequently followed a programme of communication and inspection with owners of non-compliant properties. Owners have been advised on how to meet their obligations or how to register an exemption and also been introduced to energy efficient incentives within the district to help ensure compliance.

To date 343 stakeholders (tenants/landlords) have been engaged with, 301 non-compliant properties have been improved to EPC level E and only 1 penalty notice has had to be served.

The Service made a decision to continue with this approach beyond the 6 months as properties having a poor EPC rating is generally indicative of a category 1 hazard for excess cold and properties where it is difficult to maintain adequate temperatures are also prone to damp and mould.

- 3.18 The Hoarding Framework and Panel - the Housing Standards and HMO Teams are regularly referred cases of hoarding. Hoarders are those who accumulate and retain material, regardless of value, to the point that there is no, or minimal living space, and it impedes day to day functioning. It is distinct from a person collecting or generally being cluttered and messy. The difference being that a hoarder will tend to have a strong emotional attachment to their objects. It is very rarely a lifestyle choice.

Until recently the Public Health Act 1936 has been the power used to forcibly clear out hoarders when they are causing a nuisance to adjacent properties however this rarely solves the problem long term. Cases would be referred to social services but it was often difficult to get a joined up approach to a case.

Led by the Housing Standards Team, collaboration with the West Yorkshire Fire and Rescue Service (WYFRS) and Adult Social Care has led to establishing a framework and guidance for professionals working in BMDC and allied agencies to follow in cases of hoarding.

Where necessary, cases are referred to the Hoarding Panel (co-ordinated by Housing Standards). The panel, with representatives from WYFRS, Adult Social Care, mental health services and the Police, reviews cases and the actions taken so far, it challenges and advises on the options available, helps the relevant organisations to coordinate and complete their actions, removes barriers to cooperation and signposts to agencies or organisations that could contribute.

The Panel is available to all organisations and agencies within Bradford District that are signatories to the framework. Since its inception in 2019 the panel has reviewed 83 cases.

- 3.19 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 - The regulations came into force on the 1st June 2020. They require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. They only relate to fixed electrical installations.

These regulations applied to all new tenancies started from the 1st July 2020 and existing tenancies from the 1st April 2021. Failure to comply with a notice served under Regulation 4 of the regulations can attract a Civil Penalty Notice of up to £30,000. Since the Regulations were brought out, 321 notices requiring either initial certificates or new certificates following failures have been served. A total of 11 Final Civil Penalty Notices have been served following non-compliance.

- 3.20 Homes (Fitness for Human Habitation) Act 2018 - the Act came into force on 20 March 2019. This act is designed to ensure that all rented accommodation is fit for human habitation and to strengthen tenants' means of redress.

There are no new obligations for landlords under this Act; the legislation requires landlords to ensure that they are meeting their existing responsibilities with regards to property standards and safety. Under the Act, the Landlord and Tenant Act 1985 is amended to require all landlords (private and social) to ensure that their properties, including any common parts of the building, are fit for human habitation at the beginning of the tenancy and throughout.

The Act states that there is an implied agreement between the tenant and landlord at the beginning of the tenancy that the property will be fit for human habitation. Although this legislation is not enforced by the local authority, increasingly the housing standards teams are required to provide evidence in support of civil action taken by tenants against their landlords.

- 3.21 Retaliatory Eviction and the Deregulation Act 2015 - Retaliatory eviction is where a tenant makes a legitimate complaint to their landlord about the condition of their property and, in response, instead of making the repair, their landlord serves them with an eviction notice. Retaliatory eviction is an unacceptable practice and no tenant should fear becoming homeless because they have asked for a necessary repair.

Where the housing standards teams have served a formal improvement notice in relation to repairs and the landlord harasses or illegally evicts the tenant then officers can take a case under the Protection from Eviction Act 1977 and ultimately prosecute the landlord. Other cases of harassment or illegal eviction are dealt with by solicitors at the Citizens Advice Bureau.

- 3.22 Review of the Fire Safety Provision in Private Rented Accommodation in Bradford - In 2022 a review took place of fire safety principles in consultation with the West Yorkshire Fire and Rescue Service. The review was based on national guidance that had been issued relating to fire safety provisions for certain types of existing housing but in all tenure groups; provisions such as the design, installation, commissioning and maintenance of fire detection and fire alarm systems in domestic properties. This led to the replacement of previous Fire Safety Principles issued by Bradford MDC. This standard ensures that after a rigorous fire risk assessment based on the layout of a property, the appropriate fire detection and fire precautions are provided in rented accommodation throughout the district.

- 3.23 Homes for Ukraine - Bradford residents have responded well to the appeal to offer accommodation to those displaced by the war in Ukraine. The service has inspected all the accommodation to ensure it is safe for occupation. Requests for inspection are

still being received but at a reduced rate. At the end of December 2022 the team had inspected 217 properties on behalf of colleagues in Housing Options who are the lead for this project.

- 3.24 Landlord training – Working in partnership with the organisation DASH (a partnership between Derby City Council, landlords, owners and tenants) Bradford Council has accessed training for landlords on standards, legislation, responsibilities, etc and was successful in obtaining funding from the Private Rented Enforcement and Innovation Fund so that this training could be offered to Bradford landlords free of charge. The Covid pandemic prevented this training taking place face to face however the training has continued and is being delivered online. This training has been adopted as a mandatory condition for the holder of licensed HMOs within the district. To date, 245 landlords in total have enrolled in the Yorkshire and Humber region course and of these, Bradford landlords accounted for 145 of the total enrolled users with 99 Bradford landlords completing the course online so far.
- 3.25 Just prior to the Covid pandemic the service was successful in a bid to the Government’s Rogue Landlord fund which enabled Environmental Health Officers to be provided with specialist advanced enforcement skills training and related to legal procedures, evidence gathering, the use of PACE and giving evidence in Court and at Tribunals.
- 3.26 Review of the hazard of Damp and Mould - Following the tragic death of 2 year old Awaab Ishaq as a result of exposure to severe mould growth in his home in Rochdale, at the end of 2022, the Government requested a review by local authorities of the approach to this issue in rented accommodation. Statistical information relating to the prevalence of the issue and incidence of damp and mould complaints was requested and has been provided. Councils have been asked to ensure that complaints relating to this are responded to appropriately. The Service has reviewed the approach to this issue and whilst a robust approach was already being applied, a higher priority has been placed on such service requests meaning that additional scrutiny is applied. Officers have undergone refresher and consistency training specifically relating to the hazard of damp and mould. Whilst a significant proportion of housing inspections using the Housing Health and Safety Rating System (HHSRS) highlight damp and mould hazards, the vast majority of these are assessed as a lower priority, Category 2 hazard.

As part of the review the Service is launching a campaign of heightened awareness within health services (GPs, Health Visitors, Community Nurses, etc) to ensure that cases can be identified, referred and responded to by housing standards teams.

Proposed legislation and reviews

- 3.27 Decent Homes Standard – this standard has been applied to social housing since the early 2000s and at the time was a higher standard to be achieved than the then ‘Fitness Standard’. Once the Housing Health and Safety Rating System (HHSRS) was introduced to replace the Fitness Standard this largely superseded the elements of the Decent Homes Standard. However, the Government has proposed the extension of the DH standard to the private rented sector. There is already an extensive and established structure for assessing housing related health and safety risks (HHSRS) and for taking enforcement action to ensure that these are addressed.

If the DH standard is extended into the PRS there will be a significant operational impact as the service assesses how this interacts with the existing enforcement structure and changes processes/legal documentation accordingly.

- 3.28 Review of the Housing Health and Safety Rating System (HHSRS) – in addition to that already mentioned, the HHSRS (introduced in the Housing Act 2004) which provides a national approach to assessing a prescribed list of 29 housing related health and safety risks has been under review for the last two years. Once the new standards are published, there will be resource implications as officers will need to be retrained and processes/documents reviewed to accommodate the changes.
- 3.29 White Paper - A Fairer Private Rented Sector – the Government has introduced a number of measures over recent years to improve conditions in the private rented sector. These include measures to improve fire and electrical safety, setting minimum energy efficiency standards, banning orders for “rogue” landlords and introduction of Civil Penalties where landlords fail to comply with legal requirements or notices.

Generally local authorities are responsible for administering and enforcing these new measures. This White Paper aims to build on these changes to improve the quality of private rented accommodation and give tenants increased security and stability.

In addition to the proposed abolition of Section 21 “no fault” evictions, the White Paper proposes the development of a digital “property portal” that landlords would be required to provide information confirming their compliance to regulatory requirements. Councils will be responsible for enforcement where a landlord does not comply with the requirement to use the portal. This could have significant resource implications, especially if this duty extends into dealing with erroneous or otherwise inaccurate information.

4. FINANCIAL & RESOURCE APPRAISAL

Additional resources will not be made available from central Government to implement the new and proposed statutory responsibilities. The Council can however retain any income generated from fines that are paid provided that it is used to further the Local Authority’s statutory functions in relation to their enforcement activities covering the private rented sector.

The Service works very closely with colleagues in Debt Recovery and Legal Services as recovery of fines is proving time consuming and difficult.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No significant risks have been identified.

6. LEGAL APPRAISAL

Legal Services have provided advice on the format of notices and procedures required to implement new statutory responsibilities.

Legal Services also support the housing teams by providing representation in court and at tribunals.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

The interventions that the housing standards teams take to improve the quality of the private rented stock will help to create a more sustainable housing stock for the district.

The Housing service will continue to work with neighbouring Local Authorities and other regional partners to gather information and develop initiatives to tackle local and regional problems.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

Any work done to a domestic property to remove excess cold as a hazard or to improve its energy efficiency is likely to have the effect of reducing the domestic carbon emissions of that property (in addition to reducing the household's heating bills). This will contribute to meeting the District's Greenhouse Gas Emissions targets.

7.3 COMMUNITY SAFETY IMPLICATIONS

One of the hazards assessed by officers using the Housing Health and Safety Rating System (HHSRS) relates to entry by intruders. Where the hazard of entry by intruders has been identified in a home, measures to address that hazard will be included in any action taken.

7.4 HUMAN RIGHTS ACT

No implications under the Human Rights Act have been identified.

7.5 TRADE UNION

No Trade Union implications have been identified.

7.6 WARD IMPLICATIONS

Housing standards work is largely reactive and covers the whole District. Where proactive enforcement takes place on a geographical basis, relevant Ward members are consulted with and advised of the proposal and full engagement is encouraged and welcomed.

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

None

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

Officers from the Housing service work with officers from Children’s Services and Health and Wellbeing to inspect properties used as accommodation for children in and leaving care as requested to ensure that they comply with the relevant housing standards.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

The service has completed Privacy Impact Assessments prior to the introduction of Civil Penalty Notices and the extension of mandatory licensing of houses in multiple occupation (HMOs). Any issues identified through those assessments have been addressed.

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

9.1 Option 1 – that the Committee consider the report.

9.2 Option 2 – that the Committee note the report and request a further update on the work of the Housing Standards team in 12 months.

10. RECOMMENDATIONS

That the Committee note the report and request a further update on the work of the housing standards teams in a further 12 months.

11. APPENDICES

Appendix 1: Breakdown of the service requests received in by ward.

12. BACKGROUND DOCUMENTS

None

Appendix 1:

Housing standards related service requests received, by ward – 2022

WARD	SERVICE REQUESTS RECEIVED
01 BAILDON	21
02 BINGLEY	18
03 BINGLEY RURAL	22
04 BOLTON AND UNDERCLIFFE	49
05 BOWLING AND BARKEREND	134
06 BRADFORD MOOR	107
07 CITY	281
08 CLAYTON AND FAIRWEATHER GREEN	48
09 CRAVEN	10
10 ECCLESHILL	64
11 GREAT HORTON	143
12 HEATON	57
13 IDLE AND THACKLEY	17
14 ILKLEY	15
15 KEIGHLEY CENTRAL	110
16 KEIGHLEY EAST	38
17 KEIGHLEY WEST	36
18 LITTLE HORTON	95
19 MANNINGHAM	97
20 QUEENSBURY	35
21 ROYDS	40
22 SHIPLEY	35
23 THORNTON AND ALLERTON	44
24 TOLLER	79
25 TONG	53
26 WHARFEDALE	5
27 WIBSEY	55
28 WINDHILL AND WROSE	34
29 WORTH VALLEY	25
30 WYKE	22
Grand Total	1,789

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