

## **Agenda for a meeting of the Bradford District Appeals Panel to be held on Tuesday, 21 February 2023 at 10.00 am in Committee Room 1 - City Hall, Bradford**

### **Members of the Committee – Councillors**

Arshad Hussain, Ch Shafiq Ali
-------------------------------------

### **Notes:**

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- Light refreshments will be provided
- For the item marked\* Members will be asked to consider whether there is a need to exclude the public for any part of the item. Further information can be obtained from the relevant contact officer.

### **From:**

Asif Ibrahim  
Director of Legal and Governance

### **To:**

Agenda Contact: Asad Shah  
Phone: 01274 432280  
E-Mail: [asad.shah@bradford.gov.uk](mailto:asad.shah@bradford.gov.uk)

## 1. DISCLOSURES OF INTEREST

Members Code of Conduct – Part 4A of the Constitution)

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

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

### **Notes:**

(1) *Members must consider their interests, and act according to the following:*

<b>Type of Interest</b>	<b>You must:</b>
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest; not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Directly Related)</i> <b>OR</b> <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Affects)</i> <b>OR</b> <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being (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 <u>only if</u> the public are also allowed to speak but otherwise not do not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>

(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.*

## 2. 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.

(Asad Shah – 01274 432280)

## BUSINESS ITEMS

### 3. REVIEW OF FEES CHARGED BY THE LICENSING SERVICE AND APPROVAL OF THE PROPOSED FIT & PROPER PERSON POLICIES (DETERMINATION POLICY AND FEES POLICY) UNDER THE MOBILE HOMES (REQUIREMENT FOR MANAGER OF SITE TO BE FIT AND PROPER PERSON) (ENGLAND) REGULATIONS 2020 1 - 6

The report of the Assistant Director Waste, Fleet & Transport Services (**Document “L”**), the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 introduced a fit and proper person test for mobile home site owners or the person appointed to manage the site, unless exempted by the Regulations. This report seeks approval of a revised fee schedule and approval of the proposed determination policy and fees policy under the Act.

**Recommended –**

**To approve the proposed Fit & Proper Person Policies and Fee Schedule set out in the appendices to this report.**

(Melanie McGurk – 01274 431873)

### 4. EXCLUSION OF THE PUBLIC

The Panel is asked to consider if the item relating to Education Appeals should be considered in the absence of the public and, if so, to approve the following recommendation:

That the public be excluded from the meeting during consideration of the item relating to Education Appeals, on the grounds that it is likely, in view of the nature of the proceedings, that if they were present, exempt information within Paragraph 1 (Information Relating to an Individual) of Schedule 12A of

the Local Government Act 1972 (as amended) would be disclosed ; furthermore it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceedings for the following reason:

It is in the overriding public interest that parties to a review/appeal concerning their entitlement to provision of transport should have a right to confidentiality of process given that the appeal panel will need to consider the specific personal circumstances of the appellant.

## **5. EDUCATION APPEALS PANEL**

The Panel is asked to consider the appeals for assistance with travel set out in **Not for Publication (NFP) Documents “K”, “M”, “N”, “O”, “P” and “Q”**.

(Liam Casey – 07582 105769)