

# Minutes of a meeting of the Regeneration and Environment Overview and Scrutiny Committee held on Tuesday, 5 September 2023 in Committee Room 1 - City Hall, Bradford

Commenced 5.30 pm  
Concluded 8.25 pm

## Present – Councillors

LABOUR	CONSERVATIVE	GREEN	LIBERAL DEMOCRAT
K Hussain Rowe Wheatley Kausar Mitchell Steele	Herd	Watson	R Ahmed

Observers: Councillor A Ross-Shaw, Portfolio holder for Regeneration, Planning and Transport

## Councillor K Hussain in the Chair

### 17. DISCLOSURES OF INTEREST

In the interests of transparency, Councillor A Mitchell and Councillor K Hussain both stated that they were holders of very small amounts of Legal and General shares.

**Action: Director of Legal and Governance**

### 18. MINUTES

Resolved –

That the minutes of the meeting held on 18 July 2023 be held as a correct record.

### 19. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

No referrals were made to the Committee for this meeting.

### 20. INSPECTION OF REPORTS AND BACKGROUND PAPERS

No requests to inspect reports and background papers were received.

## 21. **HOUSING GROWTH AND DELIVERY OF AFFORDABLE HOUSING UPDATE REPORT**

The report of the Strategic Director, Place (**Document “H”**) was presented to the Committee in relation to the Council’s ambition to increase the economic wellbeing and prosperity in the District through housing growth in accordance with its plan that identified key priorities as ‘Decent homes that people can afford to live in’ and ‘Ensuring the supply of homes is the right type and location to meet demand’

West Yorkshire Mayor’s primary ambition was for the provision of 5000 affordable homes over the next 3 years across West Yorkshire which was supported by Bradford Council through its Housing Strategy.

When housing stock numbers held by Bradford exceeded 200 units, Government guidance required local authorities to open a Housing Revenue Account (HRA). Increasing the supply of affordable housing owned by the council, within the HRA could increase the district’s supply. A new HRA business plan, adopted by the council prior to the fund being re-opened during April 2023, showed three growth scenarios to increase numbers to over 800 by 2028. However, as HRA’s could not go into deficit by Law, high inflation presented significant challenges with Bradford’s HRA being particularly vulnerable due to the smaller number of units owned and that it had only existed again in the same year. To support the housing pipeline, a review of sites in Council ownership to identify those surplus to requirements was undertaken.

The report provided details of the New Bolton Woods development project and the City Village scheme, including the aims, progress to date and work going forward.

Funding for housing to be purchased for Afghan refugees and Ukrainians was allocated by Central Government with match funding from Bradford Council. In addition, further funding was announced for additional housing for Afghan refugee resettlement schemes.

The council identified land in its ownership that was sufficient to provide around 4500 new homes. WYCA provided funding through its brownfield housing fund to assist to remediate these sites which often required additional investment due to how land had been previously used. WYCA also agreed, in principle to assist in funding the creation of additional posts to enable the development of these sites to be expedited.

Details of net additional dwellings in the report provided data from 2013 up to 2021 with a further table detailing affordable housing data.

Central Government schemes required significant match funding from local authorities which were a challenge as the reduction in local authority budgets impacted the ability to deliver an accelerated housing programme.

Following the Officer's presentation, Members were given the opportunity to ask questions and comment. The details of these and the responses given are as below.

A Member asked if the management of housing stock was going out to tender and was advised that it had been approved at the Executive meeting earlier in the day and stated that it would take up to April 2024 to complete the process. A number of providers including Incommunities had attended a 'meet the buyer' meeting to discuss requirements but it was not clear which out of these intended to tender.

A Member asked about the housing pipeline review and how many sites it included. Officers advised that the review was complete and enough sites were identified to accommodate 4000 new homes. Members also asked if the sites identified were already included in the Local Plan and Officers stated that the sites from the review were from new sources and would be included in a future updated version of the Local Plan.

Of the 16 sites identified by the review, Members asked whether an estimate could be given for the percentage of affordable housing. Officers stated that it was under review but would want a higher percentage as sites were Council land.

A Member asked whether the indicative number of affordable homes planned as part of a residential application at New Bolton Woods (NBW) could be taken into the HRA but Officers advised that this would not be possible.

Members asked about the types of businesses that would occupy the planned 3000 sq. m of retail/commercial space but Officers advised that no details were finalised. In terms of business support, Members wanted to know what would be available to small businesses and were advised by the portfolio holder that the offer would be the same as support available across the District and there was no direct grant access at NBW.

Members also asked about the breakdown of affordable housing as part of the City Village scheme and what proportion of the 4500 new homes pledged by the Mayor of West Yorkshire they were. Officers were not able to provide details of the breakdown at City Village and stated that the 4500 was a total for the region and did not break down into specific numbers for each District. Officers also explained the additional barriers to providing housing as local land values presented viability gap issues.

Members asked if infrastructure was considered in the feasibility plan for NBW to provide medical, educational and community facilities and were advised that a GP and dental practice was in the pipeline and discussions were continuing with providers on facilities for the area. There was no specific plan for schools on the site at the present time.

Members asked for clarification of the definition of affordable housing and Officers summarised that the definition was made by Central Government but definition of affordable could be carried out based on local data. The next Local Plan would include a refreshed definition.

Members asked about community spaces on new developments and whether

these were prioritised preventing 'homes without communities' Officers advised that they were liaising with services and providers with land allocated where there was a critical need identified. Community facilities included in all developments was ideal and the cumulative impact of lack of provision was a consideration amongst other factors, these included providers service delivery plans.

Officers were asked why the authority was behind on its target delivery of affordable housing and stated that need was always higher than supply. Reasons for this included the availability, funding and viability of land. There were a variety of reasons for the shortfall and capacity to take projects forward was also a factor. Homes England and WYCA were exploring ways to unlock further funding and the authority was bringing sites forward by its own interventions. The team stated that private developments also needed to contribute to improvements on housing delivery.

Officers were asked if environmental sustainability was a consideration in design and build of new homes and were advised that homes were planned in accordance with Bradford's Guide to Designing which was incorporated as part of the joint venture for NBW. They advised they were working to a detailed master plan with the next phases to include community facilities. The soon to be updated Local Plan document would contain robust policies to map access to transport etc. Discussions were taking place to raise standards of new builds to include facilities, sheltered housing, sustainable drainage and re-naturalisation work.

Officers confirmed that the consultation for City Village had taken place with technical experts to be appointed followed by the necessary detailed work commencing. This was anticipated to continue into 2024. The portfolio holder was present at the meeting and provided some contextual information relating to NBW stating that local people were happy with the situation and that homes would be built to the design code standard.

A Member asked if there was a specific number of homes allocated to Bradford District as part of the West Yorkshire Mayor's pledge but was advised that the number quoted was a total for the region and there was no breakdown by district.

Officers were also asked if the City Village development was targeted towards single people as they would like to see young families moving in. Officers confirmed that the primary focus was on family dwellings due to evidence of demand for family homes including those for social and key workers with families. Demand for city centre housing also came from Bradford University.

Members asked if missing housing delivery targets was being expressed as an issue as the waiting list had 18,000 people on it. The portfolio holder advised that changes to Planning legislation/guidance meant that there was a need to wait and re-evaluate continuously. He also stated that there was a dislike for social housing and an unrealistic Government definition of 'affordable' housing.

The Chair commented that it was a positive report with more to see in the future and emphasised the need for homes to be well built and for less cost.

A member asked if any help to buy schemes still existed and was advised that some developers ran their own.

A comparison of completions between 2013 to 2020 indicated a reduction and Members were advised that changed times and circumstances involved using different calculations with changed methodology dictated by Government meaning numbers were re-set. SHFA were looking at the demographic versus what the Government was stating with the supply figures to include empty homes and not just new-builds.

**Resolved –**

- 1. That the report be noted.**
- 2. That Officers will provide Members with an update on the work on housing growth in six months' time (via email).**
- 3. That a further update report on the work on housing growth be presented to the Committee in 12 months.**

**Action: Strategic Director, Place.**

**22. EMPTY HOMES UPDATE**

The report of the Strategic Director, Place (**Document "I"**) was presented to provide Members with an update on the Council's empty homes programme of work.

The Council had a statutory responsibility to deal with a variety of matter relating to empty residential properties including

- Prevention of statutory nuisance
- Securing empty properties against unauthorised entry
- Resolving defective drainage
- Prevention of damage by pests and/or vermin

Tackling empty homes in the district contributed to the provision of quality and affordable housing in communities and neighbourhoods where people were happy to live.

The Council's statutory responsibility related to both transactional properties (those that had been sold etc and were likely to be empty for up to 6 months) with resources targeted towards long term empties.

The report explained the teams involved and their roles and responsibilities for enforcement and the breadth of the types of properties involved. Working with Council tax colleagues, the Empty Homes Team worked to confirm that properties were empty with occupancy remaining as a Council tax function. The team also attended partnership meetings and liaised with other public bodies such as West Yorkshire Police, Yorkshire Water, Environmental Health and Council Wardens, sharing information and intelligence relating to empty properties.

As of October 2022 there were 3416 long term empty properties showing a reduction since 2009 from 7302. A table of the details of these numbers was included in the report for information. The report went on to provide details of

ownership which indicated that the majority were owned by those with only 1 property (as opposed to landlords with property portfolios). Details of properties that ceased to be classed as empty were also included. A breakdown of the work carried out by the team related to service requests and proactive work undertaken was included for Members' information with a total of 991 live cases.

The team was awarded the 'Empty Property Practitioner of the Year' for their work in bringing empty homes back into use. In some of the cases worked on, sanctions were necessary for home owners who were not cooperative in taking the necessary actions to make their properties available, despite loans being made available and other options being explored by the team.

The team also developed two financial products that can provide essential funding to an empty property owner to help bring their properties back into use. The process and details of compulsory purchases showed that a number of purchases were made from 2010 but also included voluntary acquisitions.

Officers provided an overview of the aims of the report and shared some examples of properties brought back into use.

Members were then given the opportunity to ask questions and comment. The details of which and the responses given are as below.

Members stated that the report was fascinating and asked how they could assist in identifying potential properties and how to feed the information back to Officers with details of their locations etc. Officers advised that they do possess a list which could be shared with Members but that Councillors could send details to the Empty Homes Team. The definition of an empty home had considerable issues and they explained how it would be dealt with in a variety of circumstances. There was no financial incentive to declare an empty property as council tax would be charged and would attract a premium charge if it remained so. Owners could be referred to the Empty Homes Team to get advice and support to bring a property back into use. Further action would depend on the priority the property presented e.g. nuisance, risk etc.

A Member asked whether empty properties could be purchased and then managed by the Council and was advised that these were usually sold on as renovation was not financially viable. Housing management of these was not as practical due to the scattered locations.

Members asked how homes were identified as empty and Officers advised that there were a number of factors considered before a property would be classed as empty. Properties could be identified via Empty Homes advisors and service requests. In addition, the Council Tax team carried out an annual review of council tax charging which identified properties being charged as empty homes.

Officers also stated that properties were not being added to the HRA and explained that HRA and General Fund had to be treated separately and if HRA were to acquire units, it would have to be at market value in order to achieve the councils obligation to achieve 'best consideration'. This would make it difficult to afford for HRA.

Members asked about the considerations when a compulsory purchase was being undertaken and Officers advised that these included the length of time that the property had been empty (but not always the case), debts held against the property and whether the owner was looking to address the issue themselves. Risk assessments were carried out that looked at all the relevant factors to make a decision.

Officers advised that the new homes bonus comprised of both empty homes and new builds when asked about funding allocated and spent. They further advised that the approximate sum £500,000 (decreased from £1 million the previous year) went into central council funds and was not ring-fenced so they could not specify how much was spent and how it had been spent.

A Member asked whether the council tax charged on empty homes was successfully collected with Officers stating that it was a challenge to do so and provided some percentages to demonstrate the problem. 94% of all council tax was collected during 2022/23 with 78% of all empty residential properties and 69% of premium council tax charges. Officers did advise that this was the 'in year' collection rate which improved as time passed. It was a surprise to Members to hear that some owners were content to leave property empty and continue to pay council tax. When asked why, Officers stated that some were avoiding having to deal with the situation but the reasons were varied and complex.

Members enquired whether the Empty Homes Team had any dealings with commercial properties but were advised that their remit was around residential only and some mixed use. Officers also informed Members that if a property is sold following compulsory purchase that there was a condition that it be renovated within 12 months otherwise it would be bought back at 80% of the original sale price.

**Note:** since the above information was provided, information relating to buy back conditions have been amended by Officers and should read 'the lower of either the purchase price or the market value of the property minus the value of any work carried out. This supercedes the figure of 80% as quoted.

In relation to empty homes loan enquiries, Officers advised that they went against the property as a charge and there was a lot of work involved in getting a loan and they took a long time to complete. These were payable back in full after 5 years. Loans were classed as Sharia compliant in that they charged no interest with a maximum loan of £30,000 or 70% loan to value. There was an option to exceed this if the circumstances supported doing so. Empty property loans were not subject to interim payments and were difficult to provide as repayment was based on the value at 5 years, not on the original property value. If properties devalued during the 5 years it may result in reduced repayment if in negative equity when the loan was due to be repaid.

Members asked about the increase in empty properties in outlying areas and if data was available to present by Ward and council tax bands. They also asked if the amount of money collected as premium council tax was available and were advised that figures varied due to changes in premiums and exemptions. No interest was charged for arrears but costs would be incurred if action needed to be taken to collect it.

Officers were asked if there was much contact with the Police to identify and look into properties referred including those that were possibly involved in criminal activities such as cannabis farms.

Members asked if the situation would improve further in the future and Officers stated that progress would plateau as a result of the work already carried out by the team.

**Resolved –**

**1. That the report be noted.**

**2. That an update report be provided to Members in 12 months' time (via email).**

**3. That a further update report be presented to the Committee in two years.**

**Action: Strategic Director, Place**

**23. HIGHWAYS SERVICES FUTURE PROCUREMENT PROGRAMME (2023-2025)**

The report of the Strategic Director, Place (**Document “J”**) was presented to provide information and to advise Members on the Highways Services procurement plans covering the financial years 2023/24-2024/25.

The report also provided information for Members on the procurement of contracts with a value in excess of £2m that could be undertaken in line with this programme in accordance with the requirements of Contract Standing Order 7.2.1 (CSO 2022/23).

Officers explained that the two-year action plan formed part of Bradford Council's procurement strategy. The categories of procurement which were undertaken consisted of a range of professional and technical consultancy services, materials supply, construction contracts and technical support. Over the past five years the Highways Services teams made an increasing use of national frameworks to procure support and construction of their capital works programmes to take advantage of the valuable routes to market these facilitated.

Officers also advised that one of the funding streams relating to the procurement and maintenance of traffic cameras had come online which would give the Council the infrastructure for enforcement powers to issue warnings and fines for moving traffic offences following a change in the law in May 2022. Councils were able to apply to the Secretary of State for new powers under statutory instruments to bring parts of the Traffic Management Act 2004 into force.

**Resolved –**

**That the report be noted.**



**Action: Strategic Director, Place**

## **24. BUILDING CONTROL SERVICES MEASURES IMPLEMENTATION REPORT**

The report of the Strategic Director, Place (**Document “K”**) was presented to the Committee to provide members with an overview of the measures taken by Building Control Services (BCS) following a complaint that was submitted to the Local Government Ombudsman (LGO) relating to the inspection of construction works by Bradford Council Building Control Services Officers.

Details of the complaint were included in the report which resulted in BCS reviewing its practice, procedure, record keeping and document management systems to ensure that the problems identified would not happen again. The LGO required a report to be submitted to provide details of the review and any changes made as a result to both the relevant OSC and the LGO.

Although the Council was deemed to be at fault, it was not responsible for what actually happened. Due to how council building control responsibilities were framed in law, the purpose of the Council’s power was to protect the public in general, not the private rights and interests of individual builders or landowners. Compliance with Building Regulations still sat with these private individuals. No further remedy was required by the LGO but recommendations were made to avoid similar situations occurring in the future.

The Council agreed to take steps to be compliant with the LGO recommendations and implemented the use of a mobile app which enabled Officers to log inspections and capture data in real time, on-site or ‘out of the office.’ This would prevent actions being overlooked on subsequent visits or inspections by surveyors who were all reminded of the importance of record keeping and requests/actions to be taken by builders must be recorded.

The evidence that a remedy had been implemented would then be submitted to the LGO to comply with its recommendations, part of which was that a report went to the relevant scrutiny committee.

**Resolved –**

**That the actions in the report be noted, allowing Building Control Services to inform the LGO that their requirements have been met.**

**Action: Strategic Director, Place**

## **25. WORK PROGRAMME**

The report of the Chair of the Regeneration and Environment Overview and Scrutiny Committee (**Document “L”**) was presented to provide Members with details of the work programme for the 2023-24 municipal year.

Members held a brief discussion on a number of the items in the plan for further clarification.

**Resolved –**

**That the Work programme 2023-24 continues to be regularly reviewed during the year.**

***Action:* Lead Scrutiny Officer**

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Regeneration and Environment Overview and Scrutiny Committee.**

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER