

# City of Bradford Metropolitan District Council

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## Minutes of a meeting of the Executive held on Tuesday 14 June 2005 at City Hall Bradford

Commenced 1400  
Concluded 1530

### PRESENT – Councillors

<b>CONSERVATIVE</b>
Eaton
Cooke
Hawkesworth
Hopkins
B M Smith
D Smith

Observers: Councillors P Thornton (Minute 10), A Thornton (Minute 11),  
Sunderland, Wallace and Ward (Minute 12), Clarke and Lewthwaite

### Councillor Eaton in the Chair

#### 1. DISCLOSURES OF INTEREST

- (i) Councillor Cooke disclosed two personal interests in agenda items 10 (Airedale Masterplan) and 15 (Replacement Unitary Development Plan for the Bradford District) as the Chair of the Airedale Partnership and the owner of a listed building respectively. As neither interest was prejudicial, Councillor Cooke remained in the meeting throughout.
- (ii) Councillor Hopkins disclosed a personal and prejudicial interest in agenda item 15 (Replacement Unitary Development Plan for the Bradford District) as the owner of a property adjacent to land referred to in the UDP and left the meeting during the discussion and voting thereon.
- (iii) Councillor B M Smith disclosed a personal and prejudicial interest in agenda items 9 (Use of Council Assets to support the Regeneration of the District) and 11 (BCHT's contribution to the Regeneration of the District and Use of the Council's Financial Benefits Reserved in the Asset Transfer Agreements) as the Group Chair of BCHT. He left the meeting during the discussion and voting on both items.

**ACTION:** *Legal and Democratic Services Director*



**2. MINUTES**

**Resolved -**

**That the minutes of the meetings held on 5 and 19 April 2005 be signed as a correct record.**

**3. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

There were no appeals submitted by the public to review decisions to restrict documents.

**4. APPOINTMENT OF DEPUTY CHAIR**

**Resolved –**

**That Councillor Hopkins be appointed Deputy Chair of the Executive for the Municipal Year 2005/06.**

***ACTION: Legal and Democratic Services Director***

**5. ALLOCATION OF PORTFOLIOS OF EXECUTIVE FUNCTIONS**

The Legal and Democratic Services Director reported on the allocation, by the Leader of the Council, of Portfolios of Executive Functions to Members of the Executive.

He advised that, apart from an update to one of the portfolio titles, nothing had changed from the previous year.

**Resolved –**

**That the allocation of Portfolios of Executive functions be noted.**

***ACTION: No action***

**6. APPOINTMENT OF COMMITTEES AND APPOINTMENTS TO OTHER BODIES**

**Resolved –**

**That appointments be made to the West Yorkshire Joint Services Committee, Yorkshire Purchasing Organisation, Independent Remuneration Panel and Parish Panel as detailed in Document “A”.**

***ACTION: Legal and Democratic Services Director***

## **7. RECOMMENDATIONS TO THE EXECUTIVE**

The receipt of the following recommendations to the Executive was noted:

### **(i) Young People and Education Improvement Committee**

#### **EDUCATION BRADFORD CONTRACT TARGETS**

**Resolved –**

**That this Committee does not feel able to recommend to the Executive that these proposals be accepted. In particular, (a) there is no incentive to increase beyond third place in the top quartile, and (b) that value of each point is such that the full £1 million can be obtained by only achieving a limited proportion of the targets.**

### **(ii) Regeneration and Economy Improvement Committee (10 May 2005)**

#### **TOURISM**

**Resolved –**

- (1) That the importance of tourism as a key economic driver for the District be recognised with concern that Leeds is still being considered as the ‘hub’ for tourism in West Yorkshire.**
- (2) That Councillor Greaves be appointed as the link member to work alongside officers to ensure that future models for Tourism benefit the needs of the District.**
- (3) That the Executive be requested to re-examine the need to continue payment of subscriptions to the Yorkshire Tourist Board until such time that the Portfolio Holder and Officers are convinced that it offers excellent value for money and other alternatives have been considered and that discussion be held with the other West Yorkshire authorities to investigate the possibility of developing a sub-regional service level agreement.**
- (4) That Officers develop appropriate networks to develop Tourism on an experiential front.**
- (5) That an update on Tourism be brought back to this Committee in six months.**

### **(iii) Safer and Stronger Communities Improvement Committee (26 April 2005)**

#### **CORPORATE PLAN 2005/06–2007/08: SAFER AND STRONGER COMMUNITIES – CORPORATE PRIORITY DRAFT CHAPTER**

**Resolved –**

**That it be recommended to the Executive that the Corporate Plan (2005/06-2007/08) for Safer and Stronger Communities be adopted.**

*NB: In noting the receipt of the above recommendations, the Leader stated that:*

- (i) the issue of Education Bradford Contract Targets was already the subject of an item on this agenda.*
- (ii) the appropriate Director, in consultation with the Portfolio Holder, was asked to pursue the matters raised by the recommendation from the Regeneration and Economy Improvement Committee.*

**ACTION: (ii) Interim Policy and Performance Director**

*NB: Having declared a personal and prejudicial interest in the following two items, Councillor BM Smith left the meeting for those items.*

## **8. USE OF COUNCIL ASSETS TO SUPPORT THE REGENERATION OF THE DISTRICT**

Previous reference: Minute 167 (2003/04)

The joint report of the Housing and Regeneration Director and the Asset Management Director (**Document "C"**) followed on from the Executive resolution of 14 March 2004 and presented an assessment of current and potential future commitments of Council assets to support regeneration. The report identified how, in the future, assets would be identified as making a contribution to regeneration and the process by which the Executive could take account of those in the annual budget setting process. The report set the context for two further reports being presented to this meeting of the Executive, the 'Airedale Masterplan' and 'BCHT's contribution to the regeneration of the District'.

The Director and Portfolio Holder advised the meeting that the aim of the report was to regularise the way in which Council assets were dealt with so that outstanding issues were clarified and matters were dealt with cohesively.

**Resolved –**

- (1) That the audit of existing commitments be noted and that the Directors of Asset Management and Regeneration and Housing be instructed to progress these land transactions to facilitate the completion of outstanding commitments.**
- (2) That the Strategic Land and Property Protocol for the City Centre be noted and the Directors of Regeneration and Housing and Asset Management be instructed to develop similar protocols between the Council and the delivery vehicles to be established for the implementation of the Manningham and Airedale Masterplans.**
- (3) That the Directors of Asset Management and Regeneration and Housing be instructed to compile a report on Council assets to support the regeneration of the District to inform the budget process for 2006/07 with an assessment of the implications for the capital programme.**

**IMPROVEMENT AREA: Corporate**

**ACTION: Asset Management Director/Regeneration and Housing Director**

## **9. BRADFORD COMMUNITY HOUSING TRUST'S (BCHT'S) CONTRIBUTION TO**

**THE REGENERATION OF THE DISTRICT AND USE OF THE COUNCIL'S FINANCIAL BENEFITS RESERVED IN THE ASSET TRANSFER AGREEMENTS**

The report of the Regeneration and Housing Director (**Document "E"**) recommended a policy for consideration of requests from BCHAT for the Council to make financial contributions to regeneration proposals from its legal interest in asset disposals by BCHAT and for the use of VAT shelter funds.

The Chief Executive of BCHAT attended the meeting and spoke in support of the report, stressing that the intention was to contribute to the regeneration of the District and to encourage balanced and sustainable communities in the future.

The Portfolio Holder advised that the proposal would also allow the two crucial regeneration schemes at Ravenscliffe and Woodend to proceed.

**Resolved –**

- (1) That it be agreed to waive clawback on schemes at Ravenscliffe and Woodend subject to the Regeneration and Housing Director receiving a detailed business case that demonstrates a financial gap and confirms outputs that support Council priorities and the District Housing Strategy.**
- (2) That the Regeneration and Housing Director, in consultation with the Asset Management Director and the Regeneration and Culture Portfolio Holder, be authorised to determine future requests to waive clawback:-**
  - a) in respect of agreed housing regeneration schemes within the BCHAT Development Programme and**
  - b) where the request is supported by a detailed business case and financial appraisal.**
- (3) That the Directors of Asset Management and Regeneration and Housing discuss with BCHAT the Trust's current and future development proposals to secure the best fit of the programme with the Council's priorities and the District Housing Strategy.**
- (4) That the release of monies from the Council's share of the VAT shelter to support the Apprenticeship Scheme for 2004/05 to 2006/07 be agreed.**
- (5) That the Directors of Finance and Regeneration and Housing be instructed to bring to the Executive an annual report with a statement on the VAT shelter receipts and dispersals.**
- (6) That the Regeneration and Housing Director be authorised to approve the release of the Council's share of the VAT shelter up to a value of £250k on any one project or programme after consultation with the Portfolio Holder. Expenditures over £250k are to be brought to the Executive for approval.**

***IMPROVEMENT AREA: Regeneration and Economy***

***ACTION: Regeneration and Housing Director/Asset Management Director***

**10. EDUCATION BRADFORD CONTRACT TARGETS**

The Assistant Chief Executive (Education, Community and Social Care) presented a report (**Document “F”**) that sought approval for a set of revised strategic incentive targets for the Education Bradford contract for the period from 2005 to 2007, which were being set as a part of the scheduled major contract review of 2004.

The Chair of the Young People and Education Improvement Committee attended the meeting and spoke in respect of the recommendations presented earlier in the meeting. He reported that the Improvement Committee had concerns about value for money and the payment of bonuses without significant achievements against the main targets.

The Leader and Portfolio Holder thanked the Chair of the Improvement Committee for his comments and for the work of the Committee on this topic.

However, the Portfolio Holder stressed that the payment of bonuses was an essential feature of sustainable targets and that it would be through focused work on the part of all those involved, including schools, that targets would be achieved.

**Resolved –**

- (1) That the revised framework for strategic incentive targets for the Education Bradford Contract as summarised in Appendix A to Document “F” be agreed in principle, subject to the following amendments:**
  - (i) For those targets where the LEA is already performing within the top quartile of comparator authorities, the level of challenge within the targets be increased to require the contractor to perform at least as well as the second best performing authority from 2008 onwards.**
  - (ii) The financial value of an incentive point is reduced from £19,500 to £17,500.**
- (2) That the Assistant Chief Executive (Education, Community and Social Care) be authorised, in consultation with the Executive Member (Education), to agree any minor amendments with Education Bradford in the contractual negotiations and to agree a contract variation to bring them into effect.**

***IMPROVEMENT AREA: Young People and Education***

***ACTION: Assistant Chief Executive (Education, Community and Social Care)***

**11. YOUNG PEOPLE’S SCRUTINY COMMISSION’S REPORT ON BULLYING  
ACROSS THE DISTRICT**

Previous reference: Young People & Education Improvement Committee,  
Minute 60 (2004/05)

The Head of Service Improvement presented a report (**Document “G”**) that set out resolutions of the Young People and Education Improvement Committee to the Executive and included comments from the Bradford and Keighley Youth Parliament (BKYP).

The Chair of the Young People’s Scrutiny Commission attended the meeting and advised Members of the work undertaken by the Commission. He particularly emphasised the

importance of the contribution of BKYP and highlighted that key concerns had been the absence of central co-ordination of the issues around bullying and the absence of the promised audit of bullying.

The Leader thanked the Chair for his contribution, also expressing her appreciation for the contribution made by BKYP. She considered that this had been a good opportunity for young people to be closely involved in a topic that was very important to them.

The Portfolio Holder also endorsed those comments, stressing the hard work undertaken by the young people. He also endorsed the recommendations of the Commission.

**Resolved –**

- (1) That the Scrutiny Commission be thanked for its work and report and the Bradford and Keighley Youth Parliament be thanked for its comments.**
- (2) That the Commission's recommendations be agreed in principle.**
- (3) That the Education Director be instructed to work with Education Bradford and schools to develop an action plan for the implementation of the recommendations in the report as soon as realistically possible.**
- (4) That the Assistant Chief Executive (Education, Community & Social Care) be given delegated authority in conjunction with the Portfolio Holder to agree any consequent contract variations to the Education Bradford contract.**
- (5) That any longer term financial consequences of the report be considered as part of the 2006/07 budget process.**

***IMPROVEMENT AREA: Young People and Education***

***ACTION Assistant Chief Executive (Education, Community and Social Care)/  
Education Director***

*NB: Having declared a personal and prejudicial interest in the following item, Councillor Hopkins left the meeting for that item.*

**12. REPLACEMENT UNITARY DEVELOPMENT PLAN FOR THE BRADFORD DISTRICT**

Previous reference: Minute 56 (2004/05)  
Council, Minute 133 (2004/05)

The report of the Transportation, Design and Planning Director (**Document "I"**) responded to the public consultation on the Council's proposed Modifications to the replacement UDP approved by Executive on 30 November 2004. A small number of additional amendments were proposed which required a further statutory period of consultation.

The general approach to the Council's proposed Modifications assumed a commitment to carry out further work as part of the Local Development Scheme. The report set out the Government's response to this arrangement.

A resident from the Heaton area, whose petition in respect of Ashwell Farm had been

referred from Council, addressed the meeting. She stated that she considered Document "I" to be a fair representation and that she would welcome the further period of consultation as an opportunity for the Government Inspector to address the issues that he had created.

A resident from the Simpsons Green, Idle area expressed her concern that there had been no opportunity to speak at the previous public enquiry. She requested a further public enquiry or, if that were not possible, that the relevant land not be taken out of the Green Belt until the development was published.

A resident from the Greengates area whose petition had also been referred from Council addressed the meeting. She also expressed concern that there had been no chance to voice objections and requested a public enquiry.

The Transportation, Design and Planning Director explained that the three sites concerned had not been ones where the Local Authority had wished to make changes. All had been proposed by the Government Inspector. He had taken the step of obtaining Counsel's advice, which had been against challenging the Inspector.

He further confirmed that it was quite usual for the views of the public not to be requested when they concurred with those of the Council. He was confident that officers of the Council had voiced the concerns of residents suitably.

The Portfolio Holder stressed that it was not the preference of the Executive to remove land from the Green Belt but that it had a duty to identify land for development. Without a clear unitary development plan, no land would be protected from development.

Councillor Ward, a Ward Councillor of one of the affected areas, then repeated the request for a public enquiry so that all those affected could put forward their views. The Transportation, Design and Planning Director responded by re-affirming Counsel's advice.

#### **Resolved –**

- (1) **That the Further Modifications to the replacement Unitary Development Plan to be published for public comment as soon as is practicable and that the response to them be the subject of a further report to the Executive.**
- (2) **That the Transportation, Design and Planning Director be authorised to carry out any minor amendments necessary to complete the proposed modifications prior to the statutory publication period.**

***IMPROVEMENT AREA: Environment and Waste Management***

***ACTION: Transportation, Design and Planning Director***

#### **13. WEST YORKSHIRE TRANSPORT PLAN 2006-2011**

The report of the Transportation, Design and Planning Director (**Document "J"**) sought approval of the provisional version of the West Yorkshire Local Transport Plan which was required to be submitted to the Government by the end of July.

The plan had been prepared on behalf of the Local Authorities and West Yorkshire Passenger Transport Authority which comprised the Local Transport Plan Partnership. A final version of the plan was required to be submitted to the Government by the end of March 2006.

The Environment and Regeneration & Culture Portfolio Holders both stressed the need for improvements to the transport system.

**Resolved –**

**That it be a recommendation to Council that the provisional Local Transport Plan be approved for submission to the Secretary of State.**

***IMPROVEMENT AREA: Environment and Waste Management***

***ACTION: Legal and Democratic Services Director***

#### **14. THE COUNCIL'S DRAFT CORPORATE PLAN 2005/06-2007/08**

The Interim Policy and Performance Director presented a report (**Document "B"**) which set out the Council's draft Corporate Plan for 2005/06 to 2007/08.

The Plan included elements that met the statutory requirements for Best Value Performance Plans (BVPPs) and therefore constituted the Council's BVPP for 2005/06.

The Plan also:

- Set out the Council's priorities, goals and targets for improvement for 2005/06 and the subsequent two years.
- Reported on how well the goals and targets set out in last year's Corporate Plan and Best Value Performance Plan had been achieved.
- Reviewed the improvement activity that had taken place over the last year and that was planned to take place over the coming year.

The Leader thanked the Interim Director for the report, which represented a series of valuable reference and monitoring documents.

The Interim Director reminded the Executive that there had previously been wide consultation on the Corporate Plan and requested permission to revise the document to reflect the final outturn information which was still being received.

**Resolved –**

- (1) That, subject to the amendments set out in Annexe A to Document "B", it be recommended to Council that the draft Corporate Plan 2005-08 is approved.**
- (2) That the Chief Executive be authorised to include updated information on 2004-05 outturn data for Best Value Performance Indicators and other relevant information to ensure the Plan is up to date and completed in line with statutory requirements prior to final publication on 30 June 2005.**

***IMPROVEMENT AREA: Corporate***

***ACTION: Chief Executive/Legal and Democratic Services Director***

#### **15. AIREDALE MASTERPLAN**

The report of the Regeneration and Housing Director (**Document "D"**) described the background to the development of the Airedale Corridors.

A Masterplan and Strategy for Airedale had been launched on 15 March 2005. The report outlined the implications of the Masterplan for the Council, particularly in relation to its regeneration, planning and transportation functions and informed the Executive of the programme of consultation proposed by the Airedale Partnership.

The Portfolio Holder spoke in support of the Masterplan which he considered could deliver real betterment for the area.

**Resolved –**

- (1) **That the Airedale Masterplan be welcomed and the contribution it can make to the economic development and regeneration of Airedale be recognised.**
- (2) **That a full report on the Masterplan be brought to the Executive which outlines proposals for the delivery of the Masterplan, together with the outcome of the consultation exercise outlined in this report.**
- (3) **That the Transportation, Design and Planning Director identify such planning documents as may be required to address the Airedale Masterplan proposals and incorporate their preparation within the Local Development Scheme at the earliest opportunity.**
- (4) **That the Transportation, Design and Planning Director prepare an Integrated Transport Scheme incorporating the Masterplan proposals for the Shipley area and seek Government funding.**

***IMPROVEMENT AREA: Regeneration and Economy***

***ACTION: Transportation, Design and Planning Director***

**16. LANDFILL ALLOWANCE TRADING SCHEME – AVOIDING PENALTIES**

The Environmental Services Director presented a report (**Document “H”**) that summarised a series of actions being taken to increase the recycling rate in the District and to reduce the Authority’s exposure to penalties imposed through the Landfill Allowance Trading Scheme.

The Director highlighted the proposal in the report that Bradford should achieve its targets in 2006/07, stating that this would be a tremendous improvement for the District. Other improvements would include increasing recycling, controlling commercial waste coming into household waste sites and identifying alternatives to landfill.

In response to questions, he advised that:

- As 10% of the waste stream was comprised of nappies, there would be tremendous benefits to promoting alternatives to disposables.
- The collection of green waste would concentrate on areas with sizeable gardens and where a continuous route could be identified. The service would be run by compaction vehicles for greatest efficiency.

**Resolved –**

- (1) **That the proposals contained in Document “H” for the expansion of recycling in the District with spend up to the approved £2.2m budget be approved.**

- (2) That the introduction of measures to control the delivery of commercial waste at Household Waste Recycling Centres be agreed.
- (3) That the Environmental Services Director be authorised to vary charges for trade waste where necessary to ensure the viability of the trade waste service.

**IMPROVEMENT AREA: Environment and Waste Management**

**ACTION: Environmental Services Director**

**17. PROPERTIES USED FOR THE PROVISION OF ADULT MENTAL HEALTH AND LEARNING DISABILITY SERVICES**

**Document “K”** sought approval to enter into formal leasing arrangements with the District Care Trust for properties used for the provision of Adult Mental Health and Learning Disability Services to facilitate access to NHS funding for repairs and improvements.

**Resolved –**

- (1) That the Social Services Director, with the approval of the Asset Management Director and Legal and Democratic Services Director, be authorised to negotiate and enter into leases for the properties identified in the Section 31 Partnership Agreement.
- (2) That the Social Services Director, with the approval of the Legal and Democratic Services Director, be authorised to negotiate and agree any changes to the Section 31 Partnership Agreement necessary as a consequence of entering into the leases.
- (3) That the proposed transfer of existing repair and maintenance budgets be approved in principle subject to the details and mechanism for this being agreed by the Finance Director.

**IMPROVEMENT AREA: Social Care**

**ACTION: Social Services Director/Asset Management Director/  
Legal and Democratic Services Director**

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Executive.**

i:\minutes\exc14jun THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER