

**Department of Legal and
Democratic Services**

Members of Council

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Date: 2 December 2013

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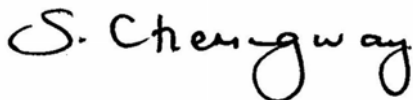
Dear Councillor

COUNCIL MEETING – 10 DECEMBER 2013

You are requested to attend a meeting of the Council to be held in the Council Chamber, City Hall, Bradford, on Tuesday, 10 December 2013 at 1600.

The agenda for the meeting is set out overleaf.

Yours sincerely



City Solicitor

Notes:

- ◆ This agenda can be made available in Braille, large print or tape format.
- ◆ The Council's Fire Bell and Evacuation Procedure requires people to leave the building in an orderly fashion by the nearest exit, should the fire alarm sound. No one will be allowed to stay or return until the building has been checked.



Members are reminded that under the Members' Code of Conduct, they must register within 28 days any changes to their financial and other interests and notify the Monitoring Officer of any gift or hospitality received.

AGENDA

A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of Constitution)

To receive disclosures of personal and prejudicial interests from 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 only becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) 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.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

2. MINUTES

Recommended -

That the minutes of the meeting held on 22 October 2013 be signed as a correct record (previously circulated).

3. APOLOGIES FOR ABSENCE

4. **WRITTEN ANNOUNCEMENTS FROM THE LORD MAYOR**
(Standing Order 4)

(To be circulated before 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 Director or Head of Service 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.

(Adrian Tumber - 01274 432435)

B. BUSINESS ITEMS

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

To consider up to five requests for the Council to receive petitions in accordance with Standing Orders.

(i) Stop the cuts to Bradford Youth Service **All**

As the petition concerning the Youth Service has more than 1500 signatures in accordance with the Council's petitions scheme a debate of up to 15 minutes will take place.

If any further requests are received, in writing, by mid-day three working days before the meeting (Thursday), details will be circulated.

(Palbinder Sandhu- 01274 432269)

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

The following question has been received from a resident representing the FibreValley Community Broadband Group:

“We would like to ask what this Council is doing to help make our campaign a success and ensure that residents and businesses across all of the Worth Valley overcome growing disadvantage and are able to fully benefit from high speed Internet access to Council, NHS, educational and business services now and in the future?”

The Lord Mayor will invite the Leader of Council to respond to the question or nominate a member of Council to respond.

(Palbinder Sandhu- 01274 432269)

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

Recommended –

- (1) That the appointment of Nicola Hoggart as the Environment Agency representative to replace Catherine Saxon as a co-opted member of the Environment and Waste Management Overview and Scrutiny Committee for the remainder of the 2013/2014 municipal year be confirmed.**
- (2) That Councillor Shah be appointed to the Bradford East Area Committee in place of Councillor Sher Khan.**
- (3) That Councillor Robinson be appointed to the Bradford South Area Committee in place of Councillor Walls.**
- (4) That Councillors Imdad Hussain and Ahmed be appointed to the Bradford West Area Committee in place of Councillors Thirkill and McCabe.**
- (5) That Councillor Gibbons be appointed to the Keighley Area Committee in place of Councillor Farley.**
- (6) That Councillor Warnes be appointed to the Shipley Area Committee in place of Councillor Davies.**

To consider any other motions (i) to appoint members to a Committee or a Joint Committee; or (ii) to appoint Chairs or Deputy Chairs of Committees (excluding Area Committees).

9. MEMBER QUESTION TIME (Standing Order 12)

To deal with supplementary questions arising from the attached questions of which written notice has been given.

Notes:

- (i) Answers to written questions shall be circulated at the commencement of the meeting.*
- (ii) The Lord Mayor will have regard to the list of questions and the political composition of the Council in calling on Members to put their supplementary question to the Leader of Council and Portfolio Holders.*
- (iii) A period of up to 30 minutes shall be available for supplementary questions to Members of the Executive.*

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

10A **RECOMMENDATION FROM THE EXECUTIVE – LOCAL PLAN CORE STRATEGY**

The Assistant Director Planning, Transportation and Highways submitted **Executive Document “AJ”** to the meeting of the Executive held on 19 November 2013. The Council is in the process of preparing the Local Plan (formerly the Local Development Framework) which will replace the current Replacement Unitary Development Plan for the Bradford District. The first of the Local Plan documents is the Core Strategy which sets out the strategic approach to managing development and change to 2030. Following consultation on the Further Engagement Draft in 2011 and 2012, a revised draft has been prepared for submission to Government for independent examination.

The Executive recommended to Council:

- (1) To approve the Publication Draft Core Strategy contained in Appendix 1 to Executive Document “AJ” and the associated sustainability report for the purposes of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004.**
- (2) That prior to submission the publication draft be issued for formal representations for a period of 6 weeks in the New Year.**
- (3) That the Assistant Director (Planning Transportation and Highways) in consultation with the relevant portfolio holder be authorised to make minor amendments of redrafting or of a similar nature as may be necessary prior to formal publication for representations of the Core Strategy Publication Draft contained in Appendix 1 to Executive Document “AJ”.**
- (4) That delegated authority be given to the Assistant Director Planning Transportation and Highways in consultation with the relevant portfolio holder to submit the document to the Secretary of State once the 6 week period for representations has been completed.**

(Andrew Marshall - 01274 434050)

Note: As the Appendices to Document “AJ” are lengthy, they are being circulated on a restricted basis. They are available on the Minutes/Agenda Database of the Council’s internet site www.bradford.gov.uk or contact the Committee Secretariat on 01274 432435.

10B **RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE – ANNUAL TREASURY MANAGEMENT REPORT 2012/13**

On 1 November 2013 the Governance and Audit Committee considered a report of the Director of Finance **Governance and Audit Committee Document “U”** which shows the Council’s Treasury Management activities for the year ending 31 March 2013. The Committee recommended to Council:

That the Annual Treasury Management report 2012/13 be adopted.

(David Willis - 01274 432361)

10C RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE – TREASURY MANAGEMENT MID YEAR REVIEW UP TO 30 SEPTEMBER 2013

On 1 November 2013 the Governance and Audit Committee considered a report of the Director of Finance **Governance and Audit Committee Document “V”** which shows the Council’s Treasury Mid Year Review up to 30 September 2013. The Committee recommended to Council:

That the Treasury Mid Year Review up to 30 September 2013 be adopted.

(David Willis - 01274 432361)

10D To consider any further recommendations (if any) arising from meetings of the Executive and Committees held after the publication of this agenda and prior to the Council meeting.

11. NOTICES OF MOTION (Standing Order 17)

To consider the attached motions of which notice has been given.

12. WEST YORKSHIRE COMBINED AUTHORITY: GOVERNMENT CONSULTATION

The report of the Strategic Director Regeneration and Culture (**Document “G” (Appendix)**) updates Members and seeks approval from Council on the approach proposed to responding to the constitutional arrangements and functions of a Combined Authority for the area of West Yorkshire as set out in the Government consultation.

Council is recommended to -

- (1) Welcome the publication of the Government consultation paper which invites the submission of views by Thursday 2 January 2014.**
- (2) Endorse the proposed constitutional arrangements and functions of the Combined Authority as set out in the consultation paper.**
- (3) Approve the proposed approach to responding to the consultation.**
- (4) Authorise the Chief Executive (in consultation with the City Solicitor and Leader) to make a formal response to DCLG confirming the Council’s support for the establishment of the Combined Authority and to take such other steps as are considered appropriate to facilitate the preparation of the Order.**
- (5) Note the next steps and timetable, and in particular that providing Government is satisfied that the proposals for a Combined Authority for West Yorkshire command wide local support and also meet the required statutory conditions, the Secretary of State will invite Parliament to approve the Order establishing the Combined Authority.**

COUNCIL

10 DECEMBER 2013

MEMBER QUESTION TIME

Questions submitted in accordance with Standing Order 12

QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. **Councillor Gill Thornton**

Can the Leader comment on recent suggestions that the Council addresses the funding gap caused by spending cuts by selling off artworks from its municipal collections?

2. **Councillor Martin Smith**

In the light of the 79.4% loss of budget planned in the Budget proposals to the Youth Service can the Leader expand on how this will affect the Youth of Bradford and particularly work in diverting disaffected youth and in co-ordinating work across Police, Social Services, Health, Education, Job Centres, Voluntary Services, Communities and other external partners?

3. **Councillor Geoff Reid**

Question to the Portfolio Holder for Housing, Planning and Transport - Is the collaboration agreement between Bradford Council and the owners of Fagley Quarry (Marshalls) still on the table? Have the Council's proposals been abandoned or simply delayed?

4. **Councillor Shabir**

When is the Council going to do something about the blocked drains on the main A650 located between at the bottom of Heaton Grove and the top of Park Grove? The drain is blocked whenever there is heavy rainfall and is now causing significant danger to cyclists and other road users and pedestrians. Can the leader instruct highways to look at this issue and come up with some long term solution?

5. **Councillor Warnes**

Will the Leader please quantify the total additional carbon emissions that will be associated by the 42,000 new homes envisaged in the draft Local Plan Core Strategy, assuming that they are all built to a standard equivalent to Code 4 of the Code for Sustainable Homes?

6. **Councillor Azam**

Will the Portfolio Holder comment on the recent remarks by Lord Nash about Bradford's Schools?

7. **Councillor Engel**

Is the Council certain that those who learn and work in Bradford's schools are not at risks from asbestos, be it in the fabric of the buildings, heating systems or props used in history lessons, and if not, what is being done to address the problem?

8. Councillor Martin Smith

Can the Leader advise members about the claimed £15m spent in the Voluntary Sector within Youth Support activities and can we have a list of where this was spent and the performance of those recipients of funding?

9. Councillor Warburton

Given recent reports of increasing pressure across the country on Child Protection Services can the Portfolio Holder explain what the Council is doing to protect and secure the resilience of these services in Bradford District?

10. Councillor Wainwright

Does the Leader agree that food collection posts for food banks should be established at Council buildings?

11. Councillor Davies

Does the leader of Council consider that Parish and Town Councils are suitable vehicles for the devolution of services? If so what protections are in place to prevent double taxation for those services?

12. Councillor Smithies

What are the Excess Winter Death figures for the District last year; how do these compare with the previous year and how do they compare with the national and regional figures. Does the Council have plan in place to address Excess Winter Deaths and if so, how is its impact monitored and evaluated?

13. Councillor Middleton

Question to the Leader - What is the latest position regarding the former Bradford Council building Laurence House in Peel Park?

14. Councillor Swallow

Could the Portfolio Holder for Children's Services please outline which essential life skills are taught to our young people in our District's schools and does he agree that financial education is an essential life skill?

15. Councillor Townend

The Children's Centre in Baildon was erected with Government money which I believe to be in the region of £400,000, but should the revenue cease will this money have to be repaid and, if so, on what terms?

16. Councillor Engel

Can the Portfolio Holder please provide an update on progress in addressing the issues of environmental and visual blight and any breaches of planning regulations at the site of the former Reservoir Pub at the junction of Allerton Road and Rhodesway which continue to cause concern to many members of the local community?

17. **Councillor Faisal Khan**

In its discussion with Westfield, can the council detail what it has done to ensure the Westfield 'preparation works' translates to a real start in development (by the end of this year) and is not just a checkbox exercise by the developer?

18. **Councillor Shafiq**

Can the Portfolio Holder update Council on the current rate of adoptions?

19. **Councillor Cooke**

Given concerns about the threat to jobs in Bradford from the introduction of standardised packaging for cigarettes can the Leader say that no representations will be made by this Council to the Government's new review of options for standardised packaging without reference to members and consideration of the Policy's negative impact on employment?

20. **Councillor Engel**

What is the Council doing to provide safe, decent cycleways around school and commuter routes?

21. **Councillor Swallow**

The Portfolio Holder should be applauded on bringing a new library into the Bradford City Centre. I note that this library will contain c.60,000 books. Would she please tell us how many books in total are owned by the Council, how many are on display across the Districts libraries, how many are in storage and the value of our District's book collection?

22. **Councillor Middleton**

Question to the Portfolio Holder for Employment, Skills and Culture - Of the approximately 4,000 items in the Bradford MDC Fine Art Collection as reported to Governance Committee 28 November 2013, what % of these items have been on public display in the Bradford District during 2013?

23. **Councillor L'Amie**

Can the Leader give an assurance that work on the Shipley Eastern Bye Pass will be completed during the life of the proposed new LDF. If this cannot be given will development in the Canal Road Corridor and Baildon be restricted?

24. **Councillor Engel**

Will the Leader comment on proposals to hand the responsibilities of the Fire Authority to the Police and Crime Commissioner?

25. **Councillor Hassan Khan**

Does the Portfolio Holder for Stronger and Safer Communities agree with the Police and Crime Commissioner that all money seized from criminals in West Yorkshire should be retained in West Yorkshire?

26. Councillor Davies

Does the Leader think that a strategy similar to 'The Green Heart of Essex' campaign developed to noticeably improve the appearance of the Braintree District, would be suitable for adoption in the Bradford District?

27. Councillor Engel

Will the Portfolio Holder/Leader/Council support me in congratulating Bradford University on winning first prize at the Green Gown Awards for their environmental improvements on campus?

http://www.thetelegraphandargus.co.uk/news/10811293.University_wins_top_green_prize/?ref=twtrrec?

28. Councillor Davies

It is widely recognised that Baildon has missed out on Youth Service provision over a large number of years compared to other areas (for example we have never had a full time youth worker). Recent limited progress is jeopardised by proposed cuts to the service. Given the amount of officer and councillor time spent on improving things for the young people of Baildon can we be given a chance to redress the balance?

29. Councillor Leeming

Question to the Leader - Has a decision been made by Bradford Council regarding the Market Licence Application for the former QLM Building on Idle Road?

30. Councillor Faisal Khan

What is the current cost benefit case of City Park and when is the projected payback, is it in line with initial estimations and projections?

31. Councillor Warnes

Does the Leader of Council agree that constructing 11,000 new homes on 'Green Belt' land is not a form of sustainable development for Bradford District?

32. Councillor Brown

Can the Leader of Council congratulate Haworth on becoming the first Fair Trade Village in the world and consider recognising this on signs leading into the village?

33. Councillor L'Amie

Could the Leader say how many children are currently in Council care and how does this compare with the numbers in care a year ago?

34. Councillor Middleton

Question to the Leader - I have been asked by residents to inquire why the Yorkshire Flag is not displayed all year round in Bradford City Centre?

35. Councillor L'Amie

Can the Leader say what proposals are there to ensure that the IT facilities available to Elected Members are fit for purpose?

COUNCIL

10 DECEMBER 2013

NOTICES OF MOTION

1. DISTRIBUTION OF PUBLIC SPENDING AND INVESTMENT

To be moved by Councillor Green
Seconded by Councillor Imran Hussain

This Council notes that there are regional imbalances in the current and proposed distribution of public spending and investment the consequences of which have seen:-

- Resources provided by Government to Bradford Council reduce by disproportionate amounts compared to some other parts of the country.
- Proposals to redistribute NHS funding away from Clinical Commissioning Groups in Bradford to other parts of the country.
- Long standing issues of lower levels of spending per person on infrastructure, transport, housing and culture in Yorkshire than in London, the South-East and Scotland.

The Council is concerned that if these trends continue they could lead to an increasing imbalance between local services and regional economies that will be detrimental to the interests of Bradford District, increase health inequalities between Bradford and other parts of the country and jeopardise the future viability of some public services.

The Council therefore resolves to request all Group Leaders to agree and sign a joint letter to the Chancellor of the Exchequer requesting that the Government urgently seeks to:

- 1) Re-profile the distribution of national public spending to address current inconsistencies and secure a balanced approach to economic investment and growth.
- 2) Ensure that a higher proportion of funding for local government is distributed according to need and that Councils are provided with the stability required to support effective financial planning.
- 3) Provide funding for all new responsibilities required of Councils arising from the Care Bill currently going through Parliament.
- 4) Recognise the cumulative effects of reductions in public spending on Bradford District.
- 5) Provide local government with increased powers to raise income and to deliver economic growth.

2. REV PAUL FLOWERS – BRADFORDIAN'S WANT CRYSTAL CLARITY NOT MYTHS

To be moved by Councillor Karmani
Seconded by Councillor Shabbir

This Council is deeply concerned that the revelations regarding Rev Paul Flower's Personal life specifically it is concerned about his:

- Drug use
- Misuse of council laptop for personal use not authorized within council IT policy
- The lack of clarity regards the investigative process used to ascertain the nature of the material and its legality. Was the police consulted on this matter and is there anyone in the council to make such a judgment.
- The rise of Rev Flowers through the ranks of the co-operative council and become the chairman of its banking arm without any formal qualifications in banking or business
- The nature and appropriateness (if any) of the references provided by the then Council leader Ian Greenwood.

All these issues have all combined to further undermine the trust and faith in the council. The council believes that in order to increase the trust of the citizens of Bradford in the Council it resolves to:

1. Ask the Leader of the Council and the Chief Executive to be fully transparent and disclose all aspects of the Investigation in particular who determined or made decision that the material found on the laptop was not illegal. If no such process or expertise exists within the council why has there been statements saying that the material found was not illegal.
2. The Labour group needs to reveal any references provided about Rev Flowers and what influence it used to get Rev. Flowers to become chairman of the banking side of the co-operative bank.
3. The Council and the leaders of the political groups meet to stream line processes regards matters similar to this. Furthermore establish clear investigative processes to determine outcome of such issues in future.
4. Make clear what role the former leader Ian Greenwood, present deputy and Whip had in the affair.
5. Demonstrate how any similar situation can be avoided in the future

3. HAMZAH KHAN SERIOUS CASE REVIEW

To be moved by Councillor Shabbir
Seconded by Councillor Karmani

This Council is deeply concerned that the Serious Case Review into the death of Hamzah Khan appears to give legitimacy to the view that another death of a child or vulnerable adult is inevitable in Bradford. Furthermore, it is deeply concerned that a report, whilst quick to point out community resistance to mixed marriages in 1986, yet offers no empirical evidence to this assertion - is very reluctant to apportion blame or take any responsibility for the disjointed and inadequate response of services in which Hamzah Khan disappeared and eventually was found lifeless, this was achieved through the persistence of a PCSO, in his cot under a pile of clothes .The Council is concerned that fundamental questions remain unanswered, which require answering as to how Hamzah Khan and Amanda Hutton, the mother of Hamzah, became neglected by many different agencies to the point where she became invisible- to the statutory agencies charged with protecting the most vulnerable

members of our city remain unanswered. This type of tragedy must not be allowed to happen again. This can best be achieved by learning the lessons and taking the necessary next steps towards this objective.

The Council resolves that it will:

- Publish and make available the response to the set of questions sent to the Children's Minister Edward Timpson in relation to the serious case review into the death of Hamzah Khan.
- Commit itself to the prevention and avoidance of any future death of a child or vulnerable adult.
- It will undertake a thorough race equality review of the statutory services involved within the Hamzah Khan case so as to learn the lessons and to improve services. Recognising that there are increasingly diverse communities

4. SAFEGUARDING OF YOUTH SERVICES

To be moved by Councillor Faisal Khan
Seconded by Councillor Collector

This Council acknowledges:

That the youth services provide an essential service that supports some of the most vulnerable of our young people.

That Bradford has the youngest and fastest growing population outside London at 11%. We also have the largest proportion of people aged-19-and-under at 19%.

By 2020 Bradford will be the youngest city in Europe with 50 per cent of the population under 25.

Our young represent one of our most vulnerable groups in society, and also represent an opportunity to be our biggest asset in years to come, in terms of a young vibrant workforce that can rejuvenate the city and therefore should be one of our highest priorities.

That cutting youth services deprives the city of great opportunity to build on our youth and will store problems in the near future.

The Council resolves to:

To interpret the June 2012 guidance by the department for education which placed a duty of care on Local authorities to secure services and activities for young people aged 13 to 19 (up to 24 with learning difficulties) as follows:

To safeguard youth services as a priority services for the city instead of considering cutting these essential services

Put safeguards in place to ensure that quality and level of youth service provision are not any way diluted and undermined by any future attempts to outsource and contract out Bradford youth services

Ensure that a minimum level of service is set at 25% across the whole district of young people aged 13-19 and those with learning difficulties

Write to central government seeking additional funding given the demographics of the city.

5. **YOUTH SERVICES**

To be moved by Councillor Whiteley

Seconded by Councillor Ellis

1. Council recognises the value of youth services across the District.
2. Council notes proposals to reduce spending on these services and urges that the basic level of service including ward officers and the funding of local voluntary provision is maintained