

**Department of Legal and
Democratic Services**

Members of Council

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Date: 1 December 2014

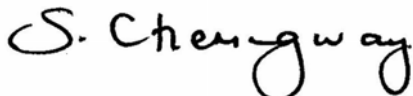
Dear Councillor

COUNCIL MEETING – 9 DECEMBER 2014

You are requested to attend a meeting of the Council to be held in the Council Chamber, City Hall, Bradford, on Tuesday, 9 December 2014 at 1600.

The agenda for the meeting is set out overleaf.

Yours sincerely



Interim Chief Executive

Notes:

- ◆ This agenda can be made available in Braille, large print or tape format.
- ◆ 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.



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 21 October 2014 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) Save Queensbury Swimming Pool **Queensbury**

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 questions received are set out in **Document “J”**.

The Lord Mayor will invite the Leader of Council to respond to the questions or nominate another 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 Joyce Simpson as a voting Church of England co-opted member of the Children’s Services Overview and Scrutiny Committee for the remainder of the 2014/2015 municipal year be confirmed.**

- (2) That Councillor Robinson be appointed to the Bradford South Area Committee in place of Councillor Walls.
- (3) That a member of the Bradford Independents Group be appointed to the Bradford West Area Committee in place of a member of the Labour Group and the Labour Group member be appointed as an alternate.
- (4) That Councillor Morris be appointed to the Keighley Area Committee in place of Councillor Atkinson and Councillor Atkinson be an alternate for the Independents Group.
- (5) That a member of the Green Group be appointed to the Shipley Area Committee in place of Councillor Greenwood and Councillor Greenwood be a Labour Group alternate.

To consider any further 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 **ANNUAL TREASURY MANAGEMENT REPORT 2013/14**

Previous reference: Governance and Audit Committee Minute 34 (2014/15)

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2013/14. On 24 October 2014 the Governance and Audit Committee considered a report of the Director of Finance (**Governance and Audit Committee Document "R"**) showing the Council's Treasury Management activities for the year ending 31 March 2014.

Recommended –

That the Annual Treasury Management Report 2013/14 be adopted.

(David Willis - 01274 432361)

10B TREASURY MANAGEMENT MID YEAR REVIEW UP TO 30TH SEPTEMBER 2014

Previous reference: Governance and Audit Committee Minute 35 (2014/15)

On 24 October 2014 the Governance and Audit Committee considered a report of the Director of Finance (**Governance and Audit Committee Document "S"**) in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice that a mid-year review of Treasury Management be undertaken.

Recommended –

That the changes to the Treasury Policy set out in section 3.4.2 of Governance and Audit Committee Document "S" be adopted.

(David Willis - 01274 432361)

10C To consider any 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. ATTENDANCE AT COUNCIL MEETINGS

Council is asked in the report of the Assistant City Solicitor (**Document "K"**) to decide whether to approve the reason for the non-attendance at Council meetings for a period of 6 months by a councillor under Section 85 of the Local Government Act 1972.

Recommended -

That Council consider whether to approve the reason for Councillor Miller's non-attendance at meetings of the authority between the period of 17 July 2014 and 20 January 2015.

(Linda Bailey - 01274 433541)

COUNCIL

9 DECEMBER 2014

MEMBER QUESTION TIME

Questions submitted in accordance with Standing Order 12

QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. **Councillor Shafiq**

Can the Portfolio Holder for Children's Services comment on the new Families First programme which seems to have significantly reduced funding, will Bradford be able to ensure effective outcomes for families based upon this new project?

2. **Councillor Heseltine**

In the spirit of Christmas will the Council offer free parking on market days to encourage shoppers to use markets in our Towns such as Bingley?

3. **Councillor Reid**

To the Portfolio Holder for Planning & Transportation - In the municipal year 2013-14, what was the total of planning applications determined by the Bradford and the Keighley & Shipley Planning Panels and how many of these were retrospective applications; how many of these retrospective applications were then passed by the Planning Panels?

4. **Councillor Shabbir**

Recently there has been an increase in gold robberies could the portfolio holder outline the steps he has taken to address this issue?

5. **Councillor Warnes**

Will the Leader please update colleagues on the council's 'solar schools' initiative, including an estimate of the likely number of schools that will install solar PV during this academic year?

6. **Councillor Morris**

Will the leader please explain why the Council has agreed to accept the sum of a paltry one hundred pounds plus VAT (viz £120 in total) from the leader of the Conservative group in settlement of the cost to the Council of his unauthorised and improper use of council facilities for electoral purposes in May 2014 when:-

1. The Council's Interim Chief Executive (Ms Hemingway) (then the Council's Solicitor and Monitoring Officer) stated in a report to the Council's Governance and Audit Committee for its meeting on 10th October 2014 that "There are no financial implications arising out of this report. The Council will seek to recover any costs to the public purse as a result of the unlawful activities".

2. The Council's Assistant City Solicitor (Dermot Pearson) stated in a report to the Council's Governance and Audit Committee for its meeting on 21st November 2014 that the value of the improper photocopying had been agreed with the leader of the Conservative group at one

hundred pounds plus VAT, that the value of the labour used was £92.75 and that Council envelopes were used (by implication approximately 900)

3. In an e-mail to Lisa Kane dated 2nd July 2014 Dermot Pearson said “Suzan needs to put a figure on the cost to the Council Resources used in producing the offending election material so they can be recharged to the candidate. The issue is how to quantify the officer time in printing, putting in envelopes and the cost of the work. We are thinking of using FOI rates e.g. 10p a sheet and £25p/h for the time. As I did not ask the officers how long they spent and (redacted) is now off sick so (sic) we are thinking of e.g. 30 seconds to fold a letter, put it in an envelope, seal the envelope and then multiply that up by 916 (2x458)”

4. In an e-mail dated 2nd July 2014 from Dermot Pearson to Ms Hemingway Dermot Pearson said “What we pay the staff who did the work:

(redacted) @ £15.50 ph

(redacted) @ 11.00 ph

I am thinking of a 50-50 split between the two for the 1000ish envelopes (without the 20% on-costs because they would have been in the building anyway)”

to which Ms Hemingway replied on the 3rd July 2014 “I agree your suggestions”

5. In an e-mail dated 3rd July to Ms Hemingway Dermot Pearson said “So we would have

1. 1374 sheets of paper @ 10p per sheet

2. 916 envelopes @ (?) each

3. Labour (redacted) (458 x 30 seconds) @ 15.50 ph = 59.16 (to put the letters in envelopes and put stamps on)

(redacted) (458 x 30 seconds) @ 11.00ph = £41.98)

This leaves out some of the difficult to quantify activities e.g. typing letters, work on mail merge etc.”

To say the Officers would have been in the building anyway is irrelevant, the Officers who deal with FOI requests are also in the building and no deduction is made to the public for that.

6. How can the Council justify charging a member less for a service than a member of the public would be charged. If John Smith had made a FOI request and the Officer time and the facilities were the same he would be charged at £25 p/h and 10p per sheet of paper plus postage. This is a slap in the face for the ratepayers of the District and cannot be allowed to continue, we can't treat this as if Councillors are somehow privileged in some way therefore can be treated differently and be given arbitrary discounts whenever it suits.

The cost in the case of Councillor Miller should have been in the region of £551.20 plus on costs. That is after deducting stamps that he has already declared. Not the £100 as he has agreed to pay. Shortfall to the ratepayers of the District £451.20. I would like to know if this will be collected by the Council?

7. **Councillor Wainwright**

Can the leader comment on the recent report of the National Audit Office that identified significant failings in the Government's handling of the Better Care Fund?

8. **Councillor Lynne Smith**

Does the Leader share the concerns of the National Audit Office which recently concluded that the Department for Communities and Local Government has no accurate measure of the cumulative financial challenges facing local authorities, has a limited understanding of the size and timing of potential savings from transforming services and has no way of knowing whether local authorities can absorb further funding reductions?

9. Councillor Baroness Eaton

As neighbouring Leeds City Council is providing an example of an innovative approach to service transformation and estate management, through an integrated health and social care programme which will see 900 staff integrated into area teams, saving up to £3million in three years, can the Leader of Council advise colleagues of actions to be taken in Bradford, to integrate health and social care in a way that improves patient care and saves money?

10. Councillor Engel

What assistance is available to parents fleeing domestic violence when they need to quickly arrange a new school place for their child/ren, bearing in mind that they may be suffering financially due to their change in circumstances, they may have serious genuine concerns for the safety of their child/ren if attending schools in certain localities, they may be reliant upon the assistance of extended family members, and the need for such school places to be found quickly to minimise the disruption to the child/ren's education at what can be a very traumatic time?

11. Councillor Greenwood

Can the Portfolio Holder for Transport comment on the award of the East Coast rail franchise in the light of Council efforts to bring extra trains to Shipley?

12. Councillor Davies

Given that it has been confirmed that children's centres receive funding based on the number of potential users, rather than and to the disadvantage of actual users, can the Leader of Council confirm that he considers such an approach rational and that will this method be applied to other council services? For example, if he supports this approach to funding, can we expect to see any new school places provided not in the areas where there is actual demand, but elsewhere, or the removal of recycling bins from people who use them and provided to people who don't, or maybe the locating of new swimming pools and other leisure facilities away from areas where their customer base comes from and instead placed in areas with low usage?

13. Councillor Hassan Khan

What are the latest figures for Bradford District recycling rates, do these represent an improvement and how can we increase them?

14. Councillor Middleton

To the Portfolio Holder for Environment, Sport & Sustainability - Following the Home Office Guidance (October 2014) on "Reform of Anti social Behaviour Powers: Japanese Knotweed and other Invasive non-native plants."), will Bradford Council face actions by Bradford residents where Japanese Knotweed is growing on Bradford Council land e.g. Farriers Croft BD2 and Queens Road Allotments BD2?

15. Councillor Greenwood

What benefits does the portfolio holder see in the transfer of Health visitors to the local Authority?

16. **Councillor Cooke**

When does the Council intend to consult the public on its City Plan?

17. **Councillor Swallow**

Has the Council responded to the Government's consultation on how Local Welfare provision should be funded and, if so, can the leader provide a summary of the Council's position?

18. **Councillor Shabbir**

Can the portfolio holder for Environment and Sport provide assurances that the changing facilities and programming in all the proposed swimming pools will be accessible to all communities and cultures thereby maximising the earning potential from all communities?

19. **Councillor Dunbar**

Would the Leader like to explain how much of a problem homophobic bullying is in Bradford Schools and in workplaces and what our strategy is to deal with this and what support is on offer to support victims?

20. **Councillor Dale Smith**

Please identify the number of requests for Enforcement Orders currently in the system and, in 3 month blocks, when they were first registered?

21. **Councillor Warburton**

Could I have an update on plans for the improvement and refurbishment of Bradford's railway stations?

22. **Councillor Akthar**

What is the latest position on the Keighley Town Centre Heritage Improvement programme?

23. **Councillor Fear**

To the Portfolio Holder for Housing, Planning & Transportation -
How much did Bradford Council spend in 2014 on Land Registry searches?

24. **Councillor Cooke**

What actions has the council considered to provide more short-term parking to support local centres such as Wibsey?

25. **Councillor Dunbar**

Would the leader like to explain what contribution that Bradford Youth Service is currently making to tackling CSE and any initiatives it has lead or taken part in over recent years?

26. **Councillor Warburton**

Can the Leader or Portfolio holder inform us how many times council properties have been used by film /tv companies over the last 12 months and which films/shows does Bradford District appear?

27. Councillor Poulsen

Please can I have an update regarding what has happened to the £2.5 million Community Hubs funding allocated to build a new community centre and library in Haworth as approved in March 2010 by the Executive?

28. Councillor Dunbar

How many people have accessed the Get Bradford Working scheme since its inception and how many have gone onto full time employment?

29. Councillor Dodds

The Local Government Association has identified Female Genital Mutilation as a national issue about which local Councils need to raise awareness in order to prevent its occurrence and prosecute offenders. What is the Council doing locally with its partners to raise awareness in order to identify and eradicate this practice?

30. Councillor Davies

How much did the two day review of schools by Professor Woods cost the authority and what has been learned from it?

31. Councillor Dunbar

As part of the decision to cut the youth service by 36% over 2 years it was decided under the new restructure (which started on 1st July 2014) to increase the P/T workers budget. Can the leader explain how many part time vacancies have been recruited to since the restructure?

32. Councillor Jeanette Sunderland

Can the Leader of Council explain to Councillors the justification of giving Bradford Council Tax Payers cash to the West Yorkshire Combined Authority for it to put into its reserves at the same time as Bradford Council is cutting services to vulnerable people?

33. Councillor Warnes

When will the street lighting team respond to the requests by residents and myself for an assessment of the quality of lighting on The Grove in Shipley, bearing in mind that my repeated emails on this matter remain unacknowledged?

34. Councillor Cooke

Would the Leader of the Council consider urging the sub-regional partnership responsible for safety cameras to consider their installation where the following apply: 1. There is no opportunity to use physical traffic calming interventions; 2. Injury accidents, including KSIs, have occurred but not in sufficient quantity to meet core criteria?

35. Councillor Dunbar

Barnardo's new campaign 'Beyond Care' aims to make sure care leavers are living in accommodation suitable for their needs. Could the leader explain how many care leavers in Bradford in the last 12 months stayed in unsuitable accommodation like Bed and Breakfasts with a break down of how many days they stayed in such places?

36. Councillor Davies

Given that the nature of Social Workers remits necessitate them to be out and about in the community, does the use of additional officer travelling time, due to re-locating their base to the city centre make the measure a false economy which actually reduces the time available to support vulnerable residents?

37. Councillor Lee

Can the Portfolio Holder clarify the policies on admissions to primary schools for children attending nursery at those schools.

I have had several reports that schools are advising parents that if their child attends the nursery at their school they will automatically get a primary place at that school. However I am told that in some instances this has proved not to be the case.

I would also like some clarification about the Government's new legislation for nursery places for two year olds and whether this guarantees the child a place at the primary school where they are attending nursery?

38. Councillor Dale Smith

When does the Council intend publishing its proposals on Community Infrastructure Levy?

39. Councillor Middleton

To the Portfolio Holder Children & Young People's Services - Given that in the Mid Year Finance Report 30 September 2014 (Page 17) staffing vacancies in the Bradford Achievement Service are forecast to deliver an underspend of £300,000, is vacancy control in that department compromising improvements in Educational Achievement in the District?

COUNCIL

9 DECEMBER 2014

NOTICES OF MOTION

1. DEVOLUTION OF POWERS FROM WESTMINSTER AND WHITEHALL

To be moved by Councillor Green
Seconded by Councillor Imran Hussain

This Council believes that decisions are best taken at as local a level as possible and we are pleased to see that following the Scottish Referendum and in the run up to the General Election all Parties are committing themselves to greater devolution in England.

This Council believes that the current centralised system we have in England is not only expensive but fails to deliver the best possible services for the people of the District.

We believe that the current discussions about the devolution to the Combined Authority need to be as wide ranging as possible and allow for further devolution of delivery of services to the lowest possible level of administration that is applicable and effective and to cover the widest range of service and fiscal devolution.

We believe that the Governance arrangements for devolved services should be a local matter as long as basic issues of accountability and probity can be satisfied.

2. TOWNS AGAINST TAX DODGING

To be moved by Councillor Swallow
Seconded by Councillor Akthar

This Council notes:

- 1 It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year.
- 2 While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share.
- 3 Developing countries lose three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out.
- 4 Local governments in the UK and developing countries alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide good quality public services.
- 5 The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.

- 6 The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
- 7 Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.
- 8 That the G8 Summit hosted by the UK in June 2013 made some progress on the issue of tax dodging and that the changes that are needed that were highlighted at the summit need to be implemented.

This Council believes that:

- 1 Its ability to provide quality local services would be significantly enhanced by the increased revenues from the government doing more to tackle tax dodging.
- 2 All who benefit from public spending, including multinational companies should contribute their fair share.
- 3 The UK must take a lead role in creating a fairer tax system and combating tax dodging.
- 4 The UK government must listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies.

The Council resolves to;

- 1 Support the campaign for tax justice -"Towns Against Tax Dodging"
- 2 Call on the Government to do more to prevent the tax avoidance by multi-national companies that costs the UK up to £12 billion a year at a time when public services are under increasing financial pressure and that harms ordinary people around the world.

3. **HOT FOOD TAKEAWAYS**

To be moved by Councillor Fear

Seconded by Councillor Jeanette Sunderland

This Council welcomes the Hot Food Takeaway Supplementary Planning Document as one of the interventions to limit the impact of new Hot Food Takeaways.

This Council recognises that through the introduction of the policy recognises the potential harmful impact of Hot Food Takeaways, and notes that some communities are facing significant and continuing issues from over concentration, proximity to schools, highway safety, and loss of residential amenity from some of the existing businesses and that these would have been prevented had the Supplementary Planning Document been imposed before the respective permissions were given for takeaways within these communities.

This Council notes there are a number of initiatives whose objective is to reduce harm to customers and the immediate neighbourhood however there are other impacts such as the costs of litter removal, long term environmental damage from packaging, cost of policing and other noise and nuisance complaints, staff wages and conditions etc that consumers may be unaware of.

This Council therefore requests that the Chief Executive consults widely to produce a scheme to encourage greater social responsibility; so that the impact of new and existing hot food takeaways can be measured by both the Council, and consumers to allow them to make better informed decisions about hot food takeaways. The purpose of this scheme will be to require all businesses serving hot food to takeaway to show how their business contributes to the health and well-being of consumers, local communities, staff and the environment. But this will also allow the Council to assess and address issues created by individual takeaways or by clusters of takeaways. This information would enable consumers to make evidenced based decisions when purchasing hot food to take away and would give the Council suitable basis for monitoring the impact of Hot Food takeaways.

4. PROMOTING PUBLIC ENGAGEMENT WITH PLANNING

To be moved by Councillor Sykes
Seconded by Councillor Ellis

Council notes:

1. Criticisms from the public, from parish councils and from members about the way in which the planning system operates
2. That the purpose of development control and management is to ensure planning decisions comply with the adopted development plan and that, so far as is possible, the expectations of that plan are met
3. That many people are not fully aware of the constraints and limitations on planning and development control

Council requests that the Strategic Director, Regeneration:

1. Develops a communications plan around the Local Plan process that seeks to inform the public about the planning process
2. Ensures that pre-application and other development engagement is undertaken as transparently as commercial confidence permits
3. Encourages developers, especially for significant and strategic proposals, to undertake more public consultation
4. Continues to develop and improve online promotion of public engagement with planning including via social media

5. DEVOLUTION OF POWERS TO WEST YORKSHIRE

To be moved by Councillor Cooke
Seconded by Councillor Ellis

Council notes reports of discussions about the possibility of further powers and money being devolved to West Yorkshire Combined Authority and/or the Leeds City Region.

Council asks that, in order to facilitate public debate about a major change in local governance, the Combined Authority publishes details of the response it has made to Central Government invitation to cities interested in further devolution.