

**Department of Legal and
Democratic Services**

Members of Council

Committee Secretariat
City Hall
Bradford
BD1 1HY

Tel: (01274) 432435
Fax: (01274) 728260
My Ref: SEC/AT
Contact: Adrian Tumber
Email: adrian.tumber@bradford.gov.uk

Your Ref: AT/Council

Date: 16 March 2015

Dear Councillor

COUNCIL MEETING – 24 MARCH 2015

You are requested to attend a meeting of the Council to be held in the Council Chamber, City Hall, Bradford, on Tuesday, 24 March 2015 at 1600.

The agenda for the meeting is set out overleaf.

Yours sincerely



Assistant City Solicitor

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 26 February 2015 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) Eastwood Primary School, Keighley – Safer Road Crossing
- (ii) Victoria Road, Saltaire Trees – Consultation Process

Keighley Central
Shipley

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)

There are no public questions.

(Palbinder Sandhu- 01274 432269)

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

To consider any 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)

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. **PAY POLICY STATEMENT 2015/16**

The Localism Act 2011 introduced a requirement for Local Authorities to produce and publish a Pay Policy Statement for each financial year. The Pay Policy Statement for 2015/16 is submitted for approval and is attached to the report of the Director of Human Resources (**Document “Q”**).

Recommended –

That the Pay Policy Statement for the financial year 2015/16, as set out at Appendix 1 to this report, be approved.

(Michelle Moverley – 01274 437883)

COUNCIL

24 MARCH 2015

MEMBER QUESTION TIME

Questions submitted in accordance with Standing Order 12

QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. **Councillor Mohammed**

The portfolio holder for Children's and Young Peoples' services will be aware that many children have not succeeded in getting places at their preferred schools. Can he explain what efforts the Council has made to try to ensure that as many children as possible have been offered a place at one of their preferred schools and summarise the underlying reasons for the pressure on school places?

2. **Councillor Miller**

Can the Leader of the Council set out the dates of all briefings, meetings or other communications regarding the "Public Sector Hub" development proposals, in which he was involved and can he also detail all meetings or exchanges of communications between council officers and the developers, prior to the Leader first being briefed on the opportunity?

3. **Councillor Fear**

To the Portfolio Holder for Planning & Transportation - Has Notice been served on the owner(s) of the land and wall at Thackley Corner?

4. **Councillor Ahmed**

What does the leader see as the deep rooted institutional issues resulting in the systemic failure for the absence of minority ethnic people at senior levels in the council and does he see any correlation between this and failure on key issues such as education?

5. **Councillor Morris**

I do understand it is essential that some Hackney Carriage and Private Hire Vehicles need to be able to accept wheelchairs with the occupant not having to decamp, but why is the Council insisting all Hackney Carriage Vehicles in the District must be of a design to carry a wheelchair in this manner. The cost to drivers could be as much as £10,000 for a conversion depending on the vehicle, there is no justification for such a ruling as statistics provided to me show less than 1% of users need this facility. The Hackney Association accepts there is a need for some and is perfectly willing to provide without question or ruling by the Council 40% of vehicles be DDA compliant that is well above the actual requirements. I ask that the Council reduce the 100% to the more workable and acceptable 40% as offered and remember these people are paying the Council just to work and do provide a valued service throughout the District?

6. **Councillor Robinson**

Can the Leader inform me what plan is in situ to reclaim the loan made by this council to Bradford Bulls, that had a personal guarantee from Omar Khan attached, and how much of the loan has been repaid?

7. **Councillor Lynne Smith**

Can the Leader confirm the funding arrangements for the proposed Public Services Hub?

8. **Councillor Akthar**

Does the Leader agree that Keighley needs its own Police Station, can he comment on any discussions he has had with the West Yorkshire Police and Crime Commissioner about the future of Keighley Police Station and does he believe that any proposals for re-location should be subject to public consultation at the earliest opportunity?

9. **Councillor Pennington**

Can the Portfolio Holder for Environment & Sport provide details and costs, for all maintenance and improvement works carried out on the swimming pools, over the last five years, broken down into individual months?

10. **Councillor Warburton**

Can the Portfolio Holder for Employment, Skills and Culture update us on the position regarding the future of Ilkley Manor House?

11. **Councillor Imran Khan**

Can the portfolio holder for Children's Services outline the powers and responsibilities of the councils in respect of school improvement for all state funded schools?

12. **Councillor Poulsen**

How many expressions of interest, bids and offers has the council received for the former Keighley College Buildings and if there is any subsequent agreement in principle for a sale, was the highest bid accepted?

13. **Councillor Swallow**

How is the Leader working with businesses and public services to drive up our wages in the local economy and improve outcomes for residents and businesses?

14. **Councillor Middleton**

To the Portfolio Holder for Planning & Transportation - Why has the time taken to repair broken streetlights in Bradford MDC now extended out to five weeks, a deterioration of the position reported in January 2015?

15. **Councillor Smithies/Councillor Farley**

What plans are in place for each of the four asset management sites in the Braithwaite & Guardhouse areas of Keighley? How far has each of the plans been progressed and how is any potential sale being promoted? How is the land being managed in the short term to minimise the impact of 4 areas of derelict land on the many residents living alongside these areas?

16. **Councillor Davies**

Can the Portfolio Holder for Children's Services inform colleagues of who was on the panel responsible for appointing Elaine McHale as Chair of Bradford's Safeguarding Children Board?

17. Councillor Jabar

Since the Families First programme was introduced, what impact has it had and have the targets set been met?

18. Councillor Ahmed

How many cases of child sex exploitation have been reported to the Authority over the last 20 years either directly by individuals or concerns raised by current or former staff resulting in

(a) no action taken

(b) action taken below the standard required

(c) satisfactory action being taken against the perpetrators?

19. Councillor Thirkill

Will the Leader and Portfolio holder be contacting the Leadership Team and staff at Bradford Central District Pupil Referral Unit to thank and congratulate them on a tremendous result of Outstanding in every category of their recent Ofsted report and to identify the lessons of their success?

This school deals with some of our most challenging children working to re establish education and re engage to return to main stream education.

They have work hard to rise from a good to outstanding in every category Ofsted. A remarkable achievement for staff and Pupils.

20. Councillor Mallinson

Can the Leader of the Council provide details as to how many electric vehicles there are in the District and how much use is made of each of the charging points, along with the cost to create the charging points?

21. Councillor Akthar

In the light of the outstanding Ofsted judgements at Highfield Community Pre-School and St Edmunds Nursery School can the Portfolio Holder tell us if there are any plans to ensure that lessons from the success of these schools are identified and shared with others so that all our children can benefit from their success?

22. Councillor Swallow

Could the Portfolio Holder advise as to what steps are being taken to increase the level of recycling across the District? What information is available to householders to assist them in knowing what can and can't be put in the doorstep recycling bins and which items can be recycled at the HWRC (household waste recycling centres)? What are the current levels of recycling broken down by ward?

23. Councillor Fear

To the Leader of Council - When will ward Councillors in Idle & Thackley and in Eccleshill be formally consulted as part of the decision to replace the Greengates junction at New Line/ Harrogate Road?

24. Councillor Sykes

Given that Cllr Berry has been in charge of declining education standards in Bradford for the past 5 years why doesn't he welcome the Prime Minister's plans for poor performing schools to be helped by bringing in the country's best head-teachers to run them?

25. Councillor Hassan Khan

Can the Leader tell us which schemes and firms in the Bradford District have received support from the Leeds City Region Local Enterprise Partnership and the West Yorkshire Combined Authority?

26. Councillor Swallow

I understand that Universal Credit applications are to start being rolled out in the Bradford District for selected categories of claimants from September 2015 and are to be made online. Job Seekers are also now expected to be able to evidence full time job searching including having online CV's available with Universal Jobmatch. Could the Portfolio Holder confirm what support there is to assist Job Seekers / Benefit Claimants with available internet access? Or is this just another example of this current government's short sightedness in making expectations without ensuring there are sufficient resources to meet the needs especially in light of budget constraints for local library services?

27. Councillor Davies

Can the Portfolio Holder for Children's Services advise colleagues of under what circumstances are Agency Foster Carers used, how many are there and what is the cost difference between using them and the Council's own foster carers?

28. Councillor Engel

Is the Portfolio Holder aware of ongoing issues around drainage at Lady Hill Park and will they undertake to ensure that appropriate investigations of the problems are carried out with a view to resolving the issue sooner rather than later?

29. Councillor Dunbar

Can the portfolio holder give information on the impact of recent national decisions on schools budgets and the pressures identified upon delegated budgets over the next 2 years?

30. Councillor Poulsen

Can the Portfolio Holder for Environment & Sport provide details and costs of all maintenance and improvement works carried out on the current Jacobs Well building and car park etc, over the last five years, broken down into individual months and with details of the authorising officer?

31. Councillor Swallow

Dog fouling is, in some parts of the District, a persistent and disgusting issue. Please would the Portfolio Holder advise what actions have been taken to deal with dog fouling, how many penalty notices have been issued and how many prosecutions there have been in each of the last five years?

32. Councillor Reid

To the Portfolio Holder for Planning & Transportation - Where will new bus stops be located to serve the Westfield Shopping Centre when it opens?

33. Councillor Faisal Khan

How can we ensure that managed moves are not being used by some schools as a way to unofficially exclude pupils, where parents disagree how many students are stuck in isolation or out of school for more than a few weeks, and how many over two months, what is the gender ethnicity and age profile?

34. Councillor Whiteley

Can the Portfolio Holder for Childrens' Services indicate how much faith we can put in the Council's support for struggling schools, when Belle Vue Boys school was judged inadequate by Ofsted last summer after 3 years of being run by Council appointed governors brought in specifically to improve standards?

35. Councillor Lynne Smith

Will the portfolio join me in condemning the pre election announcement on the Tory commitment to significant increase in the provision of free schools without any evidence of need? Given the continued prohibition on councils opening new community schools linked to areas of high need, does he feel as I do that this policy is at it's heart designed to suck the life out of LA schools thereby returning Education to charities and patronage in a Victorian model, unfit for the 21st century?

36. Councillor L'Amie

At January's Full Council meeting we were told that action would be taken to ERADICATE the backlog of broken street lights – can the Portfolio Holder for how many lights are currently awaiting repair?

37. Councillor Swallow

Could the Portfolio Holder tell me if there is support for parents whose children are looked after to be able to have contact in the evening or weekends as appropriate, in order to maintain meaningful contact outside of working hours so that parents can either get into or continue to work and to work towards establishing a satisfactory income and home life for their children to hopefully return to if appropriate?

38. Councillor Middleton

To the Portfolio Holder for Employment, Skills & Culture - When will Eccleshill Library building on Undercliffe Road be reopening to the Public?

39. Councillor Lynne Smith

Was the leader as astonished as I was to read in the right wing press that "councils are hiring again for the first time in four years' ? In the light of the further crippling cuts faced by this authority and many others it seemed less confusing when it became clear that this misleading headline was based on just 12 respondents. Will he join me in condemning this cynical ploy to mislead the electorate on the truly crippling effect of these cuts on essential public services?

Does the continued rhetoric about efficiency savings and failure to reduce the deficit reaffirm that these cuts are based on ideology and not the balance of payments?

COUNCIL

24 MARCH 2015

NOTICES OF MOTION

1. STREET TRADING

To be moved by Councillor Karmani
Seconded by Councillor Ahmed

This Council notes that the rise in street trading is a means for hard working people to make a living in these difficult times. Across Bradford there has been an increase in Mobile Street trading vans selling fresh fruit, food, clothes and also items such as sofas.

The Council acknowledges the need to maintain a flexible approach to enable people with entrepreneurial skills to trade. It nevertheless notes that in many cases street trading is adversely impacting on local businesses operating from premises. Established businesses pays business rates, employ staff, VAT and also contribute to the vibrancy of localised trading areas supporting local communities.

Street trades are impacting adversely on shops, as they are able to undercut business because of the following:

- Pay no business rates
- Do not have other utility overheads
- Largely do not employ staff
- Do not pay VAT

In the current climate where businesses are struggling to survive the increasing arrival of streets traders is threatening business with closure and inability to pay business rates and employ staff.

The Council resolves to:

- Update its Street Trading Policy and to introduce restricted zone near established businesses in local areas such as Oak Lane, Manningham Lane, Frizinghall, and Saltaire etc.
- Introduce an annual license and traders policy that is comparable to that paid by business and which creates a level playing field
- Introduce basic standards of trading and health and safety operation of vans and other vehicles used for vending
- More strict compliance regime for compliance of health and safety, highways and trading standards legislation

2. COUNCIL PRIORITIES

To be moved by Councillor Cooke
Seconded by Councillor Miller

Council notes:

1. Proposals for an investment of over £40 million in new swimming pools

2. The recent announcement of a new £20 million plus development of offices for Council staff
3. Over £2 million spent on repairs and refurbishment to City Hall and Britannia House
4. The expensive refurbishment of the former Central Library and the acquisition of further City centre office space
5. The lack of transparency surrounding property disposals
6. Stated concerns from Executive Members about the lack of capital available to help meet the need for additional school places

Council acknowledges that these decisions demonstrate misplaced priorities within the Council, a lack of transparency in decision-making and the need for a new investment strategy

Council asks the Interim Chief Executive and the Director of Finance to:

1. Draw up proposals to reconfigure the capital investment programme so as to better meet the need for additional school places and improvements to the District's education infrastructure
2. Set out proposals to change the Council's Constitution to ensure that:
 - i. Major contracts and development agreements such as that announced for Jacob's Well are treated as Key Decisions
 - ii. Any such contracts or other arrangements to dispose of significant Council-owned assets (e.g. the former Keighley College buildings) are treated as Key Decisions and made in a transparent way subject to member scrutiny and approval
3. Amend the Member Officer protocols to require that officers brief opposition leaders and ward members in a timely and detailed manner of all property transactions and contracts subject to 2. above

3. **SCHOOL PLACES**

To be moved by Councillor Berry
Seconded by Councillor Green

The Council believes that if Local Authorities are to be held responsible for the provision of sufficient school places they should also have the powers and funding needed to work with schools and sponsors to deliver them.

The Council notes:

- a) The ongoing pressure on School Places across all parts of the Bradford District as the population continues to grow.
- b) That the Academies Act 2010 prevents the Council from setting up and running new schools.
- c) That, working with schools, the Council has expanded school places by 7,000 since 2010 and has invested £44m in the building of two new special schools.

- d) The recent announcement of a derisory and inadequate funding settlement from Government for extra school places in Bradford District that represents a 92% cut in Government support and will have an adverse impact across the entire District.
- e) The Coalition Government's policy of paying for school places in parts of the country where there are surplus places at the expense of areas like Bradford District where there are high levels of need.
- f) The fragmented system of local schools capital funding.
- g) That the Council is unable to require academies to expand.
- h) That any decisions about proposals and sponsors for building new academies lie with the Secretary of State for Education and not with local decision makers who have the best understanding of local needs.
- i) That the Council has very limited ability to determine or influence decisions about what new types of schools are needed to secure sufficient places.

The Council therefore calls on the next Government to:

- 1) Establish a single local schools capital fund to enable the Council to work with schools to maximise the impact of the very limited capital funding available for repairing, rebuilding and building new schools.
- 2) Provide an indicative five year capital allocation enabling the Council to work with schools and potential sponsors to plan ahead and commission and deliver the school places that the District needs.
- 3) Re-instate local decision making about the provision of new schools as was the case before the introduction of the Academies Act 2011.
- 4) Provide Councils with the option of establishing community schools where this is the preferred local approach and where academies are the preferred option to ensure that decisions about sponsors are taken locally.
- 5) Ensure that funding for new school places is targeted at those parts of the country where places are needed and not at areas of surplus places.