

Decisions of the Meeting of Council held on Tuesday 14 July 2015

**These decisions are published for information in
advance of the publication of the Minutes**

DECISIONS:

1. PETITIONS

Request to Re-open Public Toilets in Silsden

Resolved –

That the petition be referred to the Keighley Area Committee.

Remove Permission for Grouse Shooting on Ilkley Moor

Resolved –

That the petition be noted.

ACTION: Assistant City Solicitor (referral to Committees)

2. MEMBERSHIP OF COMMITTEES

Resolved –

- (1) That the appointment of the following non-voting co-opted representatives to the Children's Services Overview and Scrutiny Committee for the 2015/16 Municipal Year be confirmed:**

Health Representative: Kathy O'Connell

Teachers Primary School Representative: Stephen Pickles

Teachers Special School Representative: Irene Docherty

Voluntary Sector Representative: Janet Jewitt, Kerr Kennedy

- (2) That the appointment of the following non-voting co-opted representatives to the Environment and Waste Management Overview and Scrutiny Committee for the 2015/16 Municipal Year be confirmed:**



**Julia Pearson – Bradford Environment Forum
Nicola Hoggart – Environment Agency**

- (3) That the appointment of the following non-voting co-opted representatives to the Health and Social Care Overview and Scrutiny Committee for the 2015/16 Municipal Year be confirmed:

**Isobel Scarborough - Bradford District Older People's Partnership
Mike Young - Former Statutory Mental Health Services Manager
Tim Pickles - Strategic Disability Partnership
Susan Crowe - Strategic Disability Partnership**

- (4) That Councillor Thornton replace Councillor Malcolm Slater on the Governance and Audit Committee and be appointed Deputy Chair.
- (5) That Councillor Malcolm Slater replace Councillor Thornton as Chair of the Pensions Board, Councillor Thornton replace Councillor Malcolm Slater on the Investment Advisory Group and the Joint Advisory Group, and Councillor Lal be appointed to the Joint Advisory Group.
- (6) That Councillors Green, Val Slater, Farley, Cooke and Jeanette Sunderland (or their nominated alternates) be appointed to the Chief Officer Disciplinary Committee.
- (7) That Councillor Shaheen replace Councillor Thirkill on the Bradford West Area and Councillor Thirkill be an alternate.
- (8) That Councillor Akhtar be appointed to the Corporate Overview and Scrutiny Committee and Councillor Shaheen be appointed as an alternate.
- (9) That Councillor Nicola Pollard replace Councillor Rachel Sunderland on the Health and Social Care Overview and Scrutiny Committee.
- (10) That Councillor Robinson be deleted from membership of the Corporate Overview and Scrutiny Committee and be appointed to the Environment and Waste Management Overview and Scrutiny Committee.
- (11) That Councillor Morris be deleted from the membership of the Licensing Committee and be appointed to the Regeneration and Economy Overview and Scrutiny Committee.

ACTION: Assistant City Solicitor

3. RECOMMENDATION FROM THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE – ANNUAL OVERVIEW AND SCRUTINY REPORT FOR 2014-15

Resolved-

That the Annual Overview and Scrutiny Report for 2014-15 be adopted.

ACTION: Assistant City Solicitor

4. RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE – REVIEW OF THE CONSTITUTION

Resolved-

That the proposed amendments to the Constitution set out in Appendices 1, 3, 4, 5 and 6 of Document “D” be adopted.

ACTION: Assistant City Solicitor

5. RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE – AMENDMENTS TO THE CONSTITUTION - DISCIPLINARY PROCEDURES FOR THE HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER

Resolved-

- (1) That a Chief Officer Disciplinary Committee be established with the composition, quorum, and functions as set out in Appendix A to Document “E”.**
- (2) Amendments to Article 12A (Staffing Committee) of the Constitution as set out in Appendix B to Document “E”.**
- (3) Amendments to the Officer Employment Procedure Rules as set out in Appendix C to Document “E”.**
- (4) Amendments to Article 4 of the Council’s Constitution as set out in Appendix D to Document “E”.**
- (5) That Mr Mohammed Shakeel be invited to serve as an independent person on the Chief Officer Disciplinary Committee, and if he accepts to be appointed to serve on that Committee.**
- (6) That the Deputy Monitoring Officer, in consultation with the Chair of Governance and Audit Committee be authorised to identify suitable independent persons appointed by other authorities for appointment to the Chief Officer Disciplinary Committee and bring a further report to Council for the purpose of making the appointments.**

ACTION: Deputy Monitoring Officer

6. RECOMMENDATION FROM THE LICENSING COMMITTEE – PROPOSED LICENSING POLICY 2015-2020

Resolved-

- (1) That, with an amendment to include reference to the Government’s Code of Practice on the use of Surveillance Cameras (at Section 4.3 and Annex A), the document attached in Appendix 1 to Document “A” be adopted and published as the District’s Statement of Licensing Policy 2015-2020, pursuant to the Licensing Act 2003.**

- (2) That the Assistant Director Environmental and Regulatory Services be given delegated authority to approve any necessary amendments of a minor or drafting nature prior to formal publication.

ACTION: *Assistant Director Environmental and Regulatory Services*

7. MENTAL HEALTH CHALLENGE

Resolved-

This Council notes that at any one time one in five people have a mental health condition, appreciates the devastating effect that mental illness can have on peoples' lives and recognises its significant social and economic costs.

The Council also notes the key role we play in working with others to improve mental health in our communities.

The Council therefore resolves to sign up to the MIND Mental Health Challenge and in doing so to undertake the following actions in order to promote mental health across all areas of its activity:

- (1) Appoint an elected member as 'mental health champion' across the Council
- (2) Identify a lead officer for mental health to link in with colleagues across the Council
- (3) Follow the implementation framework for the mental health strategy where it is relevant to the Council's work and local needs
- (4) Work to reduce inequalities in mental health in our community
- (5) Work with the NHS to integrate health and social care support
- (6) Promote wellbeing and initiate and support action on public mental health for example through our joint health and wellbeing strategy
- (7) Tackle discrimination on the grounds of mental health in our community
- (8) Encourage positive mental health in our schools, colleges and workplaces
- (9) Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health

ACTION: *Interim Chief Executive/Director of Public Health/Interim Strategic Director Adult Services/Strategic Director Children's Services/Director of Human Resources*

8. MENTAL HEALTH

Resolved-

This Council believes that Local authorities have a key role in implementing the mental health strategy and improving mental health in their communities.

The Council notes the importance of good mental health and recognises that good mental health is just as important as good physical health.

This Council resolves to:

- (1) Take up the mental health challenge to encourage positive mental health across all of our business.**
- (2) Appoint an elected member to become a mental health champion and also identify a lead officer for mental health to link with colleagues across the Council.**
- (3) Sign up to the 'Time to Change' pledge.**

ACTION: Interim Chief Executive/Director Public Health

9. TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP

Resolved-

This Council notes that:

- (1) The EU and USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP)**
- (2) Negotiations are underway to determine which goods and services TTIP will apply to and if new rules can be agreed to protect investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA.**
- (3) There has been no impact assessment about the potential impact on local authorities.**
- (4) There has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives.**
- (5) MPs are also unable to scrutinise the negotiating documents.**

This Council believes that:

- (1) TTIP could have a detrimental impact on local services, employment, suppliers and decision making.**
- (2) A thorough Impact Assessment of TTIP on local authorities must be undertaken before the negotiations can be concluded.**
- (3) The proposed Investor State Dispute Settlement mechanism has been used by corporations to overturn corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision making must be protected from ISDS.**
- (4) The EU's food, environmental and labour standards are better than those in**

the US and TTIP negotiations must raise and not lower these standards across the EU and the USA.

- (5) Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests of its communities.**

This Council resolves to:

- (1) Write to the Secretary of State for Communities and Local Government, local MPs and all Yorkshire & Humber MEPs raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.**
- (2) Write to the Local Government Association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with Government on our behalf.**
- (3) Call for an impact assessment on the impact of TTIP on local authorities.**
- (4) Publicise the Council's concerns about TTIP, join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.**

ACTION: Interim Chief Executive

10. OPPOSING THE CUTS

Resolved-

This Council notes:

- (1) The significant public spending cuts imposed by the Coalition Government over the last five years, including disproportionate cuts targeted at Bradford Council.**
- (2) Proposals for further big cuts as a result of Conservative Government policies.**
- (3) The detrimental impact of those cuts on public services and local communities.**
- (4) The protection the Council has provided to frontline services and vulnerable people with over £144m of £170m savings to date having been achieved through improved efficiency, reducing management, back office and administration costs, securing additional income and other measures designed to protect services.**
- (5) The ongoing work through its "new deal" initiative to develop new and innovative approaches to service delivery and to talk to people about local priorities and the things that they can do to help.**
- (6) That Bradford District is playing a significant role in Leeds City Region and**

the West Yorkshire Combined Authority and has successfully secured significant investment in infrastructure and business growth as a result of its involvement.

The Council recognises that difficult decisions lie ahead and the need to be honest about the powers and resources at its disposal in the face of nationally imposed policies rather than misleading people with rhetoric.

The Council resolves to:

- (1) Focus on where it can make a practical difference by using the influence, powers and resources at its disposal to deliver services, promote growth, secure investment and generate income.
- (2) Continue to play a full and active role within the Leeds City Region and Combined Authority and ensure that Bradford continues to wield influence and secure resources.
- (3) Keep talking to local partners, organisations and people about priorities and working with them to develop innovative ways of achieving improved outcomes across the District.

ACTION: *Interim Chief Executive*

11. AMENDMENT TO CONSTITUTION – CHANGING AREA COMMITTEE CHAIR

Resolved-

Council notes that there is no mechanism for changing the Chair of an Area Committee in the event that political balance changes during the municipal year.

Council asks the Acting City Solicitor to prepare amendments to Standing Orders 35 and 37 in order to allow for such circumstances and that these are presented to full Council for consideration during this municipal year.

ACTION: *Assistant City Solicitor*

12. USE OF SECTION 106 MONIES

Resolved-

The Council recognises that there can sometimes be a time lag between the receipt of payments and the development of projects that are relevant and effective in relation to a Section 106 Agreement. This can be due to a number of factors such as the time required to consult the public, ward members and other interested parties, and to secure planning permission and land ownership of sites.

The Council also recognises that ward Councillors can comment on Section 106 requirements when planning applications are decided and that proactively working with the relevant officers to decide the best use of these resources is a fundamental part of a Councillor's role.

This Council notes that:

- (1) The Executive will be considering the Community Infrastructure Levy (CIL) charging schedule on 21st July 2015 and that this will be followed by a 6 week consultation process.**
- (2) That that there are very stringent rules governing what the Council can seek by way of S106 contributions and how the money is spent.**
- (3) That twice a year a report goes to the Regulatory and Appeals Committee that details the utilisation of Section 106 Monies and current balances.**

The Council resolves to ensure that all members are provided with a copy of the twice yearly Section 106 Report on its publication.

ACTION: Strategic Director Regeneration and Culture/Assistant City Solicitor

13. DEVOLUTION

Resolved-

This Council believes that devolution of power to the regions must be a positive opportunity for the district and must represent a genuine transfer of powers, resources and accountability in the areas where local intervention delivers the biggest benefit to the District and the region.

The Council notes that the terms of regional devolution to West Yorkshire and neighbouring authorities is subject to ongoing negotiation between authorities and with Government and that the proposals emerging from those negotiations will become clearer later this year.

The Council therefore resolves to undertake further debate on this issue at its October 2015 meeting.

ACTION: Interim Chief Executive/Assistant City Solicitor

14. FOOD SAFETY PLAN

Resolved-

That the Food Safety Service Plan be approved.

ACTION: Strategic Director Environment and Sport

FROM: Dermot Pearson
Assistant City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Adrian Tumber – 01274 432435
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