

**MINUTES OF A MEETING OF THE COUNCIL  
HELD AT CITY HALL, BRADFORD  
ON TUESDAY 14 JULY 2015**

Commenced: 1600

Concluded: 1840

**PRESENT**

The Lord Mayor (Councillor Dodds) and Councillors:

**LABOUR**

Akhtar	Greenwood	Johnson	Shabbir
Amran	Hinchcliffe	H Khan	Shafiq
Azam	Abid Hussain	I Khan	Shaheen
Bacon	Arshad Hussain	Lal	M Slater
Berry	Khadim Hussain	Lee	V Slater
Duffy	Shabir Hussain	Mohammed	Swallow
Dunbar	Tariq Hussain	Peart	Thirkill
Engel	Ikram	Pullen	Thornton
Farley	Iqbal	Ross-Shaw	Wainwright
Ferriby	Jabar	Salam	Warburton
Green	Jamil		

**CONSERVATIVE**

Ali	Ellis	M Pollard	D Smith
Barker	Gibbons	Poulsen	Sykes
Brown	Heseltine	Rickard	Townend
Carmody	Mallinson	Shaw	Walls
Cooke	Pennington	B M Smith	Whiteley
Davies			

**LIBERAL DEMOCRAT**

Fear	N Pollard	Stelling	R Sunderland
Griffiths	Reid	J Sunderland	Wallace

**BRADFORD  
INDEPENDENTS**

Ahmed  
Collector  
Karmani  
F Khan

**GREEN**

Hawarun Hussain  
Love  
Warnes

**INDEPENDENTS**

Hawkesworth  
Naylor

**QUEENSBURY  
INDEPENDENT**

Cromie

**INDEPENDENT**

Robinson

The Lord Mayor in the Chair



## 15. ORDER OF BUSINESS

Members agreed that the business of the meeting be re-ordered, firstly under Standing Order 4.2, so that the Committee Memberships were dealt with after the referral from the Governance and Audit Committee setting up a Chief Officer Disciplinary Committee under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 and, secondly under Standing Order 9.1.4, that a combined debate be held on the Motions concerning Mental Health. A separate vote would be taken on each motion.

## 16. DISCLOSURES OF INTEREST

The following disclosures in matters under consideration were received:

Recommendation from the Governance and Audit Committee - Amendments to the Constitution and Disciplinary Procedures for the Head Of Paid Service, Monitoring Officer and Chief Finance Officer (Minute 27)

Given that the item dealt with the procedures for dismissing statutory officers Suzan Hemingway, Interim Chief Executive, as the Head of Paid Service and Dermot Pearson, Assistant City Solicitor, as the Monitoring Officer declared an interest and left the meeting during consideration of the matter.

Motions – Mental Health Challenge (Minute 29)/ Mental Health (Minute 30)

Councillors Ahmed, Hawarun Hussain and Shabbir made a declaration that their work involved mental health services.

As the disclosures were made on the basis of transparency those Members remained in the meeting during consideration and voting on the items.

***ACTION: Assistant City Solicitor***

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## 17. MINUTES

**Resolved –**

**That the minutes of the meeting held on 19 May 2015 be signed as a correct record.**

## 18. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Baroness Eaton, Imran Hussain, Leeming, Miller, Morris, Lynne Smith and Tait.

**19. LORD MAYOR'S ANNOUNCEMENTS**

**TERRORIST ATROCITY IN SOUSSE, TUNISIA**

The Lord Mayor drew attention to the minute's silence that was held in Centenary Square at noon on 3 July in memory of those who lost their lives in the Tunisian beach shootings in Sousse on 26 June. A short observation had been led by the Lord Mayor's Chaplain, the Reverend Paul Bilton, and it was a well-attended and poignant moment of remembrance and solidarity.

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

There were no restricted documents.

**21. PETITIONS**

The following requests were received:

Request to re-open public toilets in Silsden

**Resolved –**

**That the petition be referred to Keighley Area Committee.**

Remove permission for grouse shooting on Ilkley Moor

**Resolved –**

**That the petition be noted.**

***ACTION: Assistant City Solicitor (referral to Committees)***

**22. PUBLIC QUESTION TIME**

There were no public questions.

**23. 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.

#### **24. MEMBER QUESTION TIME**

**Council Document “G”** detailed the written questions from Members to the Leader of Council and Portfolio Holders and the answers given.

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

Previous reference: Corporate Overview and Scrutiny Committee, Minute 100 (2014-2015)

At the meeting of the Corporate Overview and Scrutiny Committee on 30 April 2015 the report of the Assistant City Solicitor (Corporate Overview and Scrutiny Document “AY”) presented the Annual Overview and Scrutiny Report for 2014-15. The updated Annual Overview and Scrutiny 2014-15 report was referred to Council for consideration (**Document “C”**).

**Resolved –**

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

***ACTION: Assistant City Solicitor***

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

Previous reference: Governance and Audit Committee, Minute 5 (2015-2016)

At the meeting of the Governance and Audit Committee on 26 June 2015 the report of the Assistant City Solicitor (Governance and Audit Committee Document “G”) detailed proposed amendments to the Constitution and the Committee referred the proposed amendments to Council for approval (**Document “D”**).

**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***

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

Previous reference: Governance and Audit Committee, Minute 11 (2015-2016)

At the meeting of the Governance and Audit Committee on 26 June 2015 the report of the Deputy Monitoring Officer (Governance and Audit Committee Document “G1”) provided details of proposed amendments to the Constitution for recommendation to Council following the introduction of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. The referral from the Governance and Audit Committee was set out in **Document “E”**.

**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*

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

Previous reference: Licensing Committee, Minute 5 (2015-2016)

At the meeting of the Licensing Committee held on 3 July 2015 the report of the Assistant Director, Environmental and Regulatory Services (**Licensing Committee Document "A"**) set out the outcome of a public consultation exercise on a new Statement of Licensing Policy for the District, as required by the Licensing Act 2003, and proposed a final draft for adoption by Council.

**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*

## 29. MENTAL HEALTH CHALLENGE

A motion, as set out in the resolution below, was moved by Councillor Berry and was carried.

### 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***

## 30. MENTAL HEALTH

A motion, as set out in the resolution below, was moved by Councillor Nicola Pollard and was carried.

### 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*

### 31. TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP

A motion, as set out in the resolution below, was moved by Councillor Engel and was carried.

**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 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***

## **32. OPPOSING THE CUTS**

A motion was moved by Councillor Karmani.

An amendment, as set out in the resolution below, was moved by Councillor Green and was carried.

An amendment was also moved by Councillor Pennington.

**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*

### 33. AMENDMENT TO CONSTITUTION – CHANGING AREA COMMITTEE CHAIR

A motion, as set out in the resolution below, was moved by Councillor Ellis and was carried.

**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*

### 34. USE OF SECTION 106 MONIES

A motion was moved by Councillor Cooke.

An amendment, as set out in the resolution below, was moved by Councillor Val Slater and was carried.

**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 21<sup>st</sup> 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***

**35. DEVOLUTION**

A motion was moved by Councillor Jeanette Sunderland.

An amendment, as set out in the resolution below, was moved by Councillor Green and was carried.

An amendment moved by Councillor Jeanette Sunderland was defeated.

Amendments were also moved by Councillor Cooke and Councillor Hawkesworth.

**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***

**35. FOOD SAFETY PLAN**

The Council was required by the Food Standards Agency to have a documented and approved Food Safety Service Plan in place. The report of the Strategic Director Environment and Sport (**Document “F”**) had been brought to Full Council to seek approval for that plan.

**Resolved –**

**That the Food Safety Service Plan be approved.**

***ACTION: Strategic Director Environment and Sport***

Chair

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

**THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER**