

Members of Council

**Department of Legal and
Democratic Services**

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Date: 11 January 2016

Dear Councillor

MEETING OF COUNCIL – 19 JANUARY 2016

You are requested to attend the meeting of the Council to be held in the Council Chamber, City Hall, Bradford, on Tuesday, 19 January 2016 at 1600.

The agenda for the meeting is set out overleaf.

Yours sincerely



interim 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 at 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 8 December 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) | Keelham Primary School – 20mph zone | <u>Thornton & Allerton/Bingley Rural</u> |
| (ii) | Longside Lane, Bradford – Cycle lane | <u>City</u> |
| (iii) | Wyke Library – Proposed closure | <u>Wyke</u> |

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)

Recommended -

That the appointment of Trevor Ramsey, Strategic Disability Partnership, as a non-voting co-opted representative on the Health and Social Care Overview and Scrutiny Committee for the remainder of the 2015/16 Municipal Year be confirmed.



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. REPORT BY THE LEADER OF COUNCIL

A written report by the Leader of Council giving an update on key issues will be circulated before the start of the meeting. There shall be a period of up to 15 minutes during which any Member of Council may ask the Leader of the Council (or a Member of the Council nominated by the Leader) a question on any matter arising out of the written report.

10. 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.

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

11A REVIEW OF THE SENIOR MANAGEMENT STRUCTURE – DEPARTMENTS OF ADULT AND COMMUNITY SERVICES AND PUBLIC HEALTH – SALARY FOR THE POST OF STRATEGIC DIRECTOR, HEALTH AND WELLBEING

At the meeting of the Executive on 1 December 2015 the report of the Chief Executive (**Executive Document “AK”**) set out a proposal for changes to the Council’s senior management structure in the Departments of Adult and Community Services and Public Health which included creating a post of Strategic Director, Health and Wellbeing to replace the post of Strategic Director Adult and Community Services. The Executive,

Resolved –

- (1) That the proposed amendment to the Senior Management Structure as set out in Appendix 2 to Document “AK” be approved.
- (2) That the proposed grade for the post of Strategic Director, Health and Wellbeing as set out in section 4.3 to Document “AK” be approved subject to the proposed salary package being approved by Full Council before it is offered in respect of a new appointment.
- (3) That subject to any final consultation required, the Chief Executive be authorised to move to the next stage to implement the proposed amendment to the Senior Management



Structure and make arrangements for recruitment to the post of Strategic Director - Health and Wellbeing.

Council is therefore asked to resolve:

That in accordance with Article 4 of the Council's Constitution, the Officer Employment Procedure Rules and the Council's Pay Policy Statement 2015/16 the proposal to appoint to the post of Strategic Director, Health and Wellbeing on the salary package as set out in section 4.3 of Executive Document "AK" be approved.

(Kersten England – 01274 432002)

11B To consider any recommendations arising from meetings of the Executive and Committees held after the publication of this agenda and prior to the Council meeting.

(Adrian Tumber – 01274 432435)

12. **NOTICES OF MOTION** (Standing Order 17)

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

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THIS AGENDA AND ANY ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE,
ON RECYCLED PAPER



COUNCIL

19 JANUARY 2016

MEMBER QUESTION TIME

Questions submitted in accordance with Standing Order 12

QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. **Councillor Lee**

Do we know what the cost to the District of the recent floods will be and what support we are likely to receive from the Government?

2. **Councillor Heseltine**

Would the Leader of the Council agree with me that the community effort in the Boxing Day floods and the aftermath that followed was invaluable to the recovery efforts and would he also join me in thanking the hundreds of volunteers and businesses from across the district and beyond who so selflessly gave time, materials and services?

3. **Councillor Reid**

To ask the Portfolio Holder for Housing, Planning and Transport - Will the Council or the Combined Authority be publishing an explanation of the final delays in the opening of Apperley Bridge Rail Station, which led to connecting bus services being advertised by Metro three months before they actually started and trains stopping at Apperley Bridge from December 13 without any times in the printed timetable?

4. **Councillor Love**

Can the Leader of Council please give us an update on the situation regarding the relocation of the Bradford Soup Run?

5. **Councillor Farley**

Can the Leader provide an update on the proposed development at East Parade and will he give a commitment that the Council and its officers will work with the developers to get the best deal for Keighley as was the case for the Broadway development?

6. **Councillor Greenwood**

What support is the Council offering to householders and businesses affected by the December floods?

7. **Councillor Cooke**

In the light of recent flood events, is the Leader of the Council content that the Council's planning policies in respect of flood mitigation and alleviation on housing sites are sufficiently robust?



8. **Councillor Jabar**

Could the portfolio holder for Health and Social Care update me on the Troubled Families Programme, the targets achieved and the impact it has made on families?

9. **Councillor Dunbar**

Can the Leader inform us of the implications for the District of the Local Government Financial Settlement?

10. **Councillor Martin Smith**

Could the Portfolio Holder for Housing, Planning & Transportation provide details of the number homes allocated in the RUDP for development on sites subject to recent or historical flooding, or at serious risk of flooding?

11. **Councillor Azam**

Can the Leader provide a breakdown of the total business rates collected in each ward in the District?

12. **Councillor Fear**

To ask the Portfolio Holder for Environment, Sport and Sustainability - With the changes in bin collection and the associated encouragement for households to increase use of their recycling bins for the disposal of recyclable household waste, will the Council review the policy of only plastic bottles being the only plastic that can be recycled in these bins?

13. **Councillor Khadim Hussain**

What measures have previously been implemented to control the flow of and risk of flooding from surface water in the Devonshire Park, Spring Gardens Lane and Skipton Road area of Keighley?

14. **Councillor Whiteley**

The Government has awarded £30,000 to Bradford Council to support Burley in Wharfedale's Neighbourhood Plan. I understand that £20,000 has already been drawn down by this Council. Please can the Portfolio Holder for Housing, Planning & Transportation outline how this money has been spent or will be spent, to directly support the process in Burley in Wharfedale?

15. **Councillor Shaheen**

Could you give members an update on the Council's response to the recent Government consultation on the inspection of supplementary schools?

16. **Councillor Khadim Hussain**

There have been some recent national reports that some academy schools are turning down applications from pupils with special educational needs. Can the portfolio holder reassure us that this is not the case in Bradford District and will she undertake to write to the Regional Schools Commissioner to express the view that this is a practise that should not be allowed to take root here in any of our schools?



17. **Councillor Cooke**

Does the Deputy Leader of the Council agree that where the Council's taxi licensing requirements reduce the resale value of the vehicles involved, the vehicle owners should be compensated?

18. **Councillor Jabar**

With the proposed housing project North Side Road, can the portfolio holder tell me if any consideration has been given to the impact that this housing development will have on the already overflowing traffic. Whether or not there are steps that can be taken to mitigate the effects?

19. **Councillor Shaheen**

What support is available to support parents through the schools admissions process, particularly those parents who are not IT literate or have other literacy problems?

20. **Councillor Fear**

To ask the Portfolio Holder for Housing, Planning and Transport - How many decisions of the Planning Panels or the Regulatory and Appeals Committee to refuse planning permission have been challenged via public inquiry, appeal to the planning inspectorate or judicial review in the last five years and how many times has the Council successfully defended its position?

21. **Councillor Miller**

Can the Leader of the Council please provide the name and position of all members of the West Yorkshire Casualty Reduction Partnership?

22. **Councillor Dunbar**

Bearing in mind the cultural significance the Bronte's play in the district in what ways can the Council support the Bicentenary of Charlotte's birth, especially in Thornton, where the story of the Bronte's really began?

23. **Councillor Farley**

Can the Leader provide us with the following information:

- Council investment in services, facilities and infrastructure in Keighley and Ilkley and their surrounding areas over the last five years including investment secured through third parties such as the lottery, WYCA etc;
- Any further investment that is currently proposed;
- The services and facilities the Council provides in those areas;
- Any other initiatives that have or are being undertaken by the Council either alone or in partnership to support Keighley's local services, community and economy?

24. **Councillor Martin Smith**

Can the Leader of the Council please provide a list detailing the number of staff involved in West Yorkshire Combined Authority operations, on what projects and the timescale of the various pieces of work upon which this time is used?



25. Councillor Dunbar

A report released by government in December 2015 on the cruel bedroom tax revealed that people were cutting back on food and heating their homes as well as going into debt to find the extra rent. How many people in Bradford are currently affected by the Bedroom tax?

26. Councillor Shaheen

Some parents and pupils are not getting offered a place at any of their five preferred Secondary Schools. Can the portfolio holder tell us what the Council is doing to ensure that as many people as possible get a place at one of their five preferred schools?

27. Councillor Miller

Could the Leader of the Council confirm the number, cost and locations of any senior management away days, along with details of who attended?

28. Councillor Dunbar

Considering the wealth of local music talent in Bradford would the development of a designated music strategy to support local artists and venues be supported?

29. Councillor Nicola Pollard

To ask the Portfolio Holder for Health and Social Care - Is the true cost of care really £13 p/h? Can the portfolio holder provide a breakdown of the figures to show how the Council arrived at this amount which is 50p above the previous 'estimate'. Can he also confirm that the assessment was carried out by an independent third party and engaged a range of providers as recommended in government guidelines?

30. Councillor Dunbar

Would the Leader acknowledge and support junior doctors in our district and across the country in their struggles against a government offer of a contract that does not provide sufficient safeguards for them and their patients either now or in the future?

31. Councillor Davies

Can the Portfolio Holder for Education, Skills and Culture detail how the comprehensive study on the teaching of Maths, commissioned by Bradford Primary Improvement Partnership, has been used to improve the teaching of Maths across the district?

32. Councillor Dunbar

What plans do the Council have to celebrate Lesbian, Gay, Bisexual and Transgender History month in February?

33. Councillor Martin Smith

Could the Portfolio Holder for Housing, Planning & Transportation confirm the number of brownfield sites available for homes and industrial/commercial uses and how many of these homes are included in the Core Strategy, objective assessment of housing need?



34. **Councillor Swallow**

Can the portfolio holder comment upon steps being taken to build on the progress made in Bradford with the crisis care concordat, and advise how many patients are required to be placed out side of Bradford in the last 12 months as compared to the review 12 months ago?

35. **Councillor Cooke**

Can the Leader of the Council confirm whether staff with administration access to the Council's social media accounts are provided with training in their use, how are the accounts monitored and is there published guidance for staff on the appropriate use of these accounts?

36. **Councillor Martin Smith**

Could the Portfolio Holder for Housing, Planning & Transportation confirm the number of redundant residential accommodation units over what are now lock up shops and whether there are any grants available for refurbishing these many properties into letable homes?

37. **Councillor Jeanette Sunderland**

What consideration will the Leader give to vet suppliers to the Council to ensure that the Council does not do business with suppliers who have committed tax avoidance?

38. **Councillor Cooke**

Could the Portfolio Holder for Housing, Planning & Transportation, inform colleagues of any representations that the Council has made to seek an appeal decision, following the public inquiry in June 2015, into the refusal of housing development at land adjacent to Haworth Road and Turf Lane, Cullingworth?

39. **Councillor Nicola Pollard**

To ask the Portfolio Holder how many days of NHS bed capacity have been lost because of problems with social care packages each month for the last three years?



COUNCIL

19 JANUARY 2016

NOTICES OF MOTION

1. FLOODING IN BRADFORD DISTRICT

To be moved by Councillor Griffiths
Seconded by Councillor J Sunderland

This Council notes the devastating flooding affecting parts of the district and expresses its sympathy to all residents and businesses who have suffered loss or harm as a result.

This Council applauds the response from the public, council staff, the emergency services and army but believes lessons have to be learnt from this particular incident.

This Council notes that extreme weather events, of all types, appear to be increasing in frequency and believes that current assumptions about the likelihood of similar events in the future may no longer be valid.

This Council resolves to hold an inquiry which, as well as looking at the recent events and the response to them, looks more widely at future climate assumptions, measures which might be taken to reduce the rate of water runoff into the river system, the effect of increased flooding risk on proposed development and the effect of proposed and possible future development on run off and flooding risk.

2. FLOODING

To be moved by Councillor Cooke
Seconded by Councillor Ellis

Council notes with concern the serious flooding incidents along the Rivers Aire, Worth and Wharfe on 26 December 2015 and recognises the efforts of police, fire and rescue, council staff from all departments, officers of the Environment Agency, Yorkshire Water and many others who worked tirelessly over the holiday period in response to the flooding.

Council also recognises the efforts of local communities in both flood affected areas and across the district in supporting those people forced from their homes or otherwise adversely affected by the flooding. Hundreds of local residents provided food, shelter, equipment and support with cleaning up – not just in affected areas within Bradford but in Calderdale and Leeds as well.

Council resolves:

- (1) To co-operate fully with any reviews undertaken by national government or national government agencies into flooding impact, future mitigation of flooding, flood defence investment or the wider response to flooding.
- (2) Undertakes to review Bradford's preparedness for serious flooding, response to December's floods and policies that impact on either the mitigation of flood risk or contribute to that risk.



- (3) That this review should seek to involve the Police, Fire & Rescue, Environment Agency, the Airedale Inland Drainage Board, Yorkshire Water and other relevant organisations as well as local communities.
- (4) That the terms of reference for the review are agreed by the Corporate Overview & Scrutiny Committee with that committee receiving the final review report prior to its submission to full Council.
- (5) To identify potential sources of funding and other resources that could assist in reducing the risk and impact of flooding.

3. **FLOODS**

To be moved by Councillor Green
Seconded by Councillor Val Slater

The Council notes the recent unprecedented flooding that has affected the District and neighbouring areas and thanks all those members of Council and partner agency staff and the emergency services and armed forces personnel involved in the response. We also thank the members of affected communities and the many volunteers and businesses who have helped out for their efforts to minimise the impact and to support those people directly affected.

The Council recognises that there are lessons that all agencies can learn.

The Council requests the Chief Executive to:

- (1) Coordinate a comprehensive review of the lessons learned and the implications for flood defences and water management across the District and beyond.
- (2) Ensure that the review:
 - Includes consultation with members of those communities directly affected by the floods about what worked well and what could be done better.
 - Identifies how the Council and other Local Authorities and Partners can share learning and strengthen joint working.
 - Identifies potential sources of funding and other resources that could assist in reducing the risk and impact of flooding.
 - Is used to develop an action plan to reduce the risk and impact of flooding and to inform the response to any future incidents.
- (3) Report the outcomes of the review to Corporate Overview and Scrutiny Committee and to a future meeting of Council.

4. **ETHICAL CARE CHARTER**

To be moved by Councillor Bacon
Seconded by Councillor Berry



The Council believes that there should be minimum standards of safety, quality and dignity of home care that can be achieved through employment conditions ensuring the recruitment and retention of a stable workforce through more sustainable pay, conditions and training.

The Council notes:

- (1) Its' recent work with the care sector to develop a more sustainable approach to the delivery of good quality home care
- (2) The call by Unison, the largest public sector trade union, for Council's to adopt its Ethical Care Charter.
- (3) The considerable financial pressures on Local Authority Social Care budgets and the inadequacy of measures announced in the Government's Comprehensive Spending Review to deal with those pressures.

The Council resolves:

- (1) To sign up to the Ethical Care Charter and work with care providers and trade unions towards its implementation which will commit the Council to ensuring that:
 - a) The starting point for commissioning visits is client need and workers will have the freedom to provide appropriate care and be given time to talk to clients.
 - b) Visits are matched to clients needs, the same home care worker(s) is allocated to clients where possible and visits are not scheduled so that workers have to rush their time with clients.
 - c) In general, 15 minute visits will not be used.
 - d) Zero hours contracts are not used in place of permanent contracts.
 - e) Home care workers are paid for travel time, travel costs and other necessary expenses such as mobile phone use.
 - f) Eligible home care workers are paid statutory sick pay.
 - g) Regular training is available for all home care workers at no cost to themselves and in work time and all these workers will have the opportunity to meet regularly with co-workers to share best practice and limit isolation.
 - h) All home care workers will be paid at least the National Minimum Wage from April 2016.
 - i) All home care workers will be covered by an occupational sick pay scheme.
- (2) To continue, in partnership with other Local Government bodies, professional organisations and care providers, to call on the Government to ensure that social care across the Bradford District is sufficiently and sustainably funded.

5. FAIR TRADE

To be moved by Councillor Hinchcliffe
Seconded by Councillor Farley

This Council notes that 6th March 2016 is the tenth anniversary of Bradford District being declared a Fairtrade Zone by the Fairtrade Foundation.

The Fairtrade Zone is comprised of Haworth, the world's first Fairtrade Village, the Fairtrade Villages and Towns of Baildon, Bingley, Burley in Wharfedale, Ilkley, Keighley, Shipley and Thornton, Bradford Cathedral, the University of Bradford, Bradford College Students Union, many



of the district's churches and faith organisations, the district's Fairtrade status schools, and many local community organisations, shops and businesses.

The Council resolves to continue its ongoing support for the District's Fair Trade status and the work of the Fair Trade movement in helping to deliver social and environmental sustainability.

6. HIV TESTING

To be moved by Councillor Dunbar
Seconded by Councillor Greenwood

The Council recognises:

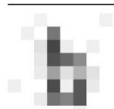
- the importance of local action in coordinating and commissioning accessible and effective HIV testing to reach the undiagnosed and reduce late HIV diagnosis.
- the importance of prevention and education to maintain good sexual health including reducing HIV diagnoses across the district through delivery of Relationships and Sex Education in educational settings; commissioning of specialist services to raise awareness of prevention messages; support the promotional activities to reduce HIV late diagnoses.
- that as of 2014 Bradford District had an HIV prevalence rate of 1.2 diagnosed per 1000 residents and commits to strengthening its own provision of HIV testing services through working with local NHS partners, HIV charities and patient groups.
- that late HIV diagnosis is a Public Health Outcomes Indicator in the Public Health Outcomes Framework. Late diagnosis in Bradford District is a particular concern and latest figures indicate this currently stands at 48% compared to 42% nationally.
- the volume and quality of public health and local government guidelines and performance indicators designed to support local authority implementation and monitoring of appropriate and effective testing guidelines.

The Council further notes,

- That an estimated 100,000 people were living in England with HIV in 2012; 22% were unaware of their status
- That there is an impact of late diagnosis on individual health, public health and health budgets. Late diagnosis increases the likelihood of the need for complex and expensive treatment and the risk of onward transmission to others. 47% of people diagnosed with HIV in 2012 were diagnosed late (with a CD4 count <350mm3)
- That if diagnosed early, put on a clear treatment pathway and guaranteed access to antiretroviral therapy (ART); people living with HIV can expect to have a near-normal life expectancy and live healthy and active lives.

Recognising the weight of evidence in favour of expanding local HIV testing services, the Council resolves to:

- (1) Act to halve the proportion of people diagnosed late with HIV (CD4 count <350mm3) in Bradford District by 2020.



- (2) Act to halve the proportion of people estimated to be living with undiagnosed HIV in Bradford District by 2020.
- (3) Ensure that rates of late diagnosed HIV are included as an indicator in its Joint Strategic Needs Assessment (JSNA).
- (4) Ask the Director of Public Health to provide a report outlining what needs to be done locally in commissioning and provision of services in order to halve late diagnosed and undiagnosed HIV by 2020 including prevention and educational interventions to ensure the sustainability of any reductions achieved by this motion.
- (5) Become a supporter of the Halve It Coalition by contacting the Halve It secretariat (info@halveit.org.uk) informing them of this resolution and by agreeing to be listed as a Halve It coalition supporter.

