

**Department of Legal and
Democratic Services**

Members of Council

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Your Ref: AT/Council

Date: 5 December 2016

Dear Councillor

MEETING OF COUNCIL – TUESDAY, 13 DECEMBER 2016

You are requested to attend the meeting of the Council to be held in the Council Chamber - City Hall, Bradford, City Hall, Bradford, on Tuesday, 13 December 2016 at 4.00 pm

The agenda for the meeting is set out overleaf.

Yours sincerely

Parveen Akhtar
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 the Constitution)

To receive disclosures of interests from members and co-opted 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 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 18 October 2016 be signed as a correct record (previously circulated).

(Adrian Tumber – 01274 432435)

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 Strategic Director or Assistant Director 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)

To consider up to five requests for the Council to receive petitions in accordance with Standing Orders.

Ward

- (i) Kershaw Street, New Lane and Raglan Terrace, Laisterdyke –
Request for closure of side road by means of bollards
Bradford Moor
- (ii) Rowan Avenue, Thornbury – Request for parking permits
and traffic issues
Bradford Moor



- (iii) Objecting to increased car parking charges in the Ian Clough Hall and the Grove car parks **Baildon**
- (iv) Closure of Queensbury Swimming Pool **Queensbury**
- (v) Council support for physical access for people with disabilities **all Wards**

(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. 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.*



QUESTIONS TO MEMBERS OF THE EXECUTIVE

1. **Councillor Wainwright**

Bradford Council like many in the former industrial heartlands across northern Britain is faced with massive cuts in funding from the Conservative Government and in particular very severe pressures on social care budgets. What assistance have the two Conservative MPs, Davies and Hopkins, given to this Council by lobbying their government for funding to ease the pressure on the ever decreasing funds available for much needed services?

2. **Councillor Cooke**

How many times since the floods of Boxing Day 2015, has the Leader of Council and/or the relevant Portfolio Holder met with the Environment Agency, to discuss flooding and the mitigation of flood risk in the Bradford District?

3. **Councillor Nicola Pollard**

To ask the Portfolio Holder for Education, Skills and Culture - How many Primary Schools in the Bradford District are taking part in the 'Daily Mile Challenge' and what is the Council doing to encourage participation?

4. **Councillor Swallow**

Could the Portfolio Holder please state whether the numbers of homeless people sleeping rough across our District increased significantly over the last 6 years, how many people are currently sleeping rough and what is the strategy or solution to ensure that these people are taken care of and given safe, warm, clean places to stay?

5. **Councillor Farley**

Can the Portfolio Holder advise what the impact of the government's new national schools funding formula is going to be on the Bradford District?

6. **Councillor Davies**

Can the Portfolio Holder for Childrens' Services confirm whether the Council has plans to follow the example of Wirral Council who managed to secure an additional £725,000 in funding for local schools through automating the process for pupil premium registration?

7. **Councillor Swallow**

Could the Leader please advise what the impact of the Chancellor's autumn statement will be on the people of this District? Will we see more jobs and opportunities or more people desperate for help being let down?

8. **Councillor Pullen**

When planning consent is pending certain conditions being met, and the build is completed without the said conditions being met, what



redress does the council undertake to put matters right?

9. Councillor Poulsen

Given that long term flood protection and mitigation measures remain under development, can the Leader and/or Portfolio Holder advise what has been done to support and encourage readiness for residents and businesses in places at risk of flooding?

10. Councillor Engel

Where there is evidence that a school has failed in its duty to properly support a pupil experiencing emotional or mental health difficulties, what can, does and will this authority do to address the problem, and how is this affected by the fragmented nature of our schools estate?

11. Councillor Jeanette Sunderland

Can the Portfolio Holder for Neighbourhoods and Community Safety advise Members of the cost to a private organisation of having an individual Police Officer attend an event for 8 hours including evenings and does the Portfolio Holder think that organisers of events on private land should pay these costs?

12. Councillor Farley

Will the portfolio holder please give an update on our district's Local Plan Core Strategy which was put on hold by the government due to representations from Philip Davies MP after the plan was approved by the planning inspector?

13. Councillor Cooke

As the Environment Agency is consulting on significant changes in demaining rivers has the Council made representations to the Agency's consultation on these changes and what plans are in place to meet the costs of any changes to Bradford as a Local Flood Authority?

14. Councillor Abid Hussain

Bradford is a diverse city and we must ensure life opportunities for all whatever their background or circumstances. Is the Leader concerned about recent national reports which refer to community cohesion in Bradford District and can you give an update on our work in this area?

15. Councillor Swallow

How many people has Bradford Council prosecuted and imprisoned for non-payment of Council Tax and how many of these were single parents?

16. Councillor Ellis

Would the Leader of the Council confirm what measures are being taken by the Council, following the recent unsuccessful appeal by Leeds City Council, in relation to responsibility for the payment of Council Tax, when a tenant has departed but the tenancy has not been formally terminated by either tenant or landlord?



17. Councillor Dunbar

Will the Portfolio Holder explain the importance of this district marking Trans Day of Remembrance (November 20th) each year and assure us that this support will continue in the coming years?

18. Councillor Dunbar

Will the Leader join me in denouncing the persecution of Burma's Rohingya Muslim minority, a plight which is going unnoticed by the world at large?

19. Councillor Stubbs

To ask the Portfolio Holder for Neighbourhoods and Community Safety - Can the Portfolio Holder give us brief highlights of the work undertaken to ensure the safety of residents and emergency services in the lead up to and on Bonfire night?

20. Councillor Dunbar

Does the Leader welcome the recent Court of Appeal hearing that has upheld a High Court decision that NHS England has the power to commission HIV prevention treatment PrEP?

21. Councillor Poulsen

Could the Portfolio Holder for Regeneration, Planning & Transport, please advise members of the stretches of highways that will be affected by the 20% reduction in the number of highways which now fall on gritting routes?

22. Councillor Davies

As, in June Cllr Imran Khan said "we have let down generations of young people" and "I want to do things a different way to how we've done things before" and as part of this he pledged to hold monthly meetings where all councillors would be invited to make suggestions on how to improve education, could he now, six months on, confirm how many of these meetings have been held and what has been learned from them?

23. Councillor Jeanette Sunderland

Can the Leader please provide an explanation for the strategy proposed in the budget to spend money acquiring assets to create new revenue income and give an approximate cost of acquiring such advice and undertaking due diligence on such projects?

24. Councillor Brown

Given the recently reported multi million pound investment by Leeds City College, in a multi-level campus building, could the Portfolio Holder for Regeneration, Planning & Transport, whether the Council has put in motion any plans to support the Keighley District based engineering and manufacturing industries, should LCC choose to exit from its Keighley campus, taking with it or allowing the decline of, the Industrial Centre of Excellence and the Centre for Excellence in



Engineering?

25. Councillor Rickard

Given the poor reading skills of many children in the Bradford district can the Portfolio Holder for Childrens' Services confirm whether the Council has considered investing in Imagination Libraries, supported by the Dollywood Foundation, which encourage a love of reading from birth, are popular with parents, provide excellent value for money and already run successfully in parts of the district?

26. Councillor Ellis

Can the Leader of the Council tell me what is the current mechanical failure rate of private hire vehicles when being tested at the road side & when having their annual test?

27. Councillor Fear

To ask the Portfolio Holder for Neighbourhoods and Community Safety - How many yellow ASB warning letters issued by ward in each of the last 3 years?

28. Councillor Townend

Given that the Council pay the rent annually for the use of the playground at Jenny Lane, Baildon which they lease from the Catholic Church will the Leader of the Council please confirm the actual length, commencement date and expiry date of this?

29. Councillor Davies

Having identified some weaknesses in the current sixth form provision across the district but acknowledging that any changes are up to the individual schools, how does the Portfolio Holder for Childrens' Services propose persuading struggling schools to merge or close their sixth forms and what progress has been achieved so far?

30. Councillor Jeanette Sunderland

To ask the Portfolio Holder for Education, Skills and Culture - Can the Portfolio Holder identify the increase in service revenue budgets which are required to provide the additional specialist services needed to support the return of children being cared for outside of the District?

31. Councillor Pennington

Could the Portfolio Holder for Regeneration, Planning & Transport, please confirm why the City Park lighting spectacular held on 19 November with Cirque Bijou, attended by thousands of people, was displayed on a big screen which came with the event, but not the permanent big screen, which would have benefitted those stood at the back?

32. Councillor Townend

Due to the proposals to commence charging for car parking for the first hour in the Ian Clough Hall and The Grove car parks in Baildon, can



the Leader of the Council provide whatever estimate was used to predict the likely effect that this will have on the Council revenue, due to resultant empty properties and the consequential losses to the Council from rent and rates?

33. Councillor Jeanette Sunderland

To ask the Portfolio Holder for Health and Social Care - Given the advice from the NHS that we should all have less sugar and the recommendations for children is no more than 19g a day for children aged 4 to 6 years old (5 sugar cubes), and no more than 24g (6 sugar cubes) for children aged 7 to 10 years old and that a can of cola can have as much as 9 cubes of added sugar can she advise me of the steps taken to remove these types of drinks from vending machines in Council buildings and replacing them with healthier options?

34. Councillor Rickard

Can the Leader of the Council inform members of what progress has been made on delivering a footbridge to go over the A629 between Silsden & Steeton?

35. Councillor Pennington

Can the Portfolio Holder confirm confidence that should Keighley College become a stand alone facility, it will be able to survive as an independent provider of further education?

36. Councillor Jeanette Sunderland

To ask the Portfolio Holder for Health and Social Care - Can the Portfolio Holder inform members of Council of the number of public toilets that have been closed in the District since May 2010 and how many arrangements have been made for those to be taken over by Parish/Town Councils and how many businesses have signed up to allow the public to access their facilities?

37. Councillor Townend

Given that Baildon Town Council have entered into a Service Level Agreement with Bradford Met District Council, to run Baildon Library in the Ian Clough Hall, what arrangements have been made, with whom and when, for alternative providers due to the proposed closure of the building?

38. Councillor Rickard

Can the Leader of the Council outline what progress has been made in developing a cycle & pedestrian link from the Thornhill Road development & the railway?

39. Councillor Fear

To ask the Leader of the Council - How many procurements over £1 million have started before going to overview and scrutiny committees in each of the last 3 years?



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

11A. RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - ANNUAL TREASURY MANAGEMENT REPORT 2015/16 1 - 10

At the meeting of the Governance and Audit Committee on 1 December 2016 consideration was given to the report of the Director of Finance (**Governance and Audit Committee Document "Q"**) showing the Council's Treasury Management activities for the year ending 31 March 2016. It was,

Recommended –

**That the Annual Treasury Management Report 2015/16
(Governance and Audit Committee Document "Q") be adopted.**

(David Willis - 01274 432361)

11B. RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - TREASURY MANAGEMENT MID YEAR REVIEW 11 - 22

At the meeting of the Governance and Audit Committee on 1 December 2016 the Director of Finance presented (**Governance and Audit Committee Document "R"**) containing the Council's Treasury Mid Year Review up to 30 September 2016. It was,

Recommended -

**That the changes to the Treasury policy set out in section 2.6.3 of
Governance and Audit Committee Document "R" be adopted.**

(David Willis - 01274 432361)

12. NOTICES OF MOTION (Standing Order 17)

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

12.1 HIGH CALORIE DRINKS

To be moved by Councillor Griffiths
Seconded by Councillor Fear

This council believes that obesity is becoming the most important public health problem in our district.

Council notes that whilst one in five children is obese when they start school, one in three are obese by the time they leave.

Council notes the steps made in using licensing powers to control the availability of high calorie food in the form of takeaways in the vicinity of schools.



Council believes that high calorie drinks are one important cause of obesity and may also contribute to behavioural problems in children.

This Council also notes that high calorie drinks are sold in Council buildings and sports facilities despite it not being possible to burn off the number of calories found in these drinks during a single sports or swimming session.

This Council resolves to:

Take all possible steps to encourage schools to institute a 'water only' policy on school premises.

Explore options for reducing the availability of high calorie drinks in the vicinity of schools including, but not limited to, a voluntary 'scores on the doors' for responsible retailers.

Set up best practice by no longer selling high calorie drinks on Council premises including sports facilities.

Bring a report to Health and Social Care Overview and Scrutiny Committee outlining action taken

12.2 ONE CITY, ONE DISTRICT

To be moved by Councillor Brown
Seconded by Councillor Cooke

Council notes the continuing challenges in delivering public services with reducing financial support from government and commends officers on their efforts in maintaining those services under pressure

Council further notes that at least £1.2m has been spent on the now abandoned, swimming pools strategy including land acquisitions, demolition and consultancy charges

Council believes that some of the decisions and proposals made recently will result in further divisions within the City and District including:

1. The cancellation of a new swimming pool for Queensbury with preference given to one in Bradford
2. The closure of the Stocks Bridge Depot at Keighley, risking delays in the distribution of sandbags during floods and grit during snowfall, in the areas which are known to have the greatest need for these.
3. Proposals to close community halls and museums in smaller communities



4. Closing public lavatories in Ilkley, Bingley, Baildon and Shipley while maintaining a fully staffed facility in Bradford
5. Removing periods of free parking and extending on-street parking in village and suburban communities with struggling local shops
6. Plans to close or downgrade Visitor Information Centres in Haworth, Saltaire and Ilkley while maintaining a full service in Bradford

Council commits to a policy of 'One City, One District' and asks the Executive to reconsider its plans so as to give priority to needs wherever they are in the District.

12.3 DEMENTIA FRIENDLY BRADFORD

To be moved by Councillor Shaw
Seconded by Councillor Rickard

Council notes and welcomes the work undertaken alongside health partners to raise awareness of dementia in the community as part of Bradford's Five Year Dementia Strategy

Council asks:

1. That progress on the dementia strategy is reported on a programmed basis to Health & Social Care Scrutiny Committee
2. That efforts are made to involve other partners including housing organisations, business leadership and the police in developing a Dementia Friendly Bradford
3. That work on training staff and volunteers to be dementia friendly is supported and that this is extended to include councillors

12.4 LOOKING AFTER BRADFORD'S HEALTH: THE PUBLIC'S PRIORITIES

To be moved by Councillor Hinchcliffe
Seconded by Councillor Val Slater

This Council notes that:

- The Sustainability and Transformation Plan (STP) for West Yorkshire and Harrogate assumes £1 billion of cuts in health spending over the next four years.
- West Yorkshire leaders and health and wellbeing boards have not been properly involved or consulted on the West Yorkshire STP.
- NHS England has kept the 44 regional STPs confidential. The



West Yorkshire STP was published for the first time on 10 November.

- The Bradford STP has had greater local input but is still only a list of initiatives which may lead to a significant cut in health spending in Bradford.

This Council resolves that:

- Health, care and wellbeing services should be planned and delivered close to local communities, unless planning and delivery on a regional or sub-regional geography is necessary to achieve sustainability or to deliver better clinical outcomes.
- Engagement and consultation with the public on the recently published West Yorkshire and Harrogate Sustainability and Transformation Plan (including Bradford District and Craven) should start as soon as possible to allow the public to review the proposals and have their say on future health and social care services in the District, and on services available outside the District.
- The Health and Wellbeing Board and governance bodies of the Council and partners should be consulted on any new proposals as they are developed in the District or at West Yorkshire level.

This Council requests that:

- The Leader writes to NHS England asking them to let the public have their say on West Yorkshire plans.
- The Leader writes to the Lead on the Bradford & Craven STP to ask that a programme of public consultation is developed to ensure an open dialogue with Bradford District residents.

12.5 MITIGATING THE IMPACT OF WELFARE AND BENEFIT CUTS ON THE POOREST PEOPLE IN THE DISTRICT

To be moved by Councillor Bacon

Seconded by Councillor Engel

This Council notes that:

- The Welfare Cap has already affected 220 families in the District. A further 1,000 families will be hit from w/c 16 January 2017.
- Each of these families has at least three children.
- This comes on top of the four-year freeze on working tax credits for working families. In the meantime inflation is expected to rise.
- From April 2017 the two-child limit on entitlement will be introduced which will impact on even more families in the District.
- We are concerned that the cumulative effect of these changes will impact on children to a greater extent than ever before.



This Council requests that:

The Chief Executive brings a paper to the Executive about how we can mitigate the impact of these welfare changes on the poorest families and how we can support parents to access employment.

13. BRADFORD EDUCATION COVENANT

23 - 36

Previous reference: Council Minutes 55 and 89 (2015/16)

The report of the Strategic Director Children's Services (**Document "P"**) provides an update of activity to date on the Bradford Education Covenant together with details of the Education Covenant Conference planned for January 2017.

Recommended –

- (1) That the report be received as a summary of the actions taken to involve stakeholders in further developing the Education Covenant.**
- (2) The appointment of a 'Covenant Champion' to drive forward this innovative and exciting project to become a flagship development for the District.**
- (3) That the Council invites all stakeholders in Education in Bradford to actively pledge their commitment to the Covenant at the Education Covenant Conference.**

(Judith Kirk – 01274 431078)

14. WEST YORKSHIRE PENSION FUND DISINVESTMENT FROM THE FOSSIL FUEL INDUSTRY

37 - 50

Previous reference: Council Minute 59 (2015/16)

At the meeting of the Corporate Overview and Scrutiny Committee on 19 October 2016 the report of the Director, West Yorkshire Pension Fund (WYPF) submitted a report (**Corporate Overview and Scrutiny Committee Document "T"**) following the resolution of Council that the Corporate Overview and Scrutiny Committee and the Governance and Audit Committee complete a joint review of the scale of the WYPF's investment in the fossil fuel sector and the implications for the Pension Fund, the District and its current and retired public sector workers of any programme of disinvestment. The Corporate Overview and Scrutiny Committee resolved:

That this Committee:



- (1) Notes that West Yorkshire Pension Fund investment decisions are made by the Investment Advisory Panel which includes representatives of all West Yorkshire Districts as well as other interested parties, and not Bradford alone.
- (2) Notes that the Investment Advisory Panel considers the annual report of the Local Authority Pension Fund Forum which includes engagement activities with fossil fuel companies.
- (3) Agrees with the policy of positive engagement set by the Investment Advisory Panel.
- (4) Welcomes the progress achieved towards ensuring that the fossil fuel companies revise their business plans to take account of the COP21 agreement.
- (5) Welcomes continuing investment in green energy technology and production as the industry develops.
- (6) That the above decisions be referred to the Governance and Audit Committee and Full Council for information.

Recommended –

That the resolution of the Corporate Overview and Scrutiny Committee be noted.

(Rodney Barton - 01274 432317)

15. ELECTED MEMBER REVIEW

51 - 266

The report of the City Solicitor (**Document “Q”**) indicates the outcome of an independent review into whether any change should be made to the number of Councillors. The outcome is that the public feel there is no case for any change and the conclusion has been endorsed by Sir Rodney Brooke who provided oversight of the review.

Council is recommended to –

Adopt Sir Rodney’s recommendations.

(Parveen Akhtar - 01274 432496)

16. RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL - SPECIAL RESPONSIBILITY ALLOWANCES FOR EXECUTIVE ASSISTANTS AND ANNUAL UPDATING OF ALLOWANCES

267 -
276

The report of the City Solicitor (**Document “R”**) presents the recommendations of the Independent Remuneration Panel (IRP) on the SRA (Special Responsibility Allowance) payable to Members who undertake the role of Executive Assistant. The IRP also considered the annual uprating of allowances in accordance with the percentage increase provided for by the local government pay settlement for the year ending October 2015.



Recommended –

That Council consider the recommendations of the Independent Remuneration Panel and resolve as appropriate from the options in paragraph 6 above, two decisions being necessary, one from 6.1 to 6.3 (inserting a figure into 6.2 if that recommendation is supported) and one from 6.4 to 6.5.

(Parveen Akhtar - 01274 432496)

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

