

## Decisions of the Meeting of Council held on Tuesday 10 July 2012

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

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### DECISIONS:

#### 1. PETITIONS

##### Ingleby Place, Bradford

As the petitioners were not present in accordance with the Constitution's Rules of Procedure, paragraph 11.5 of Part 3A, the petition was not received.

##### Khidmat Centres

Resolved –

That the petition be referred to the Executive for consideration.

##### Holden Park, Oakworth

Resolved –

That the petition be referred to the Keighley Area Committee for consideration.

##### Neville Grange Resource Centre

That the petition be referred to the Executive for consideration.

##### Royal Mail Collection Offices

That the petition be referred to the Corporate Overview and Scrutiny Committee for consideration.

**ACTION:** *City Solicitor*



## **2. MEMBERSHIP OF COMMITTEES**

**Resolved –**

- (1) That Councillor Ikram replace Councillor Malcolm Slater on the Corporate Governance and Audit Committee and Councillor Malcolm Slater be an alternate.**
- (2) That Councillor Warburton replace Councillor Robinson on the Bradford South Area Committee.**
- (3) That Councillor Wainwright replace Councillor Malik and Councillor Poulsen replace Councillor Martin Smith on the Children’s Services Overview and Scrutiny Committee and be appointed Deputy Chair.**
- (4) That Councillor Martin Smith replace Councillor Hawkesworth on the Corporate Overview and Scrutiny Committee.**
- (5) That on the Environment and Waste Management Overview and Scrutiny Committee Councillor Robinson be appointed to the vacancy on the Committee; Councillor Azam replace Councillor Ferriby and Councillor Ferriby replace Councillor Robinson as an alternate.**
- (6) That on the Health Overview and Scrutiny Committee Councillor Ikram replace Councillor Wainwright; Councillor Swallow replace Councillor Akthar; and Councillor Akthar replace Councillor Robinson as an alternate.**
- (7) That on the Social Care Overview and Scrutiny Committee Councillor Azam replace Councillor Jabar; Councillor Swallow be deleted from the membership and Councillor Robinson be deleted as an alternate.**
- (8) That Councillor Hawkesworth replace Councillor Shaw on the Regulatory and Appeals Committee.**
- (9) That the appointment of the following non-voting co-opted representatives to the Children’s Services Overview and Scrutiny Committee for the 2012/13 Municipal Year be confirmed:**

**Health Representative: Kathy O’Connell**

**Teachers’ Secondary Schools Representative – Stuart Davies**

**Teachers’ Primary Schools Representative – Stephen Pickles**

**Teachers’ Special School Representative – Irene Docherty**

**Voluntary Sector Representatives: Janet Jewitt and Freda Dyson.**

- (10) That the appointment of the following non-voting co-opted representatives to the Corporate Overview and Scrutiny Committee for the 2012/13 Municipal Year be confirmed:**

**Fiona Stephens - Airedale, Bradford and Leeds NHS**

**Julie Lintern - Keighley & Ilkley Voluntary and Community Action (KIVCA)**

- (11) That the appointment of the following non-voting co-opted representatives to the Environment and Waste Management Overview and Scrutiny Committee for the 2012/13 Municipal Year be confirmed:

Emma Hill – Bradford Environmental Action Trust  
Julia Pearson – Bradford Environmental Action Trust  
Jacqui Toothill – Environment Agency

- (12) That the appointment of the following non-voting co-opted representatives to the Health Overview and Scrutiny Committee for the 2012/13 Municipal Year be confirmed:

Julie Lintern - Keighley & Ilkley Voluntary and Community Action (KIVCA)  
Mike Young – Retired (former Statutory Mental Health Services Manager)

- (13) That the appointment of the following non-voting co-opted representatives to the Social Care Overview and Scrutiny Committee for the 2012/13 Municipal Year be confirmed:

Shaun Morris Armitage – Strategic Disability Partnership  
Tim Pickles – Strategic Disability Partnership  
Isobel Scarborough – Bradford & District Older People’s Alliance.

**ACTION:** *City Solicitor*

**3. RECOMMENDATIONS FROM COMMITTEES – CORPORATE GOVERNANCE AND AUDIT COMMITTEE – ANNUAL REVIEW OF FINANCIAL REGULATIONS**

Resolved –

- (1) That the proposed amendments to the Constitution listed at Appendix 1 attached to Corporate Governance and Audit Committee Document “A” be adopted and implemented, subject to the addition of “for the purposes of paragraph 17.3.2” to paragraph 1.3.
- (2) That the City Solicitor ensures the agreed amendments are implemented.
- (3) That the City Solicitor be granted delegated authority to make consequential amendments to the Constitution as a result of the recommendations approved by Full Council.

**ACTION:** *City Solicitor*

**4. RECOMMENDATIONS FROM COMMITTEES – CORPORATE GOVERNANCE AND AUDIT COMMITTEE – ESTABLISHMENT OF A NEW STANDARDS REGIME**

Resolved –

- (1) A Chair of Standards Committee be appointed from the elected members on the Committee and Councillor Ruding replace Councillor Thirkill on the Standards Committee and be appointed Chair.

- (2) The Parish Council Liaison Committee be asked to nominate 2 Parish Councillors to be co-opted non-voting members of the Standards Committee.**
- (3) One of the existing Independent Members of the Standards Committee be appointed as the Independent Person.**
- (4) The Independent Person be appointed as a co-opted non-voting member of the Standards Committee.**
- (5) The new Code of Conduct as set out in Appendix A to this report be adopted.**
- (6) The Procedure for considering complaints alleging failure to comply with the Code of Conduct as set out in Appendix B to the report be adopted subject to the addition of “and/or their representative” to paragraph 24 b.**
- (7) The City Solicitor be given delegated authority in consultation with the Leader of Council to make such amendments to the Constitution as are necessary to implement the decisions of Council.**

***ACTION: City Solicitor***

## **5. CHILDREN’S CARDIAC SURGERY**

**Resolved –**

**This Council condemns the decision of the Joint Committee of Primary Care Trusts to cease performing children’s heart surgery at Leeds General Infirmary.**

**The Council notes that:**

- 1) The decision means that there will no longer be specialist surgery anywhere within the Yorkshire and Humber Region and children and families from Bradford will face increased journey times to alternative provision which may put lives at risk .**
- 2) 13.7 million people live within a two hour drive time of Leeds.**
- 3) The birth rate in Yorkshire and Humber over the last 5 years and projected forward to 2015 is double the national average. Bradford’s birth rate is the highest in the region.**
- 4) Bradford has one of the highest rates of infant mortality in the country.**

**This Council further notes:**

- 5) That there is a great deal of concern surrounding the decision-making process**
- 6) That there is now to be a review of services to Adults with Congenital Heart Disease will take place during the Summer/Autumn 2013 and that in Leeds surgeons treat both children and adults on the same site providing continuity of care.**

**This Council believes:**

- 7) The decision is short-sighted, flawed and will have a hugely negative impact on**

families and children in the Bradford District and throughout the Yorkshire and Humber region who will face severe logistical difficulties and disruption at a time of massive worry about the health of their child and is not in their best interests.

8) The decision to cease the provision for children in isolation without considering the impact on the provision of services for people with Congenital Heart Disease is not in the best interests of people from across the region.

This Council resolves to:

9) Request that the Joint Health Overview and Scrutiny Committee for Yorkshire and the Humber considers if the decision of 4<sup>th</sup> July has been taken in the best interests of the health service users across the region.

10) That the Health Overview and Scrutiny Committee is requested to provide whatever support is required to the regional Committee to ensure that the best case possible is provided to support the retention of children's heart surgery in Leeds.

11) The Council writes to Andrew Lansley MP, the Secretary of State for Health, on a cross Party basis, urging him to review the decision and urging him to visit West Yorkshire to meet with families, Heart Unit staff and political representatives with a view to ensuring that children's heart surgery continues to be provided in Leeds and to our Members of Parliament informing them of our decision and requesting their support.

**ACTION:** *Chief Executive/City Solicitor*

## 6. LOCAL DEVELOPMENT FRAMEWORK

Resolved -

The Local Development Framework is critical to meeting the future needs of the Bradford District. The LDF needs to be based on the most accurate and valid data available. This Council, therefore, instructs the Chief Executive to obtain external confirmation as to the accuracy and applicability of data used to inform the LDF both demographic and economic and that the report should be taken to the Executive at the appropriate stage of the LDF process.

**ACTION:** *Strategic Director Regeneration and Culture*

## 7. LDF AND STANDING ORDERS

Resolved –

This Council notes:

1) Its widespread public consultation on the LDF Core Strategy which has resulted in numerous representations from members of the public and organisations such as Parish, Town and Community Councils, Civic Societies and campaign groups.

2) Under the Government's National Planning Policy Framework any delays to the Council adopting an up to date plan will increase the threat of development on

currently protected land including green field and green belt sites.

3) That organisations such as Parish, Town and Community Councils, Civic Societies and campaign groups will have the opportunity to make further representations to the Publication Draft Core Strategy before submission to Government and consideration by a Planning Inspector.

4) The Regeneration and Economy scrutiny committee already have put the scrutiny of the core strategy in their work programme at the behest of the portfolio holder

Council asks that:

1. The City Solicitor in consultation with the Strategic Director, Regeneration and the Portfolio Holder for Change , Housing, Planning and Transport draws up proposals for a process to enable a wider consideration of amendments to the LDF Core Strategy by members within the current timescales for adoption of the plan.

2. Group Leaders liaise to agree a process for discussion, debate and decision by Council.

**ACTION:** *City Solicitor/Strategic Director Regeneration and Culture*

## 8. NOMINATION OF THE LORD MAYOR BY POLITICAL GROUPS

Resolved-

Bradford Council resolves to instruct the City Solicitor to amend the present protocol on the rotation of nomination of Councillors to be Lord Mayor which presently only recognises the Labour, Conservative and Liberal Democrat groups.

The new protocol must recognise all Political Groups on Bradford Council. Nominations for Lord Mayor should be in proportion to the number of Councillors in each group.

**ACTION:** *City Solicitor*

## 9. YOUTH UNEMPLOYMENT

Resolved-

This Council notes:

1) The high levels of unemployment, and in particular, youth unemployment, in the Bradford district.

2) The adverse impact of redundancies being felt across the District by the people of Bradford as a result of economic circumstances beyond their control, and beyond the control of this Council.

3) That potential redundancies at Thomas Cook, may contribute to rising unemployment in the city.

4) The scale and speed of the Coalition Government's spending cuts which have forced the Council to reduce spending by £72 million over this year and last year with the prospect of further significant cuts to come.

5) That, massive despite spending cuts, compulsory redundancies have accounted for only 4.6% of the overall reduction in the Council's staff head count to date.

The Council further notes:

1) The £7.7 million Employment Investment Programme 'Get Bradford Working', the largest investment in employment and skills by any council in the country.

2) The creation of jobs which will be available to our most disadvantaged residents at a time when they most need intervention, support and leadership from their Council.

3) The dialogue established by the Council with Thomas Cook and the initiative by MPs George Galloway and Gerry Sutcliffe to seek a meeting with the chief executive of Thomas Cook to try to persuade him to review the decision to shut Thomas Cook's office in Bradford.

4) The recently announced City Deal which will promote employment, economic growth and infrastructure and deliver an apprenticeships hub in Bradford.

The Council therefore resolves to:

1) Continue the dialogue with Thomas Cook with a view to exploring all possible avenues of support for those affected, including alternative sources of employment with other companies in the District.

2) To continue the detailed planning taking place with partners to implement "Get Bradford Working" so as to have maximum impact for the people of Bradford.

3) Confirm that its priority with regards to individual members of staff is to look to avoid compulsory redundancies and only consider them as a last resort.

4) Work with its City Region partners to maximise the benefit to Bradford District in terms of jobs, skills and infrastructure, of the City Deal.

5) Work with the District's MPs in continuing to lobby Government for a fairer funding deal for Bradford, secure ongoing investment in support of the local economy and protect local jobs.

**ACTION:** *Strategic Director Regeneration and Culture*

## 10. NEW FAMILY MIGRANT RULES

Resolved-

This council notes:

That the Government introduced new family migrant rules on 9th July 2012.

**These rules introduce new minimum gross income requirements of £18,600 for people wishing to sponsor a non EU spouse or partner to enter and settle in the UK.**

**The income requirement will be higher for those wanting to bring a child under the age of 18 with a partner, rising to £22,440 for one child and an additional £2,400 for each further child.**

**Previously the income requirement was in line with UK income support levels therefore approximately £6,000 for a couple and £8,500 for a couple with a dependant child.**

**While it is a positive thing for migrants to be able to speak, read and write in English, the new rules impose punitive language knowledge conditions and the probationary period of entry will be extended from two years to five years**

**The Council believes that:**

**These rules could potentially apply to half the working population of the UK and will affect thousands of people within the Bradford District.**

**These rules will have a disproportionate impact on particular social and ethnic groups including those on low incomes, women, children, people with disabilities and ethnic minorities.**

**These rules discriminate between EU nationals and non EU nationals and between British nationals and EU nationals.**

**These rules adversely affect the human rights of British citizens to marry whom they wish and to enjoy family life with their spouses and children.**

**The Council resolves:**

- 1) To make urgent representations to the government urging them to withdraw these proposals.**
- 2) To write to the District's MPs requesting their cooperation with the Council, its partners and local communities in developing a system of recording, monitoring and reviewing the impact on families in the District and to compile a dossier of case studies and evidence to bring to the attention of national government.**
- 3) To work with its partners to ensure that people arriving in Bradford District as migrants are provided with appropriate support and assistance.**

***ACTION: Chief Executive***

## **11. BRADFORD BULLS**

**Resolved-**

**This Council notes the fact that Bradford Bulls are in administration.**



**The Council applauds the efforts of supporters to save the club and resolves to continue to do all that it can to support those efforts and ensure that the club survives and continues to play in the Super League.**

***ACTION: Chief Executive/Strategic Director Environment and Sport***

## **12. DEFENDING THE WELFARE STATE**

**Resolved-**

**This Council believes:**

- 1) That the Government is under a moral obligation to guarantee a Welfare State that acts as an essential safety net designed to assist people suffering from periods of hardship or for people who are unable to assist themselves.**
- 2) That employment that pays a living wage represents the best route out of poverty and that those who can work have an obligation to actively seek work.**

**We note that:**

- 1) As a result of the double dip recession, many people in the Bradford District are facing the hardship that the welfare state is designed to help alleviate. National economic policies and the scale and speed of public spending cuts are inhibiting economic recovery and making paid employment opportunities more difficult to secure.**
- 2) Changes to Working Tax Credits and in-work benefits act as a disincentive to work and some families find themselves better off on benefits. Because over 50% of children in poverty live in households where at least one adult is working these changes undermine progress being made to address child poverty in the Bradford District.**
- 3) Many people in receipt of benefits are in low paid employment, over 90% of new Housing Benefits claimants are in work. Those out of work will face a 10% cut after a year under Government reforms.**
- 4) Almost half of workless households include someone with a disability.**
- 5) Implementation of the Government's Welfare Reform programme will place increased pressure on people on low incomes and already stretched public services.**
- 6) Tax avoidance costs the UK economy £25 billion a year.**

**The Council agrees that we need a programme of job creation, house building, measures to ensure people are paid a real living wage and have access to decent, affordable housing.**

**We therefore welcome the Council initiatives that are addressing these issues and supporting people on low incomes including:**

- The £7.7 million “Get Bradford Working” Employment and Skills Programme.
- Helping to secure the Leeds City Region City Deal which will promote enterprise and employment.
- £34 million package of support for City Centre regeneration.
- Building the District’s first Council housing for 30 years and a multi-million pound affordable housing investment programme to include 423 new units over the next two years.
- Mortgage Rescue Scheme and support for people at risk of losing their homes; Equity Loans Scheme replacing the loss of Government grant.
- Establishing the Child Poverty Board and implementing its programme of work.
- Paying the lowest paid Council workers a £250 increase
- Investment in Advice Services to compensate for cuts to Government grants and support for the growth of Credit Unions.

The Council resolves to:

- 1) Continue to play its part in getting people into work and promoting economic growth.
- 2) Fulfil its obligations to help support those residents experiencing hardship.
- 3) Call on the Government to reverse its changes to Working Tax Credits in order to help make work pay, reverse its tax breaks for the wealthiest tax payers and to take urgent measures to address the issue of tax avoidance.
- 4) Work closely with its partners to help mitigate the worst effects of implementation of the Government’s Welfare Reform Programme.
- 5) Explore the implications of the Council becoming a Living Wage employer.

**ACTION:** *Chief Executive/Strategic Director Regeneration and Culture/Strategic Director Business Support/Director of Finance*

### 13. LIVING WAGE

Resolved-

This Council notes that:

- 1) In adopting a Living Wage policy an employer makes a commitment to guaranteeing its employees a minimum level of income.
- 2) The Living Wage reflects the minimum pay rate required for a worker to provide the essentials of life for themselves and their families. In defining a Minimum Income Standard the Joseph Rowntree Foundation concluded that it is the level of income needed to provide an acceptable standard of living in Britain to ensure good

health, adequate child development and social inclusion.

3) That the Living Wage outside of London is set annually by an independent body and is currently £7.20 per hour.

4) That the evidence from the introduction of a London Living Wage indicates that it produces significant benefits for employers adopting the policy including:

- Increased productivity, motivation and loyalty..
- Reduced absenteeism
- Better quality services - over 80% of employers have reported an improvement in the quality of work of their staff
- Improved recruitment and retention
- More rapid adoption of changes to working practices.

5) That the Living Wage Foundation estimates that the London Living Wage has lifted over 10,000 families have been lifted out of poverty.

The Council believes that:

1) The Living Wage could bring significant benefits to the District's employers and employees.

2) Paid employment offers the best route out of poverty for people of working age so the Living Wage could play a key role in reducing poverty in particular child poverty.

3) That paying a Living Wage to Council staff and the staff of its contractors could encourage other local employers to do the same.

4) That the Living Wage could provide a stimulus to the local economy.

The Council therefore requests the Corporate Overview and Scrutiny Committee, in consultation with staff, trade unions, business organisations and the Child Poverty Board to undertake an in depth investigation over the next twelve months into the implications for the District of the Council adopting a Living Wage policy and to report the findings of that investigation back to Full Council.

**ACTION:** *Chief Executive/Strategic Director Regeneration and Culture/Strategic Director Business Support/Director of Finance/City Solicitor*

#### 14. INDEPENDENT REMUNERATION PANEL RECOMMENDATIONS

Resolved-

We have taken notice of the recommendations of the Independent Remuneration Panel and we thank them for their involvement and their expertise which has informed this process.

The following recommendations are put to Council for immediate effect as an amendment to those made by the IRP.

Changes

1. The Leader, Deputy Leader and Chief Whip of a Political Group will only be paid if that Group holds 15% or more of the membership of Council.
2. Chairs of Scrutiny, Corporate Governance and Audit, Planning, Licensing and Regulatory and Appeals be reduced to 35% of the Leader's SRA
3. The SRA for the Deputy chair of Licensing be removed.
4. The Chair of Standards Committee will receive 10% of the Leader's SRA
5. Members of the Fostering Panel shall receive 8% of the Leader's SRA
6. Members of the Adoption Panel shall receive 8% of the Leader's SRA
7. Members of Planning Panels shall receive 8% of the Leader's SRA
8. The SRA for the Chair of the West Yorkshire Pension Fund be removed.
9. Opposition Shadow Executive members shall receive 12.5% of the Leader's SRA
10. The Chair of Employee Appeals Panel shall receive 20% of the Leader's SRA
11. The Deputy Chair of Employee Appeals Panel shall receive 15% of the Leader's SRA
12. The SRA for other Members of the Employee Appeals Panel be removed.
13. The Chair of Hackney Carriage and Private Hire Panel shall receive 20% of the Leader's SRA
14. The Chair of Social Services Appeals Panel shall receive 15% of the Leader's SRA
15. The Chair of Corporate Parenting Panel shall receive 15% of the Leader's SRA

Councillors should note that the Constitution states that there should be only one SRA per member.

**ACTION:** *City Solicitor*

15. **DATE AND TIME OF FUTURE MEETING**

**Resolved-**

**That the date of the meeting of Council previously agreed as Tuesday 26 February 2013 be changed to Thursday 28 February 2013 at 1600.**

**ACTION:** *City Solicitor*

FROM: Suzan Hemingway  
City Solicitor  
City of Bradford Metropolitan District Council

*Committee Secretariat Contact: Adrian Tumber – 01274 432435*  
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