

Minutes of a meeting of the Executive held on Tuesday, 6 February 2018 in Council Chamber at City Hall, Bradford

Commenced 10.35 am
Concluded 11.40 am

Members of the Executive – Councillors

LABOUR
Hinchcliffe
V Slater
I Khan
Ross-Shaw
Ferriby
Jabar

Observers: Councillors Dale Smith and J Sunderland

Councillor Hinchcliffe in the Chair

80. DISCLOSURES OF INTEREST

The following declarations of interest were received:

- (i) Councillors I Khan and Ross-Shaw disclosed a prejudicial interest in the item relating to the 2018-2019 Budget (Minute 85) in respect of employment matters. The Members stated that they had been granted a dispensation by the Interim City Solicitor under the Localism Act to speak and vote on the respective budget items.
- (ii) In the interest of clarity Councillor Hinchcliffe disclosed an interest in the item relating to the Oastler Road Car Parking Petition as she had received a fine, and during consideration of the item she did not speak or vote on the matter.

ACTION: *City Solicitor*

81. MINUTES

Resolved –

That the minutes of the meeting held on 5 December 2017 be signed as a correct record.

82. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

83. RECOMMENDATIONS TO THE EXECUTIVE

The following recommendations to the Executive were noted:

Children's Services Overview and Scrutiny Committee - Wednesday, 17 January 2018

(1) RECRUITMENT AND RETENTION OF TEACHERS IN THE BRADFORD DISTRICT

Resolved –

- (1) That the Council be congratulated on the vision and implementation of the recruitment and retention of teachers programme.
- (2) **That the continuation of the project be recommended to the Executive and the opportunity for it to become a traded service be investigated.**

ACTION: Strategic Director of Children's Services

Note: In receiving the above recommendation the Leader stated that the programme be monitored and progress evaluated and consideration be given to how the opportunity area can support future developments.

ACTION: Strategic Director of Children's Services

(2) RISK MANAGEMENT

Resolved –

- (1) That the recommendations of the Corporate Overview and Scrutiny Committee of the 11th January 2017 be implemented by the 30th June 2018.
- (2) That the Overview and Scrutiny Committee considers an improvement plan which incorporates the following features:
 - (i) That the Risk Coordinator Network is refreshed with all Directors required to nominate key managers within their service as the Risk Coordinator for their Department.
 - (ii) That monthly reports are tabled at CMT, identifying progress made on the identification and recording of departmental risks. This should include applying any developments to the Council's risk management process.
 - (iii) Covalent is to be used for the recording of all risks across the Council including the Council Plan Delivery Programme risks.
 - (iv) Quarterly Risk Management reports to be produced for CMT, Executive and the Corporate Overview and Scrutiny Committee.
- (3) That this Committee requests that the Executive ensures that Portfolio Holders review and develop Departmental Risk Registers in their respective areas of responsibility.**
- (4) That a further progress report be presented in 6 months time and request that all Strategic Directors attend.

**ACTION: City Solicitor (Resolution 1 referral to Executive)
All Strategic Directors (Resolution 2)**

(Mark St Romaine – 01274 432888)

Note: In receiving the above recommendation the Leader stated that Strategic Directors review and develop Departmental Risk Registers in their respective areas of responsibility.

ACTION: All Strategic Directors

(3) CALLED-IN DECISION - A STRATEGY FOR GROWTH IN INCOME FROM COUNCIL TAX, BUSINESS RATES AND INVESTMENT

Resolved –

- (1) That the decision be released for implementation.**
- (2) That this Committee requests that the Executive ensures that Standing Orders terms of conditions need to be clearly set out in relation to the establishment of the Investment Advisory Group.**
- (3) That this Committee requests that there has to be a clear rationale about what social purpose is as part of the Investment Strategy, including how this supports the role of the elected member.

**ACTION: City Solicitor (Resolution 1 and resolution 2 referral to Executive)
Strategic Director Corporate Services (Resolution 3)**

(Andrew Crookham – 01274 433656)

Note: In receiving the above recommendation the Leader stated that although the Investment Advisory Group would not be a formal Committee of Council, the Advisory Group would be set up with strong terms of reference.

ACTION: Assistant Director Finance & Procurement

84. MEETINGS OF COUNCIL AND THE EXECUTIVE 2018/19

The City Solicitor submitted a report (**Document “AS”**) which recommended a schedule of ordinary meetings for Council and the Executive for the municipal year 2018-19.

Resolved–

- (1) That the schedule of meetings of the Executive for 2018-19 as set out in appendix 1 to Document “AS” be approved.**
- (2) That it be a recommendation to the annual meeting of Council that the ordinary meetings of Council for 2018-19 as set out in appendix 1 to Document “AS” be approved.**

ACTION: Interim City Solicitor

Corporate Overview and Scrutiny Committee

LEADER OF COUNCIL & CORPORATE

(Councillor Hinchcliffe)

85. 2018-19 BUDGET UPDATE

On 5 December 2017 the Executive approved amended and new budget proposals for consultation as required with the public, interested parties, staff and the Trade Unions.

The Assistant Director Finance submitted a report (**Document “AT”**) which provided the Executive with an update on national announcements and local decisions since 5 December 2017. It also identified issues and uncertainties which could still have a bearing on the final size of the funding gap for the financial years 2018/19 and 2019/20 to be closed by Budget decisions.

Executive would need to have regard to the information contained in the report when considering the recommendations to make to Council at their meeting on 20 February 2018.

The Assistant Director alluded to the main messages contained within the report, stating that the Provisional Local Government Settlement published on 19 December 2017 had several announcements that would affect the Council, including:

- Increase in the Council Tax Referendum limit by 1% to 3%;
- No change to the social care precept rates;
- No new money from central government;
- Approval of the Leeds City Region 100% business rate pool;
- Proposed changes to the Business Rates Retention from 50% to 75%;
- Consultation on the introduction of new Fair Funding formula

The Pay Offer announced on 5 December 2017, would potentially add an extra £5m over and above the amount provided in the budget consultation papers.

The West Yorkshire Combined Authority budget papers only suggest a £1m reduction in the levy in 2018/19 and 2019/20 which would fall short of the savings outlined in the budget consultation paper.

The Financial Position Statement for the Third Quarter continued to highlight pressures within Adults and Children’s Social care and increasing pressure on waste disposal, and ;

If the additional Council Tax referendum limit was accepted then there was a potential £0.3m gap for 2018/19 rising to £4.5m in 2019/20.

The Assistant Director also stressed that the final settlement announcement had

not yet been made as expected, and details on this would be brought to the Executive Budget meeting on 20 February.

The Leader alluded to the funding pressures facing Local Government since 2010 and the particular impact this had had on Adult and Children Social Care, adding that she feared for how services could be funded in the future in this context.

The Health and Wellbeing Portfolio Holder echoed the above comments, adding that in the district there was rising demand in adult and social care and it was disappointing that the Government had failed to address the funding crisis in these areas.

The Leader further stated that given the high level of need in the district, Central Government had to work closely with the Council to ensure that this need is met and that services are funded adequately.

Resolved–

- (1) That Executive note the contents of Document “AT” and have regard to the information contained within the report when considering the recommendations to make to Council on a budget for 2018/19 and budget proposals for 2019/20 at their meeting on 20 February 2018.**
- (2) That the Interim Strategic Director of Corporate Resources be given delegated authority, in consultation with the Portfolio holder, to finalise and implement the Business Rates Revaluation Relief scheme for 2018/19 and subsequent years, whilst Government funding is available.**

ACTION: Interim Strategic Director of Corporate Resources

(Corporate Overview and Scrutiny Committee)

86. QUARTER 3 FINANCE POSITION STATEMENT FOR 2017-18

The Strategic Director Corporate Services submitted a report (**Document “AU”**) which provided Members with an overview of the forecast financial position of the Council for 2017-18.

It examined the latest spend against revenue and capital budgets and forecasted the financial position at the year end. It stated the Council’s current balances and reserves and forecasted school balances for the year.

The Assistant Director Finance stated that based on a projection at 31st December 2017, it was forecasted that Council wide expenditure will be £0.6m above the approved budget of £375.2m by year end. This is a £3.2m improvement from the position at the Quarter 2 stage.

Despite the positive direction of travel, the Council was still forecasted to overspend by £0.6m overall with significant overspends in Health and Wellbeing (£6.4m) and Children's Services (£3.9m) linked to Social Care services, where service pressures remained.

The Leader stated that a number of star chamber sessions on the overspend were held earlier in the Autumn which had resulted in bringing spending back on track, despite the pressures and increase in demands in the area of Adult and Children's Social Care. She commended officers across the Council for their efforts in curtailing spending in the respective service areas.

The Health and Wellbeing Portfolio Holder stated the winter pressures had further increased demand in the area of adult social care, however the Service was focussing on providing care within peoples own homes, which would have a considerable impact on the budget in the long run.

The Leader further stressed that Bradford was particularly effective in providing services which were cost effective and this has to be commended in the face of budgetary pressures, however she reiterated that Central Government needed to adequately fund Adult and Children's Social Care.

Resolved –

- (1) That the contents of Document "AU" be noted and the actions taken to manage the forecast overspend.**
- (2) That the following capital expenditure schemes be approved:**
 - **£0.25m for Customer Services to invest in new IT technology.**
 - **£0.55m for the advanced acquisition and demolition of a property that is required for the Bradford to Shipley Corridor improvement project. The scheme is to be funded by short term borrowing prior to reimbursement from the West Yorkshire Transport Fund.**
 - **£0.55m for Thornton Road / Toller Lane Junction Improvements. The scheme seeks temporary short term funding to secure the purchase of properties that can be successfully acquired by agreement in advance of full scheme funding through the West Yorkshire Transport Fund.**
 - **£0.11m to replace the Council's underground fuel tanks. The scheme will provide a flexible fuelling facility and minimise the risk to the Council of fuel loss.**
 - **£0.056m additional funding to complete essential repair works to Chellow Dene reservoir.**

ACTION: Assistant Director Finance and Procurement

Corporate Overview and Scrutiny Committee

87. **CONSULTATION FEEDBACK AND EQUALITY ASSESSMENT FOR THE 2018-19 AND 2019-20 COUNCIL BUDGET PROPOSALS**

On 5 December 2017 the Executive approved new budget proposals for consultation as required with the public, interested parties, staff and the Trade Unions.

The Assistant Director Office of the Chief Executive submitted a report (**Document “AV”**) which provided feedback from the public engagement and consultation programme and set out a summary of the equality assessments carried out on the Executive’s Budget proposals for 2018-19 and 2019-20. There was particular reference to the Council’s responsibilities under equality legislation to enable the Executive to have due regard to the Public Sector Equality Duty when considering its recommendations to Council on a budget for 2018-19 and 2019-20.

Addendum 1 to Document “AV” was tabled at the meeting, bringing Members up to date with the consultation feedback.

A representative from the Unite Union was present at the meeting and questioned how the Council was going to achieve its projected savings in the context of increasing demand for services. He added that the Council had failed to implement previously agreed cuts to services, but were ploughing ahead and making more announcements on cuts, and that this level of cuts could not be sustained.

In response the Leader stated that £256m had been taken out of the budget since 2010 and the Council’s ability to provide crucial services had been diminished significantly. She acknowledged the impact this has had on the people in the district, and the Council was doing its level best to minimise the impacts.

In relation to the consultation feedback the Assistant Director stated that the following responses had been received and the proposals generating most comments were:

- Children’s Services Prevention and Early Help – 700 (as of 26 January, with consultation on this open until 12 February)
- Libraries (4E9) – 189 responses
- The raise in council tax – 116 responses
- Adults overall demand management strategy (4A1) – 29 responses
- Review of respite provision (5C1) – 16 responses
- Youth service (5E2) – 16 responses
- Home from hospital, integrated care (5PH1) – 12 responses
- Museums and galleries (5E1) – 12 responses
- Street cleansing (4E5) – 8 responses
- Reducing de-trunked road maintenance budget (5R1) – 7 responses

The Leader welcomed the public's response to the budget consultation process and in relation to the proposed increases in Council Tax, this was now a reality and a road Councils were having to go down in order to raise revenue in the face of inadequate Central Government funding; however even this extra revenue from Council Tax would be insufficient, given Bradford's low Council Tax base.

Resolved –

That in accordance with Section 149 of the Equality Act 2010, the Executive has regard to the information contained in Document "AV", appendices and equality assessments and Addendum 1 when considering the recommendations to make to the Council on a budget for 2018-19 and 2019-20 on 22 February 2018.

ACTION: Assistant Director Office of the Chief Executive

Corporate Overview and Scrutiny Committee

88. INTERIM TRADE UNION FEEDBACK ON THE COUNCIL'S BUDGET PROPOSALS FOR THE 2018/19 AND 2019/20 COUNCIL BUDGET

The Interim Director of Human Resources submitted a report (**Document "AW"**) which provided interim feedback from the Council's Trade Unions on the Council's budget proposals for the 2018/19 and 2019/20 Council Budget for consideration by Executive.

Addendum 1 to Document "AW" was tabled at the meeting, bringing Members up to date with the consultation feedback.

It was stated that at the Corporate Consultation meeting on 7 December, the following general summary issues were raised by the trade unions in relation to:

- The need for a recruitment freeze
- All secondments to end
- All Fixed term contracts to end
- All use of agency staff to cease
- Focus on revenue raising

Management had responded that all the above matters would be addressed within Departmental consultation process and provision of the workforce information.

The Leader stated that at the end of every year, staff throughout the Council were issued with Section 188 letters and the potential for redundancies, however it was not something the Council wanted to do and she welcomed the feedback from the Trade Unions.

Resolved –

That Executive has regard to the interim feedback received from the Council's Trade Unions in relation to the budget proposals contained in Document "AW" and Addendum 1 when considering its recommendations to Council on the Council's budget for the financial years 2018/19 and 2019/20.

ACTION: Interim Director of Human Resources

Corporate Overview and Scrutiny Committee

REGENERATION, PLANNING & TRANSPORT PORTFOLIO

(Councillor Ross-Shaw)

89. BURLEY IN WHARFEDALE NEIGHBOURHOOD DEVELOPMENT PLAN

The Strategic Director Place submitted a report (**Document "AX"**) which set out the Burley in Wharfedale Neighbourhood Development Plan which had been prepared by the Parish Council. The Plan had now been subject to an examination by Andrew S Freeman and his report confirmed that the Plan, subject to the incorporation of a number of modifications, meets the Government's Basic Conditions. He had therefore recommended that the Plan proceeds to local referendum. The report recommended that the Council agree to all barring one of the proposed modifications and that the resultant modified plan proceeds to referendum which would take place on the 3rd May in conjunction with the local council elections.

The second part of the Plan related to the Council's Governance arrangements for decision making on Neighbourhood Plans. It proposed that the requirement to consult the relevant Area Committee on the examiner's report and the decision to move to referendum is removed.

The Regeneration, Planning and Transport Portfolio Holder commended the input by the Parish Council and the work of officers in drafting the Plan, in particular he welcomed the consultation that had taken place, resulting in a Plan that would benefit the area for years to come.

Resolved –

- (1) That the submitted Burley in Wharfedale Neighbourhood Plan (Appendix 1 to Document "AX") be agreed subject to modifications numbers PM1 to PM7 and PM9 to PM32 as set out in the Examiner's Report (Appendix 2 to Document "AX") and that it is then subject to a local referendum on the 3rd May 2018 again in line with the Examiner's Report.**

- (2) That the Governance arrangements for decision making for Neighbourhood plans be amended as set out in Document “AX” removing the requirement to consult the relevant Area Committee on the Examiner’s Report.

ACTION: Strategic Director Place

Environment and Waste Management Overview and Scrutiny

90. PETITION IN RELATION TO THE OPERATION OF OASTLER ROAD CAR PARK, SALTAIRE

The Strategic Director Place submitted a report (**Document “AY”**) which provided Executive with an update on the actions taken by the Council in resolving the situation of the illegally operated car park at Oastler Road, Saltaire together with updates on the discussions with the land owner (Saltaire Investments Ltd) and the options available to the Council in supporting the recommendations contained within the petition which was formally received by Council regarding the operation of Smart Parking Limited.

The Highways Services Manager stated that a recent meeting with the land owner had been very positive and he was hopeful that the remaining issues would be resolved going forward.

The Regeneration, Planning and Transport Portfolio Holder thanked the petitioners for raising the matter, and he also welcomed the progress made in discussions with the land owner in resolving the outstanding issues, and it was therefore:

Resolved–

- (1) That the actions taken to date to address the illegal operation of a pay and display car park on Oastler Road, Saltaire and the potential approaches available to it to regularise the legal situation in relation to the adopted highway status of Oastler Road be noted.
- (2) That officers continue negotiations with the landowner about the future operation of the car park to reach a satisfactory resolution and that based on these negotiations implementation of the appropriate legal mechanism be delegated to the Strategic Director Place in consultation with the Portfolio Holder.
- (3) That the Executive call upon the British Parking Association to audit Smart Parking Limited’s practices both at this location and nationally. That appropriate action is taken on the findings of the audit including but not limited to revocation of their membership of the Approved Operator Scheme where infringements of the Code are identified.

(4) That the lead petitioner be advised accordingly.

ACTION: Strategic Director Place

Environment and Waste Management Overview and Scrutiny Committee

Note: In accordance with Standing Order 42.2, Councillor Hinchcliffe asked that her vote in abstention be recorded.

Chair

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

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