

Minutes of a meeting of the Executive held on Tuesday, 10 July 2018 in Committee Room 1 - City Hall, Bradford

Commenced 10.30 am
Concluded 12.00 pm

Members of the Executive – Councillors

LABOUR
Hinchcliffe (Chair)
I Khan
Ross-Shaw
Ferriby
Jabar
Farley

Observers: Councillors Azam and Pennington

10. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

11. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

12. RECOMMENDATIONS TO THE EXECUTIVE

Regeneration and Environment Overview and Scrutiny Committee held on Tuesday, 3 July 2018 - UPDATE OF THE PREVIOUS 12 MONTH REVIEW OF THE DISTRICT'S CASUALTY REDUCTION WORK

Resolved –

- (1) That the Committee recognises the positive impact of Operation Steerside and urges the Executive to liaise with the Police Service to identify funding to ensure the continuance of this operation.

- (2) That the Committee receives an update report in 12 months to include details of the development of shared services.

ACTION: Strategic Director, Place

Note: In noting the above recommendation the Leader stated that the Executive shared the views of the Regeneration and Economy Overview and Scrutiny Committee in that Operation Streerside had been a beneficial initiative, which had contributed to making the district's roads safer, and she hoped that work with the Police will continue to identify funding, in order to continue with Operation Steerside.

ACTION: Strategic Director Place

LEADER OF COUNCIL & CORPORATE

(Councillor Hinchcliffe)

13. 2017-18 ANNUAL FINANCIAL AND PERFORMANCE REPORT

The Interim Strategic Director for Corporate Resources submitted a report (**Document "D"**) which provided members with an insight into the Council's overall finance and performance position at the end of the 2017-18 financial year.

In relation to performance the Head of Policy and Performance summarised the Council's overall performance over the last 12 months. The Council and the wider district had had a number of successes which had been validated by external sources and partners. It was noted that performance against the Council Plan indicators was good, with most of the targets being met, notable successes were alluded to including the Care Quality Commission praising both the NHS and the Council for its strong and mature partnership working; the district being the fourth most improved area on education attainment; the district was also rated as the best place to start a business in the UK by Barclays as well as the Council being rated as one of the top 10 most productive Councils in England.

The Leader acknowledged the areas of achievement and the Deputy Leader cited the renewed confidence around education in Bradford as well as getting recognition for being the 4th most improved Local Authority area in the country. He added that within the education sphere there were good leaders, good teachers and officers and they should be praised for spearheading many of the initiatives.

The Regeneration, Planning and Transport Portfolio Holder stated that within his Portfolio area it had been a strong year in terms of performance and he thanked officers and the business community for their contribution. Notable successes included recognition of Bradford's case in Northern Powerhouse Rail planning, city centre and station developments as well as the City Centre Growth Scheme, which was a testament to the entrepreneurial spirit in Bradford.

The Healthy People and Places Portfolio Holder thanked officers for their hard work in a successful Tour de Yorkshire, Bingley Live as well as the successful transition to alternate weekly bin collections which had resulted in a significant increase in kerbside recycling. The Council's performance during the severe winter weather as well as tackling delay in the transfer from care was a testimony to the dedication of officers and staff.

In the area of Looked after Children the Portfolio Holder for Children and Families pointed out that although there had been an increase in the numbers of LAC, this was reflective of the national picture, however, our overall numbers were still low in comparison to our statistical neighbours.

In the area of Neighbourhoods and Community Safety, the Portfolio Holder cited the success of 'Operation Steerside' in tackling dangerous driving and the excellent partnership working with the Police, to make Bradford a safer place.

In summary the Leader stressed that the successful delivery of services was not just about the Council but was about working with Partners and she thanked them for their contribution.

In relation to the financial performance, the headline financial result showed that the Council underspent the £375.2m approved net budget by £0.3 million in line with previous forecasts. Despite the overall underspend, there were a number of significant departmental budget variances, particularly in the area of Adults, Children's Services and Place. Savings of £22.6m had not been delivered and were taken into account in the 2018/19 budget

The Leader thanked Council staff for delivering a balanced budget, however, there were still savings that were unmet and this was getting difficult year on year in the context of continuing Government cuts in Local Government expenditure and increasing demand. However, the Council Economic Strategy was key to realising the Council's growth potential and it was important to measure this growth within the performance framework.

Resolved –

- (1) That the financial position of the Council reported for the year ended 31 March 2018 be noted.**
- (2) That £1.6m of better use of budget requests be approved as outlined in Section 2.1 of Appendix A to Document "D".**
- (3) That the performance position be noted and that the new KPI measures and targets as outlined in Appendix B to Document "D" be endorsed.**

ACTION: Interim Strategic Director Corporate Resources

(Corporate Overview and Scrutiny Committee)

14. QTR. 1 FINANCE POSITION STATEMENT FOR 2018-19

The Assistant Director of Finance and Procurement submitted a report (**Document “E”**) which provided Members with an overview of the forecast financial position of the Council for 2018-19.

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 Business Advisor Management Accounting gave an overview of the main financial messages contained in the report. Based on the May 31 projection, the Council was forecasting to spend £5.8m above the approved budget of £358.1m. The projected overspends related to the continued pressures within Adults and Children’s Services, as well in the Department of Place.

The Leader reiterated that the Authority’s funding position was still very severe and that austerity continued to have a significant impact. She added that the pressures within Children and Adults had to be recognised by Government and more support had to be put in place as well as recognition in the Fair Funding Review regarding Business Rates and the needs of urban areas. However, the Council was working as well as it could within the financial constraints imposed by Central Government and we will continue to ensure that Services were fit for purpose and provided value for money.

Resolved –

- (1) That the contents of Document “E” and the actions taken to manage the forecast overspend be noted.**
- (2) That the following capital expenditure schemes be approved:**
 - (i) £0.5m 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.**
 - (ii) £0.3m additional funding to complete works to St Georges Hall.**

ACTION: Assistant Director Finance and Procurement

(Corporate Overview and Scrutiny Committee)

15. MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2021/22 AND BEYOND

The Medium Term Financial Strategy focuses on how the Council intends to respond to the forecasted public sector funding reductions as a result of the on-going austerity measures imposed by the Government's spending plans. It sets out the approaches and principles the Council will follow to ensure the Council remains financially viable and delivers on its priorities.

The next three years already contained a series of potentially significant changes to the structure of the Council and the services it will be responsible for and what it can provide. Many of these changes were still at consultation stage which brought additional complexity when predicting the future. In addition the impact on the economy from leaving the EU may also affect local government funding and demand for services.

The Assistant Director Finance and Procurement submitted a report (**Document "F"**) which identified for planning purposes that savings need to be identified of £15.3m in 2019/20 in addition to the £6.1m agreed in February 2018. In the following year the gap increases to £20.2m in 2020/21 and then up to £32.3m by 2024/25. This forecast reflected the risks associated with delivering the Council Plan 2017-2021 in particular the challenges of the costs of social care.

In acknowledging the Medium Term Financial Strategy, the Leader stated that it was also important to set out our ambitions for the district and the challenges we face in achieving them, and therefore an outline submission to the 2019/20 national budget was tabled and recommended to Council for adoption.

Resolved –

- (1) That Executive considered the Medium Term Financial Strategy as an assessment of the Council's financial outlook to 2021/22 and beyond, and a framework for it to remain financially viable and deliver sustainable public services in line with its priorities and the principles set out in Appendix 1 to Document "F".**
- (2) That Executive recommends the updated and revised Medium Term Financial Strategy at Appendix 1 to Document "F" be forwarded to Council for approval.**
- (3) That the Executive also recommends that the tabled document which sets out the Outline Submission to the 2019/20 National Budget be forwarded to Council for approval.**

ACTION: Assistant Director Finance and Procurement

(Corporate Overview and Scrutiny Committee)

The Assistant Director of Finance and Procurement submitted a report (**Document “G”**) which provided Members with an overview of the proposed changes to the Council’s Minimum Revenue Provision (MRP) policy from 2017-18 onwards. MRP is a statutory requirement to make an annual charge to the Council’s budget to provide for the repayment of historic capital debt and other related liabilities.

Resolved –

- (1) That the contents of Document “G” and the proposed changes to the MRP Policy be noted.**
- (2) The Executive recommends to Council that:**
 - a) The 2018-19 MRP policy for PFI assets is brought in line with the main MRP Policy and the charge of the principal to the revenue account is over the life of the school building assets.**
 - b) For 2017-18 calculate the MRP on Supported Borrowing for 2008 to 2016 on a 2% straight line method. The overprovision of £52m will be included in a reserve and applied to reduce the annual MRP charge from 2017-18 onwards.**
- (3) That Executive also recommends to Council that the MRP Policy be amended to reflect the following conditions:**
 - i) Total MRP after applying previous overpayment will not be less than zero in any financial year.**
 - ii) The same amount of principal has to be repaid over time irrespective of the method, the recommendation will be to hold the £52m freed up from the change in policy in an earmarked reserve, and it will be used to reduce the annual MRP cost.**
 - iii) The changes to MRP are agreed, releasing the overprovision of £52m over the coming years. As the overprovision is released, and given our balanced financial plan, the cash saving is credited to a dedicated earmarked MRP Adjustment Reserve so that future usage can be appropriated and monitored.**
 - iv) The PFI budgetary saving is used to reduce the net reported cost pressure in 2018-19.**
 - v) That the following checkpoints are met, and the implications of each are understood, before future usage of the proposed MRP Adjustment Reserve is determined:**
 - a) Formal 2018-19 monitoring to determine likely outturn and further detailed understanding of structural cost pressures.**
 - b) Review of the Medium Term Financial Strategy (MTFS) to determine detailed anticipated budgetary gaps over the next three years.**
 - c) Clarity on future savings delivery, including the Demand Management strategy, for 2019-20 and 2020-21.**

d) Finalising the 2019-20 and 2020-21 detailed budget process.

- vi) Subject to the outcomes noted above, consideration is given to a future voluntary repayment of outstanding capital debt using any residual amount set aside. This would therefore designate this move as a last resort insurance policy to protect against any negative consequences associated with the uncertainties outlined above.

ACTION: *Assistant Director Finance and Procurement*

(Corporate Overview and Scrutiny Committee)

EDUCATION, EMPLOYMENT AND SKILLS PORTFOLIO & DEPUTY LEADER

(Councillor I Khan)

17. CHANGE IN AGE RANGES OF CHILDREN AT HIRST WOOD NURSERY SCHOOL, LILYCROFT NURSERY SCHOOL AND STRONG CLOSE NURSERY SCHOOL

The Strategic Director Children's Services submitted a report (**Document "H"**) which asked the Executive to approve the lowering of the age range of children attending Hirst Wood Nursery School, Lilycroft Nursery School and Strong Close Nursery School from 3 - 5 years to 2 – 5 years as from 1 September 2018. The proposals will enable the schools to take up the challenge and meet the shortfall and improve our nursery provision.

The Deputy Leader stated that the proposals were a response to parental demands and would enable children to get the best start.

Resolved –

- (1) That the lowering of the age range at Hirst Wood Nursery School from 3-5 years to 2-5 years as from September 2018 be approved.**
- (2) That the lowering of the age range at Lilycroft Nursery School from 3-5 years to 2-5 years as from September 2018 be approved.**
- (3) That the lowering of the age range at Strong Close Nursery School from 3-5 years to 2-5 years as from September 2018 be approved.**

ACTION: *Strategic Director Children's Services*

(Children's Services Overview and Scrutiny Committee)

REGENERATION, PLANNING & TRANSPORT

PORTFOLIO

(Councillor Ross-Shaw)

18. LOCAL DEVELOPMENT SCHEME UPDATE

The Council is required to publish and keep up to date a Local Development Scheme (LDS) which sets out the content and timetable for the preparation of the Local Plan. The Current Local Development Scheme was approved in 2014. In light of recent changes to the planning system, changes in local circumstances, as well as progress to date on the Local Plan, the LDS has been reviewed and updated.

The revised LDS will provide an up to date position for the public and other interested parties. It is also a key background document which is considered when examining Local Plan Documents by an Inspector at Examination in Public.

The Strategic Director Place submitted a report (**Document “I”**) which asked Executive to approve the Revised Local Development Scheme for the period 2018 to 2021.

The Regeneration, Planning and Transport Portfolio Holder thanked officers for the work done on the scheme and, despite the core strategy being called in for a year, the Government had approved it. The revised scheme takes into account the revisions in the National Planning Policy Framework made by central government particularly around housing need. The Scheme will also support our economic strategy.

Resolved –

That the LDS contained in Appendix 1 to Document “I” be approved and published on the Councils web site.

ACTION: Strategic Director Place

(Regeneration and Economy Overview and Scrutiny Committee)

19. ONE CITY PARK

The Strategic Director Place submitted a report (**Document “J”**) which updated Members on progress on the One City Park scheme and made recommendations for the Council to procure a Development Partner for this project.

In progressing the development of One City Park, it would bring to fruition the creation of modern high end office accommodation as well as the development of a key city centre site. Initial interest was high and officers were confident that the development could be secured.

The Regeneration, Planning and Transport Portfolio Holder stated that the development was key in attracting good quality jobs into the city centre and would

also see development of a prestigious site. It was important to ensure that the design was appropriate to complement the existing buildings in the vicinity.

In echoing the above comments, the Leader stressed that investment in, and transformation of, the city centre over the years had been impressive, but there was a need to continue this development.

Resolved –

- (1) That the issue of the requisite OJEU notice to commence the process to procure a preferred Development Partner for the One City Park scheme be approved using the Competitive Dialogue procurement process as outlined in Document “J” and to be conducted by the Director of Place in consultation with the Finance, Procurement and Legal Services.**
- (2) That the Strategic Director Place be instructed to provide a future report to the Executive to outline the outcome of the approved procurement process and to seek approval for the appointment of a preferred Development Partner and development/delivery proposals for the OCP scheme.**

ACTION: Strategic Director Place

(Regeneration and Environment Overview and Scrutiny Committee)

20. EXCLUSION OF THE PUBLIC

Resolved–

That the public be excluded from the meeting during the discussion of the Not for Publication Appendices relating to the Bereavement Strategy and the Oastler Market proposals on the grounds that it is likely, in view of the nature of the proceedings, that if they were present, exempt information within paragraphs 3 and 5 (financial or business affairs and legal privilege) of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceedings for the following reasons:

It is in the public interest in maintaining these exemptions because it is in the overriding interest of proper administration that Members are made fully aware of the financial and legal implications of any decision.

21. REDEVELOPMENT OF THE CITY CENTRE MARKETS

The Oastler and Kirkgate Markets face significant challenges due to the changing nature of retail, the opening of the Broadway Centre and the closure of Morrisons supermarket on John Street.

The City Centre's retail and market footprints need to contract and relocate to fit current economic conditions and the new centre of retail gravity around the bottom of town. Without intervention the profitability of these markets is likely to continue to decline.

The Strategic Director Place submitted a report (**Document "K" which contained Not for Publication Appendix 2**) which set out proposals to build a new food-focused market on Darley Street and to develop a separate non-food market in the Kirkgate Centre.

In welcoming the proposals the Portfolio Holder acknowledged the hard work done in developing what was a very exciting project and the image of the proposed market showed the scale of our ambitions, as well creating a more viable, vibrant and sustainable market.

The Leader in echoing the above comments, added that the proposed redevelopment would ensure that both a retail and residential mix is delivered within the city centre.

Resolved –

- (1) That the progress to date be acknowledged and permission given to move to RIBA design stage 3.**
- (2) That the budget be approved and the funding of the works from existing capital funding already set aside for markets, the markets revenue reserve, and prudential borrowing to be repaid from annual corporate revenue funding retained by markets for funding capital expenditure be endorsed.**
- (3) That the planned works be noted and that the Portfolio Holder, Strategic Director of Place and the Strategic Director for Corporate Resources be authorised to approve variations within the agreed budget envelope.**
- (4) As regards Not for Publication Appendix 2 to Document "K", the Assistant Director, Estates and Property be authorised to**
 - i) complete negotiations for the property interests referred to,**
 - ii) serve the statutory notices referred to and;**
 - iii) enter into negotiations for the property interest referred to.**

- (5) **That the exercise of Compulsory Purchase powers be approved as necessary to secure vacant possession of the freehold interest of the property referred to.**

ACTION: *Strategic Director Place*

(Regeneration and Economy Overview and Scrutiny Committee)

HEALTHY PEOPLE AND PLACES PORTFOLIO

(Councillor Ferriby)

22. THE BEREAVEMENT STRATEGY

The Strategic Directors of Place and Corporate Resources submitted a report (**Document “L” which contained Not for Publication Appendices 2, 3 and 4**) which updated on delivery of the adopted Bereavement Services Strategy together with an overview of other issues arising from the development of a corporate Bereavement Strategy to include the Forensic Science Centre and Coroner Services.

The Business Manager Leisure Services explained the components of the strategy which were detailed in the report. He stressed that the existing cremators fail to comply with DEFRA’s current air quality emission requirements and hence the key recommendations within the Bereavement Strategy related to the provision of sustainable, modern and fit for purpose crematoria. The report set out the potential sites that were being explored. The Portfolio Holder stressed that private sites were the preferred option.

The report also provided details for future proofing Muslim burial provision for 8-10 years which will require investment at Scholemoor Cemetery to prepare additional land for burial use.

The Portfolio Holder stated that the Bereavement Strategy was key to delivering up to date facilities and she stressed that the existing cemeteries would remain open for families to continue to pay their respects.

The Deputy Leader stressed that in developing the Muslim burial sites it was important to have a longer term strategy and identify further sites, as they will be needed beyond the current 8-10 year projection.

Resolved –

- (1) **That the procurement of external specialist resources to complete the feasibility stage for all 5 identified sites and subject to further approval, deliver progress to RIBA stage 3 for the design and build of two new crematoria. (option 9.1.2 to Document “L”) be approved.**
- (2) **That the Strategic Director Place be authorised to negotiate a revised lease with Bradford Council for Mosques by the end of 2018 (option**

9.1.3 to Document “L”).

- (3) Subject to the requirements of resolution 2 above being delivered, the Strategic Director Place be authorised to open negotiations with Bradford Council for Mosques to determine a lease/licence for the new burial space being developed at Scholemoor cemetery.**
- (4) The Strategic Director Place be given delegated approval of spend in consultation with the S151 officer for the extension of Scholemoor Cemetery to create additional burial space at the earliest opportunity.**
- (5) The Strategic Director Place be given delegated approval of spend in consultation with the S151 officer to upgrade the crematory at Oakworth Crematorium, to include mercury abatement, at the earliest opportunity (option 9.1.4 to Document “L”)**
- (6) As regards Not for Publication Appendix 3 to Document “L”, the relocation of the Coroner’s Service be approved in accordance with the details outlined and the Interim Strategic Director Corporate Resources be authorised in consultation with the Leader to take all necessary steps to implement the decision.**
- (7) As regards Not for Publication Appendix 4 to Document “L” the recommended course of action with regard to the service outlined be approved and the Interim Strategic Director Corporate Resources be authorised in consultation with the Leader to take all necessary steps to implement the decision (that decision to be exempted from call-in owing to the prejudice caused by delay).**

ACTION: Strategic Director Place / Interim Strategic Director Corporate Resources

(Regeneration and Economy Overview and Scrutiny Committee)

Chair

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