



Agenda for a meeting of the Executive to be held on Tuesday, 2 April 2019 at 10.30 am in Committee Room 1 - City Hall, Bradford

Members of the Executive – Councillors

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

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- 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 who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Jill Bell
Phone: 01274 434580
E-Mail: jill.bell@bradford.gov.uk

To:

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 5 February 2019 be signed as a correct record (previously circulated).

(Jill Bell - 01274 434580)

3. 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.

(Jill Bell - 01274 434580)

4. RECOMMENDATIONS TO THE EXECUTIVE

To note any recommendations to the Executive that may be the subject of report to a future meeting. (Schedule to be tabled at the meeting).

(Jill Bell - 01274 434580)

B. STRATEGIC ITEMS

LEADER OF COUNCIL & CORPORATE

(Councillor Hinchcliffe)

5. QUARTER 4 FINANCE POSITION STATEMENT FOR 2018-19

1 - 42

The report of the Director of Finance (**Document BD**) provides Members with an overview of the forecast financial position of the Council for 2018-19.

It examines the latest spend against revenue and capital budgets and forecasts the financial position at the year end. It states the Council's current balances and reserves and forecasts school balances for the year.

Recommended -

- (1) That the contents of Document "BD" be noted.**
- (2) That the following capital expenditure schemes be approved.**
 - (a) £0.06m for work to replace fencing and improve security at the Harris Street Depot to be funded from the general contingency budget.**

- (b) £0.3m for the Ilkley Parking Scheme, this has previously been to Executive and has now been approved by the Project Appraisal Group (PAG). This is an invest to save scheme and the additional income will fund the capital financing costs.
- (3) That it be noted that the following schemes have been reviewed by PAG after previously being approved by Executive:
 - (a) £0.6m for a new investment in Coronial services. This scheme was approved by Executive in July 2018 and will be funded from general contingency.
 - (b) Chellow Dene reservoir has incurred an overspend of £0.05m this was due to additional costs for structural works and will be funded by the general contingency budget.

Corporate Overview & Scrutiny Committee

Andrew Cross – (01274 436823)

6. THE COUNCIL'S CAPITAL STRATEGY 2019-20

43 - 62

The report of the Director of Finance (**Document “BE”**) presents the Council Capital Strategy for 2019-20.

Recommended -

That the Executive requests Council to approve the 2019-20 Capital Strategy.

(Corporate Overview & Scrutiny Committee)

(Lynsey Simenton – 01274 434232)

C. PORTFOLIO ITEMS

**REGENERATION, PLANNING & TRANSPORT
PORTFOLIO**

(Councillor Ross-Shaw)

7. CORRIDOR IMPROVEMENT PROGRAMME - COMPULSORY PURCHASE ORDER, SIDE ROADS ORDER AND TRAFFIC REGULATION ORDERS

63 - 82

The report of the Strategic Director of place (**Document “BF”**) updates the Executive on the development of a series of junction upgrades

which are to be delivered as part of the West Yorkshire Transport Fund's Corridor Improvement programme. As part of this programme the outer ring road junctions of Great Horton Road/Horton Grange Road, Thornton Road/Cemetery Road and Toller Lane / Whetley Hill are to have major upgrades to improve traffic flow on the outer ring road.

As part of the upgrade proposals each of these schemes will require the acquisition of properties to deliver the proposed improvement. This report therefore seek approval in principle from Executive for the Council to use its Compulsory Purchase Order (CPO) powers to acquire the land needed should acquisition by private treaty fail together with arrangements for implementation of associated side roads orders and traffic regulation orders.

Recommended -

- (1) That the Executive is satisfied that the schemes referred to in this report, being part of the Council's Corridor Improvement Programme, are in the public interest and that any harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the improvement schemes will generate, having also taken into account at this stage, the Council's statutory obligations under the Equality Act 2010 in relation to the differential impact a Compulsory Purchase Order might have on various groups of persons with protected different characteristics;**

- (2) That in principle a Compulsory Purchase Order to be made for each of the following schemes -**
 - a) The City of Bradford Metropolitan District Council (Great Horton Road and Horton Grange Road, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shown shaded pink on Plan A annexed hereto;**

 - b) The City of Bradford Metropolitan District Council (Thornton Road and Cemetery Road, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shown shaded pink on Plan B annexed hereto;**

 - c) The City of Bradford Metropolitan District Council (Toller Lane and Whetley Hill, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shaded pink on Plan C annexed hereto**

pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and section 40 of the Road Traffic Regulation Act 1984 and under section 2 of the Acquisition of Land Act 1981 for the purpose of relieving or preventing congestion of traffic by providing off-street parking places, together with means of entrance to and egress from them and section 1 of the Localism Act 2011 and all other relevant and enabling powers to secure the compulsory acquisition of the land and buildings shown shaded pink on the plans annexed hereto, relating to the three highway improvement schemes, described above.

(3) That delegated authority be given to the Strategic Director: Place in consultation with the Portfolio Holder for Regeneration, Planning and Transport to -

a) Make a final decision on whether Compulsory Purchase Orders should be made in respect of each of the proposed highway schemes outlined above, provided that the Strategic Director: Place and the Portfolio Holder for Regeneration, Planning and Transport are both satisfied that

- that there are or are likely to be no planning obstacles to the implementation and completion of each of the highway schemes;
- that there is or is likely to be available sufficient funds to meet all costs associated with an individual highway scheme;
- that there is little or no prospect of all the land needed for each of the individual highway schemes being acquired by voluntary negotiations;
- that due regard has been given to compliance with all relevant human rights and public sector equality requirements in the formulation of an individual highway scheme and in conducting negotiations;
- that there are no impediments to the implementation and completion of an individual scheme; and
- that an individual scheme is in the public interest and can be justified on highway management grounds.

b) Determine the exact power to make the aforementioned Compulsory Purchase Orders and

if necessary to make minor or technical amendments to each Compulsory Purchase Order.

- c) **Modify and settle for each highway junction improvement scheme, the draft “Statement” to justify the use of compulsory purchase powers, the Compulsory Purchase Order Map and Schedule and all other legal documentation necessary to support and accompany each of the Compulsory Purchase Orders to the Secretary of State for Transport for confirmation;**
- d) **Approve agreements with landowners setting out the terms for withdrawal of any objections to the Compulsory Purchase Orders, including where appropriate, seeking exclusion of land from the Compulsory Purchase Orders;**
- e) **Confirm the Compulsory Purchase Orders, if satisfied that it is appropriate to do so, in the event that the Secretary of State for Transport notifies the Council that the Council has been given the power to confirm any of the Compulsory Purchase Orders;**
- f) **Promote any modifications to the Compulsory Purchase Orders, if expedient to do so;**
- g) **Take all and any necessary action, as the case may be to continue or open negotiations with persons for the acquisition of land and to facilitate each of the individual highway junction improvement schemes and any other interests included in the Compulsory Purchase Orders and any other land needed for the schemes and to authorise acquisitions by agreement where the use of compulsory purchase powers is in contemplation and to approve the purchase price, advance payments and all other compensation payments;**
- h) **Take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the Compulsory Purchase Orders;**
- i) **Take all necessary action, should the quantum of compensation flowing from the threat or use of compulsory purchase powers be in dispute and be referred to the Upper Tribunal (Lands**

Chamber) or other form of arbitration; and

- j) To take and do all things necessary or incidental to the implementation of the above resolutions;
- (4) That Executive confirms that all land acquired for the highway improvement schemes be held for highway purposes.
- (5) That Executive delegate consideration of any objections to the associated traffic regulation orders to the Strategic Director of Place in consultation with the Portfolio Holder.

(Regeneration and Environment Overview & Scrutiny Committee)
(Richard Gelder – 01274 437603)

8. **INTRODUCTION OF FIXED PENALTY NOTICES FOR HOUSEHOLDER'S DUTY OF CARE OFFENCES**

83 - 88

The Strategic Director of Place will present (**Document “BG”**) in which the Executive is asked to approve new enforcement powers in relation to S34 (2A) of the Environmental Protection Act 1990, known as the Householder's Duty of Care.

Recommended -

That the new powers to issue Fixed Penalty Notices for Householder Duty of care offences under S34 (2A) of the Environmental Protection Act 1990 be adopted and that the level of fine is set at the maximum of £250, reduced to £200 for early payment.

Regeneration and Environment Overview & Scrutiny Committee
(Amjad Ishaq – 01274 4336820)

CHILDREN AND FAMILIES PORTFOLIO

(Councillor Farley)

NOTE

The following item is included on this agenda as an exceptions to the Forward Plan in accordance with the provisions of Paragraph 10 (General Exception to the Forward Plan) of Part 3D of the Constitution.

9. OFSTED MONITORING VISIT – 6th and 7 MARCH 2019

89 - 94

Following Ofsted's Inspection of Children's Social Care Services from the 17th to 28th September 2018, the first of a series of Monitoring Visits took place on the 6th and 7th March 2019.

The focus of the Monitoring Visit was on the Front Door looking at contacts and referrals, child protection enquiries, step-up from and step-down to early help and no further action/sign-posting.

The findings will be available from 29th March 2019. This is the only Monitoring Visit letter that will not be published by Ofsted.

The report of the Interim Strategic Director (**Document "BH"**) provides a summary of the findings. Appendix 1 to Document "BH" (Ofsted Report of Monitoring Visit – 6th and 7th March 2019) is Not For Publication as it contains confidential information as defined by section 100A of the Local Government Act 1972 – Government restriction. The letter was given to the Local Authority by Ofsted upon terms which forbid the disclosure of the letter to the public until after 29 March 2019.

Recommended -

The Committee is asked to note the contents of Document "BH".

(Children's Services Overview & Scrutiny Committee)
(Gladys Rhodes-White 01274 431266)

This page is intentionally left blank



Report of the Director of Finance to the meeting of the Executive to be held on 2nd April 2019.

Subject:

BD

Qtr. 4 Finance Position Statement for 2018-19

Summary statement:

This report provides Members with an overview of the forecast financial position of the Council for 2018-19.

It examines the latest spend against revenue and capital budgets and forecasts the financial position at the year end. It states the Council's current balances and reserves and forecasts school balances for the year.

Andrew Crookham
Director of Finance

Portfolio:

Leader of the Council and Corporate

Report Contact: Andrew Cross
Business Adviser Management
Accounting
(01274) 436823
andrew.cross@bradford.gov.uk

**Overview & Scrutiny Area:
Corporate**

QUARTER 4 FINANCIAL POSITION STATEMENT FOR 2018-19

1.0 INTRODUCTION

This report is the fourth monitoring report presented to Members on the Council's 2018-19 financial position. It provides an early indication of the revenue and capital financial position of the Council at the 31st March 2019. The report provides an update on;

- The forecast outturn of the Council's revenue budget including material changes since the 3rd quarter report.
- The delivery of 2018-19 approved budget savings plans.
- A statement on the Council's reserves including movements in the 4th quarter.
- An update on the Capital Investment Plan.
- An update on Council Tax and Business Rates collection.

2.0. MAIN MESSAGES

Forecast Outturn of the Revenue Budget

- 1.1) Based on a projection at 28th February 2019, the Council is forecast to underspend the £358.1m net budget by £1.3m. Contained within the underspend there are however a number of significant variances to budget as outlined below.
- 1.2) The Department of Health and Wellbeing (formerly Adult Services and Public Health) is forecast to overspend the £103.9m net expenditure budget by £5.6m due mainly to underachieved savings. The £13.2m savings plan is forecast to be underachieved by £6.6m.
- 1.3) The main issues in Health & Wellbeing are linked to Adult Social Care. The 2019-20 budget is seeking to ensure the overspend doesn't recur in 2019-20 by providing £6m of additional budget and £1m for the Safeguarding Team. Furthermore, time limited money from Government will be replaced by Council resources (+£3.3m to replace the reduction in the time limited element of the Improved Better Care Fund, +£1.4m to replace the Adult Social Care Grant), Additional amounts are also being provided for prices (+£6.6m) and demographic growth (+£1.5m), and previously agreed savings for 2019-20 are being significantly reduced (£8m to £1.5m).
- 1.4) Children's Services are forecast to overspend the £102.4m net expenditure budget by £4.3m. The overspend is largely due to;
 - A £5.0m overspend on Children's Social Care, caused mainly by
 - A £3.6m overspend on the £8.1m external purchased placements budget due to higher numbers of placements for Looked After Children. The overspend includes £0.5m linked to outstanding income where health partners make a contribution to Children's care packages.
 - A £0.5m overspend on the £4.9m In-House residential home budget due mainly to the use of overtime, agency and casual staffing to cover vacancies and sickness.

- A £0.4m overspend on Through and After Care caused by higher accommodation costs for Care Leavers.
- The above overspends have resulted from a significant increase in the numbers of Looked After Children and Children in permanent arrangements.

	15-16	16-17	17-18	18-19	Jan 2019 Current numbers
Looked After Children	874	931	960	1,029	1,119
Children in Permanent Arrangements	617	623	613	614	628
Total	1,491	1,554	1,573	1,643	1,747

*Average numbers unless otherwise stated

- There is also a forecast £2.6m overspend on the £11.9m Social Work staffing budget due mainly to difficult to fill vacant posts being covered by Agency staff.
 - The above overspends are partly offset by a £2.6m underspend in Prevention & Early Help as a result of cost reductions in advance of next year's savings target.
- 1.5) Although Education and Learning is forecast to underspend by £0.4m, there is however a £0.6m overspend in relation to Special Educational Needs and Disability (SEND) traded services (£0.8m full year effect).
 - 1.6) The 2019-20 budget includes £2.4m additional investment for Looked After Children to help address the Purchased Placements and In-House Residential Care overspend, and £0.8m to address the SEND traded services issue.
 - 1.7) £1.0m has also been included for additional Social Worker Pay; £0.6m for new Social Worker Posts, and a further £1.5m has been created as an Ofsted Inspection contingency. Additional amounts are also provided for prices and demographic growth, before £5.7m of Early Help Savings; £0.4m Respite review savings, and £0.1m of savings linked to Connexions are deducted.
 - 1.8) The Council has also created a £6.5m one off Children's Investment Fund to support Children's Services to respond to the Ofsted inspection.
 - 1.9) The Department of Place is forecast to overspend the £84.7m net expenditure budget by £3.8m. The overspend is largely attributable to;
 - A £2.6m overspend on Waste Management comprised mainly of a £1.5m over spend on Waste Disposal and a £0.9m overspend in the Waste and Recycling Collection service.
 - A £1.1m overspend on Street Lighting caused mainly by energy pass through costs and underachieved savings.
 - A continuing £0.7m overspend on Sports Facilities caused mainly by higher than budgeted employees' expenditure.
 - A £0.3m overspend on Bingley Music Live caused by higher costs.
 - A £0.3m underachievement on Building Control trading income.
 - A £0.3m overspend in the Highways Delivery Unit linked in part to underachieved savings.

- The overspends outlined above are partly offset by underspends in other parts of the Department.
- 1.10) Revenue budget increases to address the overspends in Waste Services (+£1.9m) and Street Lighting (+£1m) have been factored into the 2019-20 budget, and a £45.6m Street Lighting capital investment plan has been approved for inclusion into the capital programme. Other overspending areas have mitigation plans/ budget recovery plans, and further savings are planned for 2019-20.
- 1.11) Travel Assistance is a service provided to Children and Adults Service users with assessed needs, and delivered by the Passenger Transport Service within the Department of Place. £4.8m of budget savings are still to be delivered. The underachievement is currently being offset by Corporate Contingencies.
- 1.12) The above overspends are partly offset by £12.8m of underspends in the General fund inclusive of
- £3.0m of corporate contingencies
 - £3.0m of forecast lower redundancy costs.
 - £2.1m of Bradford's share of the National Levy Account Surplus
 - £1.8m of capital financing underspend linked to the change in the Minimum Revenue Provision policy (£1.2m), and £0.6m of lower interest costs resulting from matured debt being replaced with lower cost financing.
 - £1.6m of VAT refund.
 - £1.0m of other centrally held underspends.
 - £0.3m of additional S31 grant from Government to compensate for changes to Business Rates thresholds.
- 1.13) Corporate Resources are also forecast to underspend by £1.9m. This results mainly from a £0.9m underspend in Revenues and Benefits linked to a reduction in overpaid and unrecovered benefits; lower agency costs and lower court costs, and a £0.5m underspend in Estates & Property linked mainly to the capitalising of £0.4m of Building works. Finance and Procurement are also forecast to underspend by £0.3m linked to vacant posts.
- 1.14) Any year end underspend will be transferred to reserves.

Material Changes since Qtr 3 (December)

- 2.1) The overall Council position has improved by £1.7m to a forecast underspend of £1.3m.
- 2.2) The General Fund forecast underspend has increased by £1.6m to £12.8m. This is due mainly to a £1.0m increase in the forecast underspend on the budget to cover the cost of future year redundancies to £3m. There has also been a £0.6m increase in the forecast underspend on capital financing (to £1.8m) resulting from lower interest costs as matured debt has been replaced with lower cost financing. Lower capital expenditure than planned has also resulted in a lower borrowing requirement.

- 2.3) The forecast underspend for Corporate Resources has increased by £0.8m to £1.9m due mainly to a small scale but widespread improvements across Corporate Resources.
- 2.4) The forecast overspend in Children's Services has increased by £0.5m to £4.3m. The major changes include:
- A £0.5m increase in the Social Work overspend to £2.6m resulting from higher agency costs.
 - A £0.2m increase in the forecast overspend on Through and After Care to £0.4m.
 - The above have been partly offset by small scale improvements in other areas.
- 2.5) The forecast overspend in Health and Wellbeing has increased by £0.3m to £5.6m. This results mainly from a £0.3m increase in the LD Residential and Nursing Fees, partly offset by reductions in LD Home Care and LD Day Care.
- 2.6) The forecast overspend in the Department of Place has remained the same at £3.8m.
- 2.7) The table below shows how the forecast outturn for 2018-19 has changed through the year.

	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Health & Wellbeing	7.0	7.0	5.3	5.6
Children's Services	1.3	2.5	3.7	4.3
Dept of Place	3.4	4.3	3.8	3.8
Corporate Resources	0.0	-0.3	-1.1	-1.9
Chief Executives	0.0	0.0	0.0	-0.1
Non Service	0.0	-0.1	-0.1	-0.5
General Fund	-6.0	-7.2	-11.3	-12.8
Total Overspend (+) Underspend (-)	5.8	6.1	0.4	-1.3

- 2.8) Changes to the forecast have been explained in detail in prior reports, but the main changes include reductions to the overspend resulting from unbudgeted additional income for Winter Pressures in Adult Social Care (£2.3m); an unbudgeted share of the National Levy Account surplus (£2.1m) and Vat refund (£1.6m), coupled with underspends on redundancy costs and capital financing in the General Fund.
- 2.9) However, the overspend in Children's services has significantly increased through the year as a result of continued increases in Looked After Children and Children requiring support, coupled with increases in the cost of Social Work as outlined previously.
- 2.10) The 2019-20 budget has taken steps to address the above departmental overspends.

Reserves

- 3.1) At 28th February reserves stand at £163.8m (Council £143.3m and Schools £20.5m). Unallocated reserves stand at £14.5m. This is equivalent to just 1.7% of the Council's gross budget excluding schools.
- 3.2) Net movements in reserves have led to a £0.3m decrease in reserves since Qtr 3. The reductions include £0.2m from Grant reserves and £30k from the Community Support & Innovation Reserve.
- 3.3) A new reserve for £245k to fund the Councils contribution to the UCI Road World Championship is planned at year end.
- 3.4) School balances are currently £20.5m but are forecast to reduce to £19.5m by March 2019.
- 3.5) Seven schools (5 Primary £0.16m, 1 Secondary £3.96m, 1 PRU £0.17) hold a combined deficit school balance of £4.3m. The main concern remains on Hanson Secondary where the deficit balance is forecast to increase from £3m to £4.0m in 2018-19. The Council is working with the school, the Department for Education and the Regional Schools commissioner to identify options to resolve the issues.
- 3.6) Seventeen schools (Byron Primary, Bradford Central PRU, Crossley Hall Primary, Cullingworth Primary, Eastwood Primary, Farnham Primary, Fearnville Primary, Greengates Primary, Hollingwood Primary, Holycroft Primary, Laycock Primary, Lowerfields Primary, Nessfield Primary, Parkland Primary, Shipley CoE Primary, Woodlands CoE Primary and Wycliffe Primary) converted to academy status in 2018-19.
- 3.7) In setting the 2019-20 Schools Budget, £2.9m of the School Contingency balance was allocated to support the overall schools budget from April 2019

Capital Expenditure

- 4.1) Regarding Capital Expenditure, the latest forecast for expenditure for 2018-19 for the Capital Investment Plan (CIP) is £86.8m, compared to a revised budget of £155.3m. Spend incurred at 28th February is £67.3m.
- 4.2) A summary by service is shown below with a detailed monitor in Appendix 3.

Budget, forecast and spend to date as at 28 February for 2018-19

	Revised Budget 2018-19 £m	Annual Spend Forecast £m	Variance £m	Spend 28 Feb 2019 £m	Spend to date as a % of forecast %
Health and Wellbeing	9.8	10.2	0.4	6.7	65.7%
Children's Services	17.7	9.1	-8.6	9.9	108.8%
Place - Economy & Development	21.7	19.0	-2.7	15.7	82.6%
Place - Planning, Transportation & Highways	46.4	21.8	-24.6	17.1	78.4%
Place – Other	20.4	17.9	-2.5	14.4	80.4%
Corporate Resources – Estates & Property	10.8	6.5	-4.3	3.5	53.8%
Reserve Schemes & Contingencies	28.5	2.3	-26.2	0	0%
TOTAL - All Services	155.3	86.8	-68.5	67.3	77.5%

- 4.3) The main reasons for the variance are:
- Reserve schemes and contingencies - £26m will slip in to next year or beyond. These schemes have not been reviewed by Project Appraisal Group or formally committed in the CIP. With reserve schemes there is a high degree of uncertainty to the actual timing of capital spend due to the development of the specific projects and the identification of investment property acquisitions.
 - Planning, Transportation & Highways – £19.5m of the variance is linked to West Yorkshire & York Transport Fund (WY&TF) grant funded schemes. The funding received from WY&TF is dependent on their reporting timescales and protocols. Spend and funding will move in to future years for these schemes. There is also £2m for Bradford City Centre Townscape that is expected to now start next year when the grant is received.
 - Children's – The £8.6m variance is due in part to staff shortages meaning that school capital maintenance and investment programmes have not started as early as planned. Schemes are now underway and £3.2m of spend is expected to be completed in 2019-20. Also for the new Silsden Primary school and SEN schools expansion, delays in planning and site surveys mean £5.1m will slip in to 2019-20.
- 4.4) New schemes that are recommended to be added to the Capital Investment Plan include;
- £0.06m for work to replace fencing and improve security at the Harris Street Depot to be funded from the general contingency budget.
 - £0.3m for the Ilkley Parking Review, this has previously been to Executive and has now been approved by PAG. This is an invest to save scheme and the additional income will fund the capital financing costs.
- 4.5) Schemes to be noted as previously approved by Executive:
- £0.6m for investment in Coronial services. This scheme was approved by Executive in July 2018 and will be funded from general contingency.
 - Chellow Dene reservoir has incurred an overspend of £0.05m this was due to additional costs for structural works and will be funded by the general contingency budget.

Council Tax and Business Rates Collection

- 5.0) Regarding Council Tax and Business Rates, the Council will receive in 2018-19 its budgeted shares. Any variance from the budget to the outturn is carried forward into 2019-20, so only impacts on next financial year. However, no significant variance is forecast for Council Tax or Business Rates.

6.0) COUNCIL REVENUE FORECAST

2018-19 Revenue Forecast as at 28th February 2019

The Council's approved net revenue budget of £358.1m is forecast to underspend by £1.3m. There are however a number of significant departmental budget variances as outlined.

In the Tables below, we show the planned and budgeted results from two perspectives.

Table 1a shows spending by Department, reflecting the Council's internal management accountabilities. Budgets are allocated to Directors who are accountable for their departmental expenditure.

Table 1a – Revenue forecast by department

	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
Health and Wellbeing	219.9	226.7	6.8	-115.8	-117.1	-1.3	104.1	109.6	5.6
Children's Services	488.8	495.6	6.8	-386.4	-388.9	-2.5	102.4	106.7	4.3
Department of Place	137.3	143.8	6.5	-52.6	-55.4	-2.8	84.7	88.4	3.8
Corporate Resources	256.9	252.8	-4.1	-211.0	-208.8	2.2	45.9	44.0	-1.9
Chief Executive	4.1	3.9	-0.2	-0.1	-0.1	0.0	3.9	3.8	-0.1
Non Service Budgets	6.6	6.5	-0.1	-0.8	-0.9	-0.1	5.8	5.6	-0.2
General Fund	45.9	37.1	-8.8	-34.6	-38.6	-4.0	11.3	-1.5	-12.8
Total Council Spend	1,159.5	1,166.6	7.2	-801.3	-809.8	-8.5	358.1	356.8	-1.3

Table 1b shows the income and expenditure of the Council by priority outcome which reflect the alignment of resources with the priorities of the Council and the District as set out in the respective Council and District Plans. In essence the activities the Council undertake contribute to the delivery of the outcomes.

Table 1b – Revenue forecast by Council Plan Outcomes

Council Plan Outcomes	Gross expenditure			Income			Net expenditure		
	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m	Budget £m	Forecast £m	Variance £m
Better Health Better Lives	443.2	458.0	14.8	-273.3	-275.3	-2.0	170.0	182.7	12.8
Better Skills, More Good Jobs And A Growing Economy	107.8	113.0	5.1	-49.8	-53.6	-3.8	58.0	59.4	1.3
Safe, Clean And Active	64.2	65.9	1.6	-19.7	-19.3	0.4	44.5	46.5	2.0
A Great Start And Good Schools For All Our Children	422.5	419.3	-3.2	-388.3	-387.6	0.7	34.2	31.7	-2.5
Decent Homes That People Can Afford To Live In	4.5	4.5	-0.0	-0.2	-0.3	-0.1	4.3	4.2	-0.1
A Well Run Council	88.7	86.6	-2.1	-31.3	-31.0	0.3	57.3	55.6	-1.7
Non Service, Fixed and Unallocated	28.4	19.4	-9.0	-38.7	-42.7	-4.1	-10.2	-23.3	-13.1
Total Council Spend	1,159.5	1,166.6	7.2	-801.3	-809.8	-8.5	358.1	356.8	-1.3

7.0 Delivery of Budgeted Savings proposals

The combined budget savings of £20.6m in 2018-19 brings the total savings the Council has had to find in the eight years following the 2010 Comprehensive Spending Review (CSR) to £261.7m.

The 2018-19 budget includes £20.6m of new budget reductions, however £6.8m of prior year underachieved savings have carried forward into 2018-19, meaning that £27.4m of savings need to be delivered in 2018-19.

In tracking progress made against each individual saving proposal, £14.1m (52%) of the £27.4m is forecast to be delivered, leaving £13.3m that is forecast not to be delivered.

Saving Tracker

	Prior year underachieved Savings outstanding at 31/3/18	2018/19 New Savings	Total Savings 2018/19	Forecast Variance 2018/19
Health & Wellbeing	0.8	12.4	13.2	6.6
Children's Services	0.0	0.5	0.5	0.1
Place	1.3	3.6	5.0	1.4
Corporate	0.0	3.5	3.5	0.4
Corporate (CEO)	0.0	0.5	0.5	0.0
Non Service Budgets & Cross Cutting	0.0	0.0	0.0	0.0
Travel Assistance	4.8	0.0	4.8	4.8
Total	6.8 ¹	20.6	27.4	13.3

Although the forecast underachievement is lower than last year, it is higher than prior years.

	Underachieved Savings £ms
2013/14	4.4
2014/15	2.3
2015/16	4.9
2016/17	7.9
2017/18	22.6
2018/19	13.3 (Forecast)

The 2019-20 budget seeks to address the savings that have not been delivered in 2018-19 where there was a high likelihood of further underachievement in 2019-20.

¹ Underachieved savings from prior years include the value of underachieved savings from 2017/18 that were not achieved by 31/3/2018.

8.0 RISK MANAGEMENT

The Financial risks of future known and uncertain liabilities are being addressed through contingencies and provisions outlined in this report.

The Councils risk register has been provided in Appendix 4.

9.0 IMPLICATIONS FOR CORPORATE PARENTING

None

10.0 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

None.

11.0 LEGAL APPRAISAL

This report is submitted to the Executive in accordance with the Budget and Policy Framework Procedure rules

12.0 NOT FOR PUBLICATION DOCUMENTS

None

13.0 RECOMMENDATIONS

That the Executive

13.1 That the contents of this report be noted.

13.2 That the following capital expenditure schemes be approved.

- £0.06m for work to replace fencing and improve security at the Harris Street Depot to be funded from the general contingency budget.
- £0.3m for the Ilkley Parking Scheme, this has previously been to Executive and has now been approved by the Project Appraisal Group (PAG). This is an invest to save scheme and the additional income will fund the capital financing costs.

13.3 That it be noted that the following schemes have been reviewed by PAG after previously being approved by Executive:

- £0.6m for a new investment in Coronial services. This scheme was approved by Executive in July 2018 and will be funded from general contingency.
- Chellow Dene reservoir has incurred an overspend of £0.05m this was due to additional costs for structural works and will be funded by the general contingency budget.

14.0 APPENDICES

- Appendix 1 Reserves Statement
- Appendix 2 Service Earmarked Reserves
- Appendix 3 Capital Investment Plan
- Appendix 4 Council Risk Register

15.0 BACKGROUND DOCUMENTS

- Recommendations from the Executive – Budget 2019-20 – Council 21st Feb 2019
- Qtr 3 Finance Position Statement 2018-19 – Executive 5th February 2019
- Qtr 2 Finance Position Statement 2018-19 – Executive 6th November 2018
- Qtr 1 Finance Position Statement 2018-19 – Executive 10th July 2018
- Annual Finance and Performance Outturn Report 2017-18 Executive 10th July 2018
- Medium Term Financial Strategy 2019-20 2022-23 Executive Report 10th July 2018
- Annual Finance and Performance Outturn Report 2016-17 Executive Report 11th July 2017

Reserves Statement as at 28th February 2019

Appendix 1

	Opening Balance £000	Movement in 2018-19 £000	Closing Balance £000	Comments
A. Reserves available to support the annual revenue budget				
Unallocated Corporate Reserves	14,497	0	14,497	
Total available Unallocated Corporate Reserves	14,497	0	14,497	
B Corporate Earmarked Reserves to cover specific financial risk or fund specific programmes of work.				
ESIF - STEP	1,227	0	1,227	Funding to support young and disadvantaged people into employment
Exempt VAT	2,000	0	2,000	Amount set aside to meet the estimated cost of VAT that the Council would not be able to recover should it exceed its partial exemption limit.
Trade Waste VAT refund	279	-176	103	£120k per annum to be used in 2015-16 onwards to contribute towards the cost of Financial Services.
PFI credits reserve	684	0	684	Funding to cover outstanding potential Building Schools for the Future liabilities.
Insurance	1,775	0	1,775	To mitigate and smooth the impact of any future increases in insurance premiums.
Industrial Centres of Excellence	1	0	1	
Single Status	23	0	23	To cover any residual implementation of Single Status costs.
Better Use of Budgets	1,670	-1,669	1	To cover deferred spend on priority work from 2016-17.
Economic Partnership Reserve	162	-5	157	To pump prime initiatives linked to the Council's Producer City programme
Regional Growth Fund	4,667	-380	4,287	The Council's revenue match funding for the Regional Growth Fund
Regional Revolving Investment Fund	1,152	0	1,152	Money set aside in 2013-14 carried forward to meet the Council's commitment to the Regional Revolving Investment Fund.
Discretionary Social Fund	1,719	0	1,719	To fund a replacement local welfare scheme following the government ending its Local Welfare Assistance grant programme at 31 March 2015.
Transitional and Risk Reserve	10,911	1,852	12,763	To help fund Transitional work, and cover risks.
Dilapidation & Demolition	1,628	0	1,628	At the end of a lease on a building, the Council will be liable for any dilapidations of the building. The Council also plans some demolition work.
Health Integration Reserves	222	0	222	Available to fund projects that lead to greater integration between the Council and its Health partners.
Match Fund Basic needs Grant	700	0	700	
Strategic Site Assembly	756	0	756	
Implementation Reserve	3,970	0	3,970	To fund Projects associated with delivering 2017-18 savings plans.

	Opening Balance £000	Movement in 2018-19 £000	Closing Balance £000	Comments
Insurance Risk	1,893	0	1,893	Reduced Insurance provision, increased reserve.
S31 offset to NDR deficit	735	0	735	Additional S31 grant to offset NDR deficit resulting from govt policy
Council Tax Reserve	575	0	575	To be used in 2018-19
Redundancy Provision	2,430	0	2,430	To provide for the costs of future redundancies
Review of Council's MRP Policy	10	0	10	Professional advice on MRP policy
Review of Council's Pension Guarantees	10	-6	4	
Leeds City Region WYTF	421	0	421	Contribution to WY Transport Fund
Leeds City Region Economic Development	402	0	402	Match fund for urban centre regeneration initiatives
Financing Reserve	23,738	0	23,738	MRP policy changed to annuity method. The reserve to be used to fund higher MRP costs in future years.
Finance Works Reserve	0	56	56	
Sub Total	63,760	-328	63,431	
C. Reserves to support capital investment				
Renewal and replacement	5,137	0	5,137	Funding used to support the capital investment programme.
Markets	668	0	668	Cumulative Market trading surplus's to be re-invested in maintaining market buildings throughout the district.
Sub total	5,805	0	5,805	
D. Service Earmarked Reserves				
	37,355	-561	36,764	See Appendix 2
E. Revenue Grant Reserves				
	12,937	-937	12,000	
F General Reserves				
General Fund	10,803	0	10,803	Statutorily required reserve which the Director of Finance deems to the minimum that can be prudently recommended. of External Auditors.
Schools delegated budget	20,550	0	20,550	Represents in the main balances held by schools as part of delegated budget responsibility. These balances are not available for Council use but are balances attributable to individual schools.
Sub Total General Fund Reserve & School balances	31,353	0	31,353	
Grand total	165,707	-1,609	163,851	

Departmental Earmarked Reserves Statement at 28th February 2019

	Opening Balance £000	Movement in 2018-19 £000	Latest Balance £000	Comments
Adult and Community Services				
Supporting People	754	0	754	Funding to support invest to save projects
Integrated Care	1,291	0	1,291	NHS and Council monies used to support ring fenced projects and integration of health and social care
Great Places to Grow Old	289	0	289	Funding to cover management and staffing costs linked to the transformation of services for older people.
Care Act Reserve	994	0	994	To support the implementation of the Care Act
Public Health	59	0	59	
Total Adult and Community Services	3,387	0	3,387	
Children Services				
BSF Unitary Charge	7,318	0	7,318	These reserves are being built up to ensure that in the future there is sufficient money available to meet the cost of BSF annual contract payments when the PFI grant the Council receives reduces
BSF Unitary Charge Phase 2	4,777	0	4,777	See above
Children's Service Program Support	99	-99	0	
Better Start Programme	132	-132	0	Council's two year contribution to a programme that will bring in £50m of revenue investment to the District over a 10 year period.
Travel Training Unit	368	0	368	
Early Help Enabler Support	500	0	500	To help support Early Help programme
Early Help Workforce Development	81	0	81	
Recruitment & Retention	42	-42	0	
Retail Academy (Skills for Employment)	262	0	262	Skills for work
Prevention & Early Help	0	500	500	
Training Work Programme (Skills for Work)	798	0	798	Skills for Work
Total Children	14,377	227	14,604	
Department of Place				
Marley pitch replacement	305	0	305	To provide match funding under the terms of grants given to maintain Sports and Leisure venues across the District
City centre regeneration	51	0	51	

	Opening Balance £000	Movement in 2018-19 £000	Latest Balance £000	Comments
Customer Service Strategy	62	-16	46	Non-recurring investment to be used to fund the Customer Service Strategy.
Taxi Licensing	546	0	546	Statutory requirement to set aside any taxi licensing surplus when setting future fees.
Theatres Box Office	646	-277	369	
Cricket Pitch Refurbishment	310	0	310	
Culture Service Transition	121	-25	96	To cover costs associated with modernising the service and adopting a different service delivery model.
HLF Building Maintenance	10	0	10	A condition of the HLF grant is that an asset management programme is in place to maintain Manningham Library to a specified standard.
Torex	10	0	10	To address e-Govt targets and improve service delivery.
Saltaire Tourist Information Centre	15	0	15	
Culture Company	73	0	73	Help create a Culture Company
Gym Equipment	133	0	133	To fund replacement gym equipment in Sports Facilities
Museum Restoration	76	0	76	
Tour De Britain	8	0	8	
Tour De Yorkshire	87	0	87	To help fund the Tour De Yorkshire
Lidget Moor YC	9	-9	0	To support Youth Services in Lidget Green Area
Council Housing Reserve	616	0	616	To meet future costs associated with later stages of the affordable housing programme
Housing Development Programme	75	0	75	Fee income generated to be used to subsidise the delivery of projects in future years.
Business Improvement District Development	125	-29	96	Development and enablement costs for establishment of BIDs
HMO Licencing Scheme	319	0	319	It is a statutory requirement that fees can only be generated and retained to deliver the HMO licensing function
VCS Transformation Fund	160	0	160	
Tree & Woodland Planting Fund	76	0	76	
City Park Sinking Fund	785	0	785	Funding set aside to meet the future maintenance costs of City Park.
European Structural Investment Programme	1,463	0	1,463	Match funding for ESIF
Empty Rates Relief Scheme	500	0	500	Supporting Business Growth
Private Housing Rented Option	200	0	200	Landlord Rent Guarantees and Incentives
Homelessness prevention	283	0	283	To fund initiatives to prevent Homelessness.

	Opening Balance £000	Movement in 2018-19 £000	Latest Balance £000	Comments
District Tenants Federation	30	0	30	Funding committed to provide support to District Tenants Federation
Clergy House/Jermyn Court	74	0	74	Set aside for Clergy House/Jermyn Court
Cold Weather Calculator	11	0	11	Licence costs over several years
Fresh Start	412	0	412	Housing project focussing on offenders
Complex Needs Project	280	0	280	Project to support hard to place vulnerable homeless people
B&B Emergency Contingency	261	0	261	
Housing Options IT System	173	0	173	Housing's allocations & options system
PT&H Local Plan	600	0	600	To complete the local plan
PT&H Local Plan Transport Modelling	250	0	250	To completed the local plan
Ad:venture & community enterprise Reserve	83	0	83	Match funding for Business and enterprise support
Economic Strategy Reserve	186	0	186	For delivery of the Economic Growth Strategy
Well England Reserve	200	-100	100	
Department of Place	9,624	-456	9,168	
Corporate Resources				
Schools Traded HR Reserves	106	0	106	To mitigate the risk of changes in customer base.
Workforce Development	249	-23	226	Changing the organisation - vision & values, recruitment & selection, development of managers, performance management, leadership & succession planning.
Learner Management System	81	-81	0	Software/system implementation etc. in support of workforce development.
District Elections	235	-77	158	To smooth the cost of District Elections over a four year period.
Non Council Events programme	10	0	10	To support events put on by non-Council.
Community Support and Innovation Fund	352	-30	322	To support community led service provision and investment in initiatives that engage with vulnerable people.
Subsidy Claim	711	0	711	Contingent support set aside to address the

	Opening Balance £000	Movement in 2018-19 £000	Latest Balance £000	Comments
ICT Programmes Budget	6,712	0	6,712	fluctuations in the subsidy claims. To fund future ICT projects
UC Admin Reserve	546	0	546	To help cover the cost of the implementation of universal credit administration.
Additional cost of projects including legal and 3rd party costs Reserve	350	-151	199	
ISG over achievement trading reserve	257	0	257	To support ISG
Bradford Learning Network (Broadband)	128	0	128	
Energy unit	230	0	230	To help smooth effect of price spikes.
Total Corporate Resources	9,967	-362	9,605	
Total Service Earmarked Reserves	37,355	-531	36,764	

Appendix 3

Capital Investment Plan 2018-19 – 2021-22

Funding

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Funding		Budget Total
		2018-19									Invest to Save Funding	Corporate Borrowing	
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Health and Wellbeing													
CS0237a	Great Places to Grow Old	0	0	0	0	0	4,638	4,500	0	0	0	9,138	9,138
CS0237b	Keighley Rd Extra Care	6,115	0	6,115	6,570	4,684	488	0	0	690	1,000	4,913	6,603
CS0237c	Keighley Rd Residential Care	2,648	0	2,648	2,648	1,714	89	0	0	0	2,400	337	2,737
CS0373	BACES DFG	793	0	793	793	248	443	443	443	0	0	2,122	2,122
CS0239	Community Capacity Grant	78	0	78	78	54	2,016	0	0	2,094	0	0	2,094
CS0348	Whiteoaks Respite Centre	90	0	90	0	0	0	0	0	90	0	0	90
CS0311	Autism Innovation Capital Grant	19	0	19	19	0	0	0	0	19	0	0	19
CS0312	Integrated IT system	90	0	90	90	0	0	0	0	90	0	0	90
CS0352	Electric vehicle charging infrastructure	1	0	1	0	0	0	0	0	1	0	0	1
Total - Health and Wellbeing		9,834	0	9,834	10,198	6,700	7,674	4,943	443	2,984	3,400	16,510	22,894
Children's Services													
CS0249	Schools DRF	0	0	0	0	0	0	0	0	0	0	0	0
CS0256	2yr old Nursery Educ Expansion	5	0	5	5	4	0	0	0	5	0	0	5
CS0278	Targeted Basic Needs	34	0	34	12	1	0	0	0	34	0	0	34
CS0286	Outdoor Learning Centres	27	0	27	31	31	0	0	0	27	0	0	27
CS0022	Devolved Formula Capital	0	0	0	868	3,326	750	0	0	750	0	0	750
CS0030	Capital Improvement Work	69	0	69	54	49	0	0	0	69	0	0	69
CS0240	Capital Maintenance Grant	4,500	0	4,500	2,729	2,024	0	0	0	4,500	0	0	4,500
CS0240b	Capital Maintenance Grant	2,200	0	2,200	480	388	1,100	0	0	3,300	0	0	3,300

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		2018-19											
CS0244a	Primary Schools Expansion Progr	1,700	0	1,700	2,000	2,191	7,700	600	0	9,928	0	72	10,000
CS0244b	Silsden Sch £7.265m Exec 12/04/16	2,922	0	2,922	250	131	5,588	0	0	8,510	0	0	8,510
CS0244c	SEN School Expansions	2,805	0	2,805	400	125	0	0	0	2,805	0	0	2,805
CS0360	Early Yrs 30 hrs childcare	6	0	6	6	6	0	0	0	6	0	0	6
CS0314	Foster Homes Adaptation	1	0	1	0	0	0	0	0	1	0	0	1
CS0362	Secondary School Expansion	3,100	0	3,100	2,200	1,506	7,633	6,900	0	17,633	0	0	17,633
CS0377	LA SEN Free School	0	0	0	0	0	7,000	5,350	647	12,997	0	0	12,997
CS0421	Healthy Pupil Capital Grant	328	0	328	108	100	0	0	0	328	0	0	328
Total - Children's Services		17,697	0	17,697	9,143	9,881	29,771	12,850	647	60,893	0	72	60,965

Face - Economy & Development

CS0134	Computerisation of Records	10	0	10	10	0	0	0	0	10	0	0	10
CS0136	Disabled Housing Facilities Grant	4,600	503	5,103	4,000	3,569	2,028	5,753	2,028	5,103	0	9,809	14,912
CS0137	Development of Equity Loans	1,013	0	1,013	845	680	1,300	1,200	1,195	0	0	4,708	4,708
CS0144	Empty Private Sector Homes Strat	862	0	862	600	49	0	0	0	0	0	862	862
CS0308	Afford Housing Prog 15 -18	7,640	0	7,640	0	39	1,383	0	0	3,000	6,023	0	9,023
CS0250	Goitside	1	0	1	8,640	7,307	0	177	0	0	0	178	178
CS0280	Temp Housing Clergy House	232	0	232	0	0	0	0	0	0	0	232	232
CS0335	Bfd Cyrenians 255-257 Mngm Ln	14	0	14	0	0	0	0	0	0	0	14	14
CS0084	City Park	205	0	205	232	163	0	0	0	0	0	205	205
CS0085	City Centre Growth Zone	600	0	600	0	0	1,150	4,400	0	0	0	6,150	6,150
CS0189	Buck Lane	110	0	110	0	0	0	0	0	0	0	110	110
CS0228	Canal Road	100	0	100	14	5	0	0	0	0	0	100	100
CS0241	Re-use of Fmr College Builds Kghly	523	0	523	15	13	60	0	0	0	0	583	583
CS0266	Superconnected Cities	66	0	66	200	22	841	0	0	0	0	907	907
CS0291	One City Park (fmr Tyrls)	0	0	0	50	2	500	4,300	0	4,800	0	0	4,800
CS0265	LCR Revolving Econ Invest Fund	1,151	0	1,151	0	0	0	0	0	1,151	0	0	1,151
CS0345	Develop Land at Crag Rd, Shply	262	0	262	50	0	0	0	0	262	0	0	262

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		2018-19			2018-19								
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0382	New Bolton Woods Regen Sch P3	3,507	0	3,507	66	61	0	0	0	3,507	0	0	3,507
CS0363	Markets Red'mnt - City Cntr	340	0	340	0	0	2,975	11,850	4,760	15,225	4,700	0	19,925
Total - Place - Economy & Development		21,236	503	21,739	18,991	15,663	10,237	27,680	7,983	33,058	10,723	23,858	67,639
Place - Planning, Transportation & Highways													
CS0131	Kghly Town Cntr Heritage Initi	156	0	156	5	5	0	0	0	156	0	0	156
CS0178	Ilkley Moor	18	0	18	4	4	0	0	0	18	0	0	18
CS0179	Landscape Environ Imp	21	0	21	0	0	0	0	0	21	0	0	21
CS0285	Strategic Development Fund	1,167	0	1,167	0	0	0	0	0	0	0	1,167	1,167
CS0071	Highways S106 Projects	135	0	135	375	376	386	0	0	521	0	0	521
CS0372	Countryside S106 Projects	0	0	0	9	9	135	0	0	135	0	0	135
CS0091	Capital Highway Maint	4,958	0	4,958	4,953	4,448	0	0	0	4,958	0	0	4,958
CS0095	Bridges	729	0	729	1,267	1,416	0	0	0	729	0	0	729
CS0096	Street Lighting	144	0	144	144	235	0	0	0	144	0	0	144
CS0099	Integrated Transport	587	0	587	450	353	0	0	0	587	0	0	587
CS0164	Local Intgrtd Transp Area Com	0	0	0	0	-4	0	0	0	0	0	0	0
CS0168	Connecting the City (Westfield)	16	0	16	1	1	0	0	0	16	0	0	16
CS0172	Saltaire R/bout Cong& Safety Works	281	0	281	20	2	0	0	0	281	0	0	281
CS0252	Measures to Support Hubs	45	0	45	0	0	0	0	0	45	0	0	45
CS0264	Highway to Health	0	0	0	2,183	1,653	0	0	0	0	0	0	0
CS0282	Highways Strategic Acquisi	176	0	176	1	1	0	0	0	176	0	0	176
CS0289	Local Pinch Point Fund	495	0	495	0	0	0	0	0	495	0	0	495
CS0293	West Yorks & York Transport Fund	14,692	0	14,692	5,269	3,034	32,878	35,795	27,014	110,379	0	0	110,379
CS0396	WYTF Corr Imp Projects	10,595	0	10,595	486	258	0	0	0	10,595	0	0	10,595
CS0296	Pothole Fund	74	0	74	74	45	0	0	0	74	0	0	74
CS0306a	Strategic Transp Infrastr Priorit	90	0	90	0	0	2,600	0	0	0	0	2,690	2,690
CS0306b	Connectivity Project	1,196	0	1,196	0	0	400	0	0	0	0	1,596	1,596
CS0302	Highways Prop Liab Redn Strat	97	0	97	0	0	0	0	0	97	0	0	97
CS0310	Clean Vehicle Technology Fund	3	0	3	0	0	0	0	0	3	0	0	3
CS0317	VMS Signage	39	0	39	0	0	0	0	0	39	0	0	39

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		2018-19											
CS0319	Challenge Fund	1,389	0	1,389	900	562	0	0	0	1,389	0	0	1,389
CS0323	Flood Risk Mgmt	196	0	196	151	153	0	0	0	196	0	0	196
CS0325	Street Lighting Invest to Save	0	0	0	0	3	0	0	0	0	0	0	0
CS0329	Damens County Park	108	0	108	2	2	0	0	0	0	0	108	108
CS0332	Flood Funding	387	0	387	375	346	0	0	0	387	0	0	387
CS0334	Air Quality Monitoring Equip	9	0	9	0	0	0	0	0	9	0	0	9
CS0350	Street Lighting Invest to Save	825	0	825	250	431	0	0	0	0	825	0	825
CS0365	National Productivity Invest Fund	27	0	27	27	31	0	0	0	0	27	0	27
CS0370	LTP IP3 Safer Roads	1,182	0	1,182	375	329	779	0	0	1,961	0	0	1,961
CS0371	LTP IP3 Public Transport	686	0	686	300	259	0	0	0	686	0	0	686
CS0375	Sign Shop	19	0	19	19	1	0	0	0	0	19	0	19
CS0379	NPIF UTMIC	1,730	0	1,730	2,500	1,775	1,770	0	0	3,500	0	0	3,500
CS0384	Pothole Fund 1819	829	0	829	890	662	0	0	0	829	0	0	829
CS0386	Cycling & Walking Schemes LTP3	19	0	19	1	1	0	0	0	19	0	0	19
CS0414	LTP IP3 Safer Rds 1819 Shipley	120	0	120	80	79	0	0	0	120	0	0	120
CS0415	LTP IP3 Safer Rds 1819 Bfd West	144	0	144	100	76	0	0	0	144	0	0	144
CS0416	LTP IP3 Safer Rds 1819 Kghly	123	0	123	100	86	0	0	0	123	0	0	123
CS0417	LTP IP3 Safer Rds 1819 Bfd South	128	0	128	80	49	0	0	0	128	0	0	128
CS0418	LTP IP3 Safer Rds 1819 Bfd East	145	0	145	80	58	0	0	0	145	0	0	145
CS0419	IP3 Safer Rds Strat Proj 1819	120	0	120	15	3	0	0	0	120	0	0	120
CS0398	Bfd City Ctre Townscape Herit	2,000	0	2,000	0	0	750	0	0	2,500	0	250	2,750
CS0423	Highways IT upgrade	0	350	350	350	267	0	0	0	350	0	0	350
CS0433	Gain Lane / Leeds Rd Jct	0	30	30	30	1	0	0	0	30	0	0	30
Total Place - Planning, Transportation & Highways		45,900	380	46,280	21,848	17,062	39,698	35,795	27,014	142,105	871	5,811	148,787
Dept of Place - Waste, Fleet & Transport													
CS0060	Replacement of Vehicles	3,000	0	3,000	3,000	2,055	3,000	3,000	3,000	0	12,000	0	12,000
CS0063	Waste Infrastructure & Recycling	205	0	205	150	70	0	0	0	205	0	0	205

Scheme No	Scheme Description	Budget Q3 Capital Monitor 2018-19	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0283	Above Ground Fuel Storage	110	40	150	150	116	0	0	0	0	0	150	150
Total Place - Waste, Fleet & Transport		3,315	40	3,355	3,300	2,240	3,000	3,000	3,000	205	12,000	150	12,355
Dept of Place - Neighbourhoods & Customer Services													
CS0066	Ward Investment Fund	35	0	35	0	0	0	0	0	0	0	35	35
CS0132	Community Hubs	25	0	25	25	0	0	0	0	0	0	25	25
CS0378	Cust Serv Strategy	233	0	233	233	75	0	0	0	0	0	233	233
CS0359	Community Resilience Grant	22	0	22	22	0	0	0	0	22	0	0	22
Total Place - Neighbourhoods & Customer Services		315	0	315	280	75	0	0	0	22	0	293	315
Dept of Place - Sports & Culture													
CS0151	Building Safer Commun	47	0	47	0	0	0	0	0	47	0	0	47
CS0328	Cliffe Castle Various	35	0	35	35	20	0	0	0	35	0	0	35
CS0374	Cartwright Hall CCTV	0	0	0	0	47	0	0	0	0	0	0	0
CS0340	St George's Hall	5,194	0	5,194	5,424	5,187	0	0	0	0	0	5,194	5,194
CS0121	Roberts Park	0	0	0	0	1	0	0	0	0	0	0	0
CS0129	Schole Moor Project	0	0	0	0	0	0	0	83	83	0	0	83
CS0162	Capital Projects - Recreation	0	0	0	100	120	0	0	0	0	0	0	0
CS0187	Comm Sports Field & Facili	28	0	28	28	39	0	0	0	28	0	0	28
CS0229	Cliffe Castle Restoration	150	0	150	131	37	0	0	0	150	0	0	150
CS0347	Park Ave Cricket Ground	21	0	21	21	14	0	0	0	21	0	0	21
CS0367	King George V Playing Fields	1,067	0	1,067	50	46	0	0	0	700	0	367	1,067
CS0392	Russell Hall Comm Grn	14	0	14	14	0	0	0	0	14	0	0	14
CS0393	Queensbury Play Areas	24	0	24	24	24	0	0	0	24	0	0	24

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		2018-19			2018-19								
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0394	Harold Walk	20	0	20	20	18	0	0	0	20	0	0	20
CS0425	Littlemoor Park Footpath £11k	11	0	11	11	10	0	0	0	11	0	0	11
CS0426	Wibsey Park Outdoor Gym £13.7k	14	0	14	14	0	0	0	0	14	0	0	14
CS0428	Woodhead Road Recreation Ground Fencing	13	0	13	13	0	0	0	0	13	0	0	13
CS0403	Bereavement Strategy	250	0	250	250	0	0	0	0	250	0	0	250
CS0424	Mir Park & Springmill Street	13	0	13	13	12	0	0	0	13	0	0	13
CS0429	Menston Recreation Ground £15k	15	0	15	15	0	0	0	0	15	0	0	15
CS0242	War Memorial	1	0	1	1	1	0	0	0	0	0	1	1
CS0277	Wyke Manor Sports Dev - demolitn	252	0	252	150	40	0	0	0	252	0	0	252
CS0245	Doe Park	37	0	37	0	0	0	0	0	37	0	0	37
CS0349	Chellow Dene	6	0	6	51	51	0	0	0	6	0	0	6
CS0356	Sedbergh SFIP	9,571	0	9,571	7,747	6,464	7,035	49	0	0	0	16,655	16,655
CS0354	Squire Lane Sports Facility	0	0	0	0	3	600	4,400	4,400	0	0	9,400	9,400
CS0107	Markets	40	0	40	40	14	0	0	0	40	0	0	40
						0							
Total - Dept of Place - Sports & Culture		16,823	0	16,823	14,152	12,147	7,635	4,449	4,483	1,773	0	31,617	33,390
Corp Resources - Estates & Property Services													
CS0094	Property Programme (bworks)	609	0	609	109	0		0	0	0	0	609	609
CS0318	Property Programme 15/16	10	0	10	0	0		0	0	0	0	10	10
CS0333	Argos Chambers / Britannia Hse	751	0	751	151	1		0	0	0	0	751	751
CS0366	Property Programme 17/18	679	0	679	679	841	0	0	0	0	0	679	679
CS0391	Property Programme 18/19	1,911	400	2,311	1,800	500	0	0	0	0	0	2,311	2,311
CS0368	Dishwasher	31	0	31	31	30		0	0	0	0	31	31
CS0230	Beechgrove Allotments	274	0	274	0	0	0	0	0	148	0	126	274
CS0269	Burley In Whrfdle Culvert repair	17	0	17	0	5	0	0	0	0	0	17	17
CS0050	Carbon Management	797	0	797	797	371	820	0	0	0	0	1,617	1,617

Scheme No	Scheme Description	Budget Q3 Capital Monitor	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		2018-19											
CS0305	Healthy Heating Scheme	136	0	136	136	112	0	0	0	0	0	136	136
CS0420	Electric vehicle charging infrastructure WYCA grant £200k	270	0	270	270	0	400	0	0	670	0	0	670
CS0385	ULEV Taxi scheme LTP3	50	0	50	0	0	0	0	0	50	0	0	50
CS2000	DDA	100	0	100	100	0	50	50	62	0	0	262	262
CS0361	Strategic Acquisitions	0	0	0	0	64	0	0	0	0	0	0	0
CS0381	Godwin St	2,190	0	2,190	1,900	1,351	0	0	0	2,000	190	0	2,190
CS0422	Soup Kitchen	57	0	57	57	57	0	0	0	0	0	57	57
CS0409	Coroners Court	2,000	0	2,000	20	0	350	0	0	0	0	2,350	2,350
CS0383	Jacobs Well demolition	495	0	495	495	173	0	0	0	0	0	495	495
Total Corp Resources – Estates & Property Services		10,377	400	10,777	6,545	3,506	1,620	50	62	2,868	190	9,451	12,509
Reserve Schemes & Contingencies													
CS0395	General Contingency	1,203	-980	223	223	0	2,000	2,000	2,000	0	0	6,223	6,223
CS0391	Property Programme 18/19 Additional funds	400	-400	0	0	0	0	0	0	0	0	0	0
CS0438	Harris Street Fencing	0	59	59	59	0	0	0	0	0	0	59	59
	Ikley Parking Review	0	321	321	50	0	0	0	0	0	321	0	321
CS0397	Essential Maintenance Prov	0	0	0	0	0	2,000	2,000	2,000	0	0	6,000	6,000
CS0399	Strategic Acquisition	10,000	0	10,000	0	0	10,000	10,000	10,000	0	40,000	0	40,000
CS0430	Cartwright Hall Café	57	0	57	57	0	50	0	0	0	107	0	107
CS0427	Investment in Coronial Services	0	600	600	600	0	0	0	0	0	0	600	600
CS0277b	Wyke Manor Ph2 Sports Dev	493	0	493	0	0	0	0	0	0	0	493	493
CS0403	Bereavement Strategy	0	0	0	186	0	8,500	8,500	0	0	0	17,000	17,000
CS0423	Highways IT upgrade	350	-350	0	0	0	0	0	0	0	0	0	0
CS0306c	Strategic Acq - Highways	550	0	550	550	0	0	0	0	0	0	550	550
CS0400	Keighley One Public Sector Est	0	0	0	0	0	10,000	5,000	3,000	0	18,000	0	18,000
CS0402	Canal Road Land Assembly	450	0	450	0	0	0	0	0	0	0	450	450

Scheme No	Scheme Description	Budget Q3 Capital Monitor 2018-19	Changes	Revised Budget	Spend Forecast for 2018-19	Spend 28 Feb 2019	Budget 2019-20	Budget 2020-21	Budget 2021-22	Specific Grants, cap receipts, reserves	Invest to Save Funding	Corporate Borrowing	Budget Total
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
CS0283	Above Ground Fuel Storage	40	-40	0	0	0	0	0	0	0	0	0	0
CS0401	Depots	0	0	0	0	0	3,000	0	0	0	0	3,000	3,000
	New Schemes	15,795	0	15,795	345	0	43,312	24,806	1,461	8,768	41,956	34,650	85,374
Total - Reserve Schemes & Contingencies		29,338	-790	28,548	2,342	0	78,862	52,306	18,461	8,768	100,384	69,025	178,177
TOTAL - All Services		154,835	533	155,368	86,798	67,274	178,497	141,073	62,093	252,676	127,247	157,108	537,031

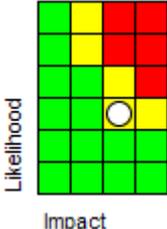
Corporate Risk Register December 2018



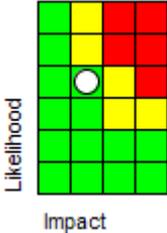
Risk Status	
	Alert
	High Risk
	Warning
	OK
	Unknown

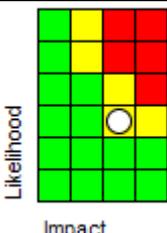
Risk Code & Title	Adults Corp - 1 ADULTS - MCA DoLS	Current Risk Matrix
Description	The Department has a backlog of over 100 requests for authorisation of the Deprivation of Liberty Safeguards waiting for allocation	
Potential Effect of risk	<p>Harm to an individual. Damage to the Council's reputation. Financial consequences.</p> <p>Backlog of cases currently held by the MCA/DoLS Team could mean that people are at risk of an unauthorised deprivation of liberty taking place not in line with the Mental Health Act 2007. Court of Protection is able, and has taken action to indemnify people and their families up to the current potential maximum rate, £1000 per week for an unauthorised deprivation of liberty.</p>	
Internal Controls	<p>The department has recruited a Principle Social Worker who has reviewed practice and implemented an improvement plans which includes:</p> <ul style="list-style-type: none"> - review of staffing compliment, leading to the establishment of a new MCA team and a business case for new resources - review processes and systems to improve workflow and reduce backlog – this has led to a 40% reduction in DoLS backlog - training and development linking to statutory responsibility, national guidance and benchmarks for all front line staff including social workers, OTs and CCos - Improving data quality and reporting through prioritising and implementation of the SystmOne DoLS module 	
Actions/controls under development	<p>Business case developed to secure additional resources to ensure we can continue to meet statutory responsibilities. This will be considered by CMT/Executive in February 2019.</p> <p>New safeguarding procedures have been implemented which have resulted in screening of safeguarding concerns take place in both Access and MASH to ensure that they are dealt with appropriately and in a timely manner. A smaller proportion of concerns will be dealt with by the Care Management and Safeguarding team as a result but these will be the more complex concerns and section 42 enquires.</p> <p>SystmOne is being developed and a new workspace for Safeguarding and amendments to the DOLS workspace are expected to go live in early 2019. Alongside this, Power BI reporting functionality will be developed to allow improved performance management of the services.</p>	
Ownership Managed By	Bev Maybury	

Risk Code & Title	Adults Corp - 2 ADULTS - Safeguarding incident	Current Risk Matrix
-------------------	--	---------------------

Description	We have the embargo policy for providers and working as a whole system to identify and mitigate against risks in accordance with safeguarding procedures.	
Potential Effect of risk	<p>Harm to an individual. Damage to the Council's reputation. Backlog of cases currently held by the Adult Protection Unit could lead to litigation of the Council. Adults at risk could be placed at further risk of harm without the backlog of cases being addressed. Failure to follow the N & W and York City Safeguarding Procedures will result in non-compliance with the Care Act 2014 and the 'Making Safeguarding Personal' (MSP) initiative. Safeguarding Procedures being applied incorrectly and without front-line operational consideration for MSP Information will not be disseminated to the operational workforce in order to effect changes in practice and improve service delivery. If performance data is not appropriately collected, analysed and reported there is a risk that</p> <ol style="list-style-type: none"> 1. The incorrect data collected will not allow for appropriate analyses to be made. 2. There is a risk that the data collected will lack integrity. 3. The service will be unable to deploy resources to those areas identified as needing specific support. 4. Appropriate data collection will ensure a robust analysis of how the service is working towards its goals and delivering outcomes for service users. 	
Internal Controls	<p>Safeguarding Adults Procedures in place which are currently being updated in line with the Care Act 2014 and to embed the provision of Making Safeguarding Personal (MSP). An Interim Safeguarding Adults Board manager has been appointed to monitor further development of the SAB and its Sub-groups. Senior management representation on Safeguarding Adults Board. Strong cooperation with the Commissioning arm of the Council and the Clinical Commissioning Group (CCG), and with the Care Quality Commission (CQC). Regular meetings are scheduled each month throughout the year. Reporting to Council Members via the Overview and Scrutiny Committee. Regular meetings, discussions and supervision between the Adult Protection Team Manager and staff members of the Adult Protection Unit to ensure that staff understand how to address the current backlog of cases and the seriousness of failing to do so. New SAB Strategic Plan has been signed off by the SAB Board. Work now underway on developing the training plan for 2019/20. As part of the new Safeguarding arrangements The appointment of two additional Adult Protection Unit staff members to focus upon the backlog of cases received in Duty for a period of eight weeks after which the situation will be reviewed.</p>	
Actions/controls under development	<p>On-going monitoring of all reported incidents by the Adult Safeguarding Team. The North and West and York City Safeguarding Adults Procedures have been updated and are currently being implemented both within the Council and Partner agencies. A training programme is being delivered to ensure all staff across all partner agencies receive a consistent level of training. Internally, the Safeguarding Adults process has been reviewed and a new streamlined approach to respond to Safeguarding Concerns has been put in place. A Communication Strategy is to be developed to enable the SAB partner agencies to disseminate information within their own agencies, across agencies and the public. The collecting and collating of safeguarding performance data is to be improved through a review of current data collection and presentation of the performance reports. Develop links with HM Coroner through face to face meetings and the development of a Protocol for effective working between Safeguarding, Commissioning and the HM Coroner. Further develop the links with the PREVENT initiative to address the growing concerns from the risk of adults being radicalised.</p>	
Ownership Managed By	Bev Maybury	

Risk Code & Title	CRR_New_BCM Critical facilities	Current Risk Matrix
------------------------------	--	----------------------------

Description	Critical facilities - premises, IT & communication systems, key staff resource - become unavailable Disruption of services and infrastructure arising from a civil contingency or business continuity incident.	
Potential Effect of risk	<p>The Council is unable to function - some or all delivery priorities jeopardised. The Council is unable to meet its Corporate targets The reputational risk to the Council is adversely effected The welfare and safety of the Council's citizens is at risk Increasing incidence and impact of service interruption events. Failure of business-critical systems Climate incident - extreme weather, flooding Civil unrest. Hostile act Work streams are dictated by the Community Risk Register</p>	
Internal Controls	<p>All services have in place a business continuity plan which are collated by the Emergency Management Team annually. These plans are owned by the relevant Service Assistant Director Plans identify a list of critical and statutory functions for their service (Annex A), Generic Actions (B) and Specific Action to take in relation to identified risks (C). Services' Business Continuity Plans which must be reviewed annually by the Assistant Director (or a nominated deputy) as the plan owner. These plans will be reviewed by the Emergency Management Team The Emergency Management Team coordinates the Councils approach to an incident/emergency and lead on the requirements of the Civil Contingencies Act 2004. The act lists 7 areas of responsibility which are to make risk assessments, create emergency plans, communicate with the public, co-operate with other responding organisations, share information with other responders, make our own business continuity arrangements and promote business continuity to businesses. 7 duties are covered in key work area sub groups and one of these groups is the Training and Exercising Group. They regularly develop exercises where plans are tested in a range of scenarios, such as incidents caused by bad weather, a CBRN (chemical, biological, radiological and nuclear) event, flooding, resource sharing etc. These events are sometimes "live" but may also be table top. Different injects are added during the day and the outcomes debriefed for lessons identified Service on call 24 hours per day, 365 days a year and are responsible for co-ordinating the Council's approach in an incident or emergency situation. In place a range of plans which include contingencies for extreme weather, flooding, evacuation, rest centre/humanitarian assistance centres and Emergency Management Plan, to name but a few. These plans are exercised and tested regularly and lessons identified are included in plan reviews. Disaster Recovery site away from the City which houses secondary servers which would be switched over to from the Councils servers in the City Centre should there be an incident affecting these.</p>	
Actions/controls under development	<p>Following staff changes within the Emergency Planning Service, a revised plan format has been developed to make them simpler and more useable. Emergency Planning are working with identified service leads to review/reformat plans into the new style. Draft plans have been requested by 17th January 2019 and final plans in place and signed off by AD's by 31 March 2019. Annual reviews will then be diarised as a rolling programme signed off annually by service AD's. A training and exercising programme is being developed to coincide with the 17th January 2019 date</p>	
Ownership Managed By	John Major	

Risk Code & Title	CRR_New_Care 2 ADULTS - Demographic change / migration / legislation	Current Risk Matrix
Description	Ability to deliver the Adults Social Care Transformation Programme priorities is threatened by rising costs and resource pressures due to changing demographics and changing legislation.	
Potential Effect of risk	Demand for social care services is predicted to continue increasing and overspends are likely.	

	<p>Budget proposals highlight this particular pressure as an ongoing concern for the Council.</p> <p>There is a continuing need to re-prioritise and reallocate resources and actions have been identified in preparing budgets for coming years.</p> <p>Conflict between expectations and affordability - standards of service deteriorate as a result of increasing demand and fewer resources</p> <p>Lengthening waiting lists for assessments and provision of care</p> <p>Increases in numbers requiring care</p> <p>Increasing overspends</p>
Internal Controls	<p>Department has worked with IMPOWER to review demand management - saving and transformation plans. New savings plans based on a demand management mode have been agreed, these also include renegotiating and remodelling services to help mitigate the pressure.</p> <p>H&WB Transformation and Change Board in place which includes Assistant Directors (AD) within the dept, Service Managers and AD Finance and Transformation. Meetings held on a monthly basis to review progress on saving plans.</p> <p>Monthly Finance and Performance meeting in place with DMT focusing on reviewing budget position and performance management data and identify any pressure areas as well as areas of potential under spend elsewhere in the budget to mitigate and relieve problems.</p> <p>Transformation activity, budget and performance monitoring is being embedded in Service Management and Team Management Meetings.</p> <p>At both meetings a savings tracker is presented which summarises progress to date. Where problems are still being identified these are highlighted in the quarterly budget monitoring reports to Members.</p> <p>Regular progress updates are provided to the Portfolio Holder highlighting potential issues raised by this pressure</p>
Actions/controls under development	<p>Continue to work with Health Partners as part of the integration of health and social care agenda to examine areas where there may be overlaps or synergies that could lead to more efficient ways of working and increasing value for money. These discussions are taking place via the ECB and ICB etc</p> <p>Gap analysis undertaken on Care Act implementation and have identified areas which require further work. Team to be recruited in the new year, which will focus on business systems.</p>
Ownership Managed By	Bev Maybury

Risk Code & Title	CRR_New_E&CS1 Educational attainment	Current Risk Matrix
Description	<p>Increasing pressure on skills, competency, capacity and other resources caused by changes in systems, funding, organisational or delivery structures and culture results in adverse impact on educational attainment.</p>	
Potential Effect of risk	<p>Reduced employment and FE opportunity for young people due to low attainment at the end of KS4 and KS5.</p> <p>Inability to attract high value-added employment.</p> <p>Difficulty in the Recruitment and Retention of high quality teachers and leaders due to low standards and too many schools facing challenging circumstances.</p>	
Internal Controls	<p>Annual risk assessment of schools in July and the start of an academic year – at risk schools targeted for focused intervention, challenge and closer monitoring.</p> <p>Briefing notes produced as soon as Statistical First Releases(SFR) available and shared with the Directorate and key councillors.</p> <p>Provisional end of key stages for Early Years, KS1 and KS2 data collated and shared in July and for KS4 in September before the SFRs to allow the LA to identify underperformance and target resources accordingly.</p> <p>Half termly risk assessment of governing boards using the rag rating model</p> <p>Use of LA intervention powers – additional governors or Executive Interim Board (IEB)</p> <p>Use of LA/Governor monthly or half termly Scrutiny Committee meetings to monitor progress of schools causing concerns</p> <p>Letter of concerns sent to underperforming schools</p> <p>Letter of congratulation sent to improving schools</p> <p>Challenging conversations held with weak leaders and governors</p> <p>Sharing of best practice at LA termly HT briefing</p>	
Actions/controls under development	<p>December 2018- .. Transformation and restructure process timeline and milestones met and on track.</p> <p>Introduction of 'Keeping in Touch' visits to all LA maintained schools between Oct 2018</p>	

	<p>and July 2019</p> <p>Introduction of termly school improvement focused area meetings from November 2018.</p> <p>LA working in partnership with the Opportunity Fund and Teaching School Alliances to deliver a school to school support programme for 15 identified schools using local and external system leaders.</p> <p>LA working closely with the school successful in becoming an English Hub in the delivery of phonics workshops to the 22 schools with Year 1 phonics scores of 10% or more below the national average of 82%.</p> <p>Changes to Ofsted rules and regulation in summer 2018 has resulted in a lower proportion of schools being judged as good or better both locally and nationally. In August 2017 76% of Bradford schools were judged to be good or better compared to 89.2% nationally. In August 2018 72% of Bradford schools were judged to be good or better compared to 85.6% nationally. The decline is due to Ofsted using converted and new academies' previous Ofsted inspection outcome. The LA is working with BPIP and other school partnerships in providing information to schools about the new framework due to be implemented in September 2019.</p> <p>Developing a more robust approach to challenging conversations with underperforming schools including the introduction of CEO meetings with the Deputy Director for E&L.</p> <p>In the process of introducing School Improvement Management Committees as a replacement for IEB</p>	
Ownership Managed By	Yasmin Umarji	
Risk Code & Title	CRR_New_E&S 1 Delivery of skills and training priority	Current Risk Matrix
Description	<p>Increasing budget pressure and resource constraints caused by competition for resources required for delivery of skills and training priorities.</p> <p>Need to deal with historical / legacy issues.</p>	
Potential Effect of risk	<p>Lack of coordination in the efforts of various agencies involved.</p> <p>Lack of congruence with educational attainment objective.</p> <p>District becomes unattractive to businesses and employers.</p> <p>Loss of leadership role.</p> <p>Actions detailed in the Employment and Skills Strategy are not delivered, impacting ability to fully realise the ambitions in the Economic Strategy Pioneering, Confident and Connected</p> <p>Get Bradford Working outcomes not realised</p> <p>Funding bodies releasing new contracts in isolation</p> <p>Underspend of current funding</p>	
Internal Controls	<p>Delivery of the ESIF STEP programme continues in Bradford and Leeds. ESIF STEP contract runs until March 2020. ESIF funding has been secured for 19-24 unemployed through partnership with WYCA, delivery to start in January 2019.</p> <p>Skills for Work (SfW) Choice and Work Programme contracts continue to run down until final customers leave programme. Customer numbers across all SfW DWP programmes will be less than 50 before the end of 2018</p> <p>Reed in Partnership continue delivery of the DWP Work and Health Programme in the North of England and are delivering this programme in the Bradford district. Partnership meetings have been held to ensure the new provision is appropriately located within the provision landscape and accessible to those residents that it is intended for without creating duplication or unhelpful competition.</p> <p>SfW continue to deliver Levy and Non-Levy Apprenticeships. SfW continues to deliver Education and Skills Funding Agency (ESFA) classroom and Community Learning and have received their 2018-2019 Contract Variation with the Maximum Contract Value allocated by the ESFA.</p>	
Actions/controls under development	<p>Skills for Work restructure has been implemented from July 2018 to reflect the rundown of DWP contracts and reducing staff customer caseloads, but mitigated in part by an increase to community learning contract and additional STEP funding.</p> <p>Senior management remains engaged with the Government's devolution agenda for education and skills funding through West Yorkshire Combined Authority and Leeds City Region networks. Officers are working to shape policy, maximise funding opportunities and inform WYCA's ESIF commissioning decision making. Similar work is being undertaken through the Key Cities network, where the Deputy Leader holds the education and skills portfolio.</p>	

Ownership Managed By	Jenny Cryer;
-----------------------------	--------------

Risk Code & Title	CRR_New_Env Environment and sustainability	Current Risk Matrix
Description	Rising costs, resource pressures and increasing exposure to penalties as a result of demographic changes and other volume/capacity pressures, changing targets, legislation, economic and political pressures.	
Potential Effect of risk	<p>Reputational damage due to failure to meet carbon reduction targets or if identified as having poor measurement and control systems in place</p> <p>Damage to Council's credibility as leader if district-wide targets not met.</p> <p>Need to develop new consensus and relationships with city and citizens around creative, local initiatives to enhance sustainability</p> <p>Need to re-prioritise and reallocate resources.</p> <p>Reduced ability to promote external investment.</p> <p>Amount of energy costs as gross figure and relative to the size of Council's estate/ activities</p> <p>Performance against corporate carbon reduction target (40% reduction in greenhouse gas emissions by 2020, using 2005 as baseline year)</p> <p>Climate "incident" now certain to increase in both frequency and severity. These will include Surface Water Flooding, Fluvial Flooding, High Winds and Gales, Drought, High Temperatures, Heat Waves, Cold Snaps and High Snowfall.</p> <p>Lack of robust understanding of population and other economic trends but globally expected to be millions of climate refugees due to displacement from rising sea levels 77-87CM by 2100 and water stress / drought</p> <p>Actions identified in corporate energy cost reduction plan not delivered</p> <p>Funding for renewable energy and energy efficiency projects not available</p> <p>Funding for helping to improve district housing stock to help reduce energy wastage and provide dwellings more resilient to Climate Change not available</p> <p>Wider stakeholder community under resourced to deliver on action commitments</p> <p>Central Government, Council and wider community unwilling to accept the scale of changes that are required to make the required contributions to Carbon Reduction</p> <p>Changing legislation, political priorities, targets</p> <p>Global insecurity causing major fluctuations in energy costs</p>	
Internal Controls	<p>Managing systems and processes to monitor and report on energy consumption and carbon emissions to ensure compliance with statutory Carbon Reduction Commitment. Carbon emissions from Council operations published annually, tracking progress against 2020 target which has been achieved in 2017/18 financial year.</p> <p>Arrangements with Yorkshire Purchasing Organisation for the monitoring of utility markets and understanding impacts of price volatility.</p> <p>Use procurement processes to secure optimal price advantage in purchasing resources for instance through category management.</p> <p>Sophisticated and comprehensive understanding of corporate resource use profiles and identification of business critical resource risks in terms of supply and availability or price volatility and impacts on service budgets.</p> <p>Delivering corporate resilience through sourcing local resources where viable such as PV panels, District Heat Network.</p> <p>Delivering projects to use resources such as energy, efficiently and where feasible reducing direct resource consumption.</p>	
Actions/controls under development	<p>Working on a strategy to take the councils carbon emissions from 2020 to 2050 and to possibly take a more interventionist approach when it comes to wider district emissions.</p> <p>Working with CDP Cities to identify potential courses of action and strategies for climate mitigation and adaptation</p>	
Ownership Managed By	Ben Middleton	

Risk Code & Title	CRR_New_FSE 1 Financial resilience and sustainability	Current Risk Matrix
Description	Central Government funding is likely to continue to reduce . The combination of past and future funding reductions and increasing service demand calls into question the long term sustainability of local public services	
Potential Effect of risk	Services run the risk of failing to deliver statutory minimum standards Budget is overspent. Suboptimal decisions could be made. Achievement of priorities delayed or not delivered. Service delivery not achieved. Challenges to governance framework. Deterioration in reputation with knock on consequences. Scarce resources may not be utilised / prioritised to maximum effect. Reduced effectiveness of Council Leadership The Council's budget & setting of Council Tax is challenged. The risk remains for future years though already being planned for through organisational review and new operating models workstream. Central Government funding is still reducing and the future is uncertain beyond 2020. The Fair Funding Review which is underway will determine the national funding picture. Potential for S114 Decision to be made against the Council.	
Internal Controls	Council priorities reaffirmed in the Council Plan approved July 2016 and in the Medium Term Financial Strategy updated July 2018 Comprehensive financial and performance monitoring information provided to DMTs, CMT and Executive supported by value for money and activity information. Budget process fully integrated with the Authority's strategic service and value for money planning. Political engagement in place for budget process. Budget challenge sessions (Officer and Members) instituted during 2018/19 with focus on robust business case development for new proposals Medium term planning extended over a six year time line. Controls on procurement and workforce changes in place Meaningful budget consultation process in place Strict adherence to Reserves Policy. Project Appraisal Group established to scrutinise individual capital business cases	
Actions/controls under development	A series of productivity ratios continue to be developed along side the linkage of activity and finance data to identify whether value for money is being achieved - Power Bi. Medium Term Financial Strategy incorporating scenario planning / forecasting / sensitivity analysis, is being continuously updated to take account of national and local funding announcements. Raise financial acumen across the Council to improve decision making.	
Ownership Managed By	Andrew Crookham	

Risk Code & Title	CRR_New_FSE 2 Information Security	Current Risk Matrix
Description	Confidential data is lost, stolen, accessed or disclosed without authority because of inadequate data security or non-observance of protocols	
Potential Effect of risk	Damage to the Council's commercial interests, reputation and ability to provide credible leadership of the district. Risk of financial penalty Penalty arising from reference of data security breach to Information Commissioner. Adverse publicity. Loss of trust between the Council, its partners and citizens Required "culture change" is not achieved Inadequate engagement fails to deliver physical security, effective procedures or efficient processes.	
Internal Controls	Designated SIRO (senior information risk owner) – Strategic Director Corporate Resources	

	<p>Assistant Directors Assigned Information Asset Owners. Information Asset Administrators (IAAs) – managers appointed by IAOs who collectively form the Information Assurance Operational Network (IAON). Middle management working group who support Assistant Directors in meeting their IAO responsibilities. Security breach notice and protocol is well established. IT Security Policies, guidance and procedures actively maintained and reviewed annually. GDPR Implementation Plan in place Technological solutions enable a consistent, safe and accessible infrastructure for data - IT systems and projects enable the business while minimising risk to the confidentiality, integrity and availability of those systems. Data in use, in transit and at rest should be in line with legislative requirements and follow policy/procedure. Appropriate physical security mechanisms. - Buildings are secured to a level commensurate with the nature of the data they contain. Mechanisms are in place to protect physical (paper based) information from creation to destruction. Risk Log approved by IAG and regularly updated. Public Services Network (PSN) compliance achieved which is a rigorous on-going IT governance assessment Secure e-mail solutions in place for safe information exchange with other public service agencies and 3rd party organisations, GCSx and Egress in place and communicated through service DMTs and Managers Express Regular independent Penetration testing of IT systems to provide assurance that suitable technical security controls are in place. Required encryption in place.</p>
Actions/controls under development	<p>Revised Online Training being finalised to incorporate new requirements of the Data Protection Act 2018. This will include monitoring of participation. Management Report being prepared breaking down performance on information governance at departmental level for FOIs, Subject Access Requests and data breaches. Report to be reviewed at CMT. Implementation Plan will need to be completed through 2018/19 The council has now moved from SAC B compliancy to SAC D for PCI DSS compliancy, this is where the merchants checks that we have controls in place to handle, process and store card details on our network</p>
Ownership Managed By	Joanne Hyde

Risk Code & Title	CRR_New_FSE 3 Governance breakdown	Current Risk Matrix
Description	Governance and corporate management framework is compromised, for example as a result of prioritising short term cost reduction over long term transformation.	
Potential Effect of risk	<p>Increase in fraud. Declining performance. Critical inspection/ external/ scrutiny report. Non-compliance with statute or regulations. Prosecution / financial penalty. Outcomes not delivered Resources not effectively or efficiently allocated and utilised Financial loss. Reputational damage Failure to deliver value for money. Staff reductions may create potential for weakening of key controls through reduced examination and assurance work</p>	
Internal Controls	<p>Strong Governance & Audit Committee (GAC) and scrutiny arrangements. Annual work programme determined by the GAC in consultation with S151 Officer and City Solicitor. New Code of Corporate Governance Adopted by the Council in December 2017. Assurance exercise completed April 2018. This follows the CIPFA/SOLACE framework "Delivering Good Governance in Local Government" Reference to risk a fundamental element in prioritising and design of Annual Internal Audit plan. Established whistle blowing policy and procedure available to all staff. Internal Audit Annual Opinion Satisfactory approved at Governance and Audit Committee 27.9.18 Corporate Fraud Unit established and Performance Report approved at Governance and Audit Committee 27.9.18 External Audit independent overview.</p>	

	Annual review of governance framework including Strategic Directors' compliance statements. Established insurance principles & processes New Corporate indicator set established Regular review of corporate indicators presented to Executive to measure performance in delivering service improvement and outcomes Increased demand on services/requests for assistance Quarterly reporting of corporate risks to CMT and Executive through the Finance and Performance Report
Actions/controls under development	Review of Transition Arrangements currently being undertaken. Back to Basics Approach Review of Risk Strategy
Ownership Managed By	Joanne Hyde

Risk Code & Title	CRR_New_FSE 4 Disruption or failure in other Public Sector operations or service provision	Current Risk Matrix
Description	Operational failure or disruption, at worst organisational failure, in other parts of the public sector, caused by continuing fiscal constraint, leads to direct or indirect adverse consequences for Council services	
Potential Effect of risk	Additional unfunded demand Breakdown in supply chains making Council services inoperable Resources diverted into failing organisations which makes less available for the Council Emergency/high-cost activity by the Council to keep services running Management attention diverted	
Internal Controls	Liaison with other public bodies through existing governance, partnership and peer-to-peer contacts Engagement in devolution agenda at regional level Engagement with Bradford-based public sector leaders Monitor consequences of any such failures in other places	
Actions/controls under development		
Ownership Managed By	Kersten England	

Risk Code & Title	CRR_New_Health_1 Changing demographics	Current Risk Matrix
Description	Public Health priorities are threatened by rising costs and increasing resource pressures arising from changing demographics - rising birth rate and aging population.	
Potential Effect of risk	Lengthening waiting lists for assessments and provision of care Increases in numbers requiring care Increasing overspends	
Internal Controls	Bradford and Airedale Joint Strategic Needs Assessment 2011/12 (JSNA) identifies and reports the health and wellbeing of the local community . Shadow Health and Wellbeing Board establishment to support a more strategic approach to providing integrated health and local government services. Review of current levels of PH spend in the future. Conscious decision to reduce investment in programme areas where there is reasonable to good evidence of little impact on public health. Bradford and Airedale Health and Wellbeing Strategy. The overarching aim of the health and wellbeing strategy is to provide a clear direction for improving health and wellbeing and reducing health inequalities in Bradford and Airedale Strategic Health Needs Assessment (HNA) completed Autumn 2014. The Bradford Dementia Strategy Group have agreed that HNA is in effect the Strategy. This has been accepted as such by: Health and Social Care Scrutiny, AWCCCG, BDCCG, BCCCG, BDCT. There is a 5 year action plan under auspices of the Dementia Strategy Group	

Actions/controls under development	
Ownership Managed By	Bev Maybury

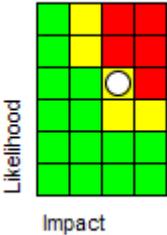
Risk Code & Title	CRR_New_Health_3 Health protection incident	Current Risk Matrix
Description	Public health is threatened by a health protection incident such as a communicable disease outbreak e.g. Pandemic Influenza or other disease or an environmental hazard e.g. severe weather.	
Potential Effect of risk	Widespread disruption of the local economy and social fabric. the number of cases of severe illness and deaths it causes summarises, the overall severity of a pandemic's impact e.g. viral property, population vulnerability, subsequent waves of spread and capacity to respond. This risk is composite in nature so risk factors will vary according to the nature of the incident	
Internal Controls	<p>Development of a Pandemic Influenza Plan during 2014/15 which clarifies CBMDC's role During 2014 a Bradford District Communicable Disease Outbreak Management Algorithm was developed by CBMDC Public</p> <p>The Outbreak Management Algorithm dovetails with the following documents:</p> <ul style="list-style-type: none"> - West Yorkshire Gastro-intestinal Disease Management Protocol - West Yorkshire Specification for Local Health Protection Responsibilities - PHE Communicable Disease Outbreak Management Operational Guidance <p>The CBMDC led Bradford District Resilience Forum (BDRF) has been operational since November 2014 and aims to provide a co-ordinated approach to integrated emergency management as determined by the risks and needs throughout the district of Bradford, in accordance with the requirements of the Civil Contingencies Act 2004.</p> <p>As well as Influenza and communicable disease outbreak specific planning mechanisms, the CBMDC Emergency Management Plan (Feb 2015) outlines the strategic and operational arrangements to be undertaken in the event of any emergency.</p> <p>The Council's Adverse Weather Plan and Flood Plan outline the procedure for the distribution of weather warnings and define the framework for response to adverse weather incidents.</p> <p>CBMDC is currently reviewing its approach to seeking assurance on matters of health protection. This follows an agreement to disband the Health Protection Assurance Group and develop a more suitable approach. This will allow for a system wide approach to health protection across Bradford district. A key element of which, is receiving assurance from multi-agency partners that effective, fit for purpose systems are in place.</p>	
Actions/controls under development	Work is continuing to ensure other key health protection areas such as infection prevention and control (including health care associated infection), screening and immunisations and various elements of environmental health continue to be priority areas and links between Environmental Health, Public Health, PHE, NHS England and other key agencies continue to develop in a manner which enhances the delivery of services and functions seeking to address health protection issues.	
Ownership Managed By	Bev Maybury	

Risk Code & Title	CRR_New_Hsg 2 Inadequate housing supply in terms of quality, accessibility and affordability.	Current Risk Matrix
Description	Changing demographics and demand pressures, changes in national policy (especially as relating to affordable housing) and a period of reduced housing construction, leads to an inadequate housing supply in terms of quality, accessibility and affordability. This will impede the Council's progress towards the corporate priority of decent homes that people can afford to live in.	
Potential Effect of risk	Reduced scope for economic development and adverse impact on labour market due to reduced mobility and availability. Negative impact on regeneration priorities and neighbourhoods.	

	<p>Negative impact and wasted resources associated with a large number of empty homes. Negative impact on health priorities as inadequate housing contributes to chronic health problems, critical incidents such as falls and delays discharge back in to the community Negative impact on education priorities as inadequate housing affects children's educational attainment.</p> <p>Net additional homes (CIS_05 (NI 154)) Number of affordable homes delivered (NI 155)</p>
<p>Internal Controls</p>	<p>Documented evidence base for Housing and Homelessness Strategy which reflects anticipated demographic and demand changes and other regular monitoring of trends such as Housing Market tracker</p> <p>Comprehensive stock modelling for Bradford District completed in 2016 providing insight in to housing condition and basis for targetted interventions.</p> <p>Strategic direction for District set out in Housing and Homelessness Strategy 2014-19 which was approved by the Council's Executive and Bradford Housing Partnership in 2014. Progress on the strategy is reported annually to Regeneration and Environment Overview and Scrutiny Committee. The Strategy is currently under review as it expires in 2019: this will result in two separate strategies, a Homelessness Strategy and a Housing Strategy Number of other housing related strategies, policies and programmes setting out actions and interventions to address housing supply/ provision including the Local Investment Plan, area plans, Great Places to Grow Old programme, Empty Homes Delivery Plan and Private Sector Housing Enforcement Policy and area plans</p> <p>Arc4 have recently been commissioned by Planning to undertake a Strategic Housing Market Assessment (SHMA) and Local Housing Needs Study. These will analyse the Bradford housing market in depth, advising on the amount and type of homes needed in different areas, including affordable and specialist housing. The Strategic Housing Land Availability Assessment (SHLAA) is also under review by the Planning Service to ensure that sufficient land is made available during the life of the Local Development Plan to meet the District's housing needs. Analysis of the Council's land bank / land holdings is underway with a view to identifying a pipeline of sites suitable for housing / disposal.</p> <p>Ongoing monitoring of external factors which may impact on housing development and improvement in the District, such as Brexit and the potential impact that this will have on developer confidence, general economic conditions and political/ legislative changes such as changes in the approach to provision of affordable housing. These factors taken into account and acted on in development of relevant plans and policies.</p> <p>Key indicators relating to housing functions reported in the Council Plan</p> <p>Development and Enabling team working to maximise the number of new affordable homes in the District through working in partnership with Registered Providers and Homes England to attract affordable housing grant and private finance to support the delivery of new build Affordable Housing schemes. By the summer of 2019, the Council will have delivered a total of 418 affordable homes for rent.</p> <p>Planning service ensure provision of affordable housing is maximised through Section 106 planning agreements on larger private development schemes</p> <p>Housing Standards team apply the Council's statutory enforcement powers to improve the standards of accommodation in the growing private rented sector – dealt with approximately 2350 requests for assistance during 2017/18</p> <p>Work with the Leeds City Region and energy providers to develop and deliver energy efficiency improvements to the District's housing stock.</p> <p>Invest in a proactive programme of interventions to bring empty homes back in to use.</p> <p>Allocations Policy which ensures access to social housing and supports employment mobility. Council provides Housing Options service which proactively seeks to prevent homelessness.</p> <p>Private Sector Lettings Scheme developed to make better use of private rented sector in meeting housing need.</p> <p>Monitoring of impacts of welfare reforms (e.g. benefits cap, roll-out of Universal Credit, Under 35s, LHA caps) ongoing, with short-term impacts mitigated via Discretionary Housing Payments (DHPs).</p>

Actions/controls under development	Development of a Housing Design guide to improve the quality of new build housing developments and through delivery of exemplar projects by the Council. Document awaiting final approval. Facilitate capital investment by partner organisations in order to exploit new financial models for the supply of housing in the District. Consideration of options for the delivery and management of additional new build affordable housing by the Council beyond the current 2015-2018 Affordable Housing Programme (approach approved by the Executive on 10 March 2015).
Ownership Managed By	Shelagh O'Neill

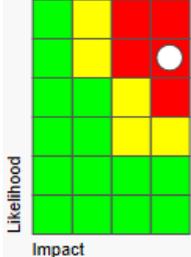
Risk Code & Title	CRR_New_R&I Delivering Economic Growth	Current Risk Matrix
Description	Bradford Economic Growth Strategy seeks to grow the economy by £4 million with an additional 24,000 jobs and up-skilling 48,000 people to Level 3 by 2030. Provision of new, and the maintenance of new and existing infrastructure to sustain and unlock new growth is challenging, particularly where development values are low or remediation or development costs are high. Economic uncertainty could delay regeneration and growth impacting on strategic decisions and inward investment.	
Potential Effect of risk	<ul style="list-style-type: none"> ~ Income raised through council tax and business rates and New Homes Bonus etc. is less than predicted and/or costs are higher than forecast ~ Inability to raise funds for projects and regeneration projects not completed ~ Potential damage to the Council's reputation and the Economic Partnership ~ Not able to meet member, government and the public's expectations ~ Deteriorating physical and infrastructure assets ~ Young people are not equipped to achieve their potential within the district 	
Internal Controls	<p>Key account management with major businesses and employers to enhance business relationships and engagement with the private sector through various networks e.g. regular Property Forum; City Region joint working; district wide events. Joint attendance with Leeds City Region at Investor events in London progresses engagement with key investors.</p> <p>Comprehensive Invest in Bradford website www.investinbradford.com</p> <p>Partnership working - supporting effective local and regional strategic partnerships e.g. West Yorkshire Combined Authority activity. Growth Deal project development and Economic Strategy in place and progress monitored.</p> <p>Strategic planning and leadership e.g. Bradford Economic Partnership launched 6.3.18. www.madeinbradford.com</p> <p>Relationship management - development and monitoring of benefits from key programmes such as the European Structural Investment Fund (ESIF), Homes England. West Yorkshire Transport Plan, Leeds City Region Transport Strategy and related projects, and the Local planning development framework</p> <p>Utilisation of housing investment as a key factor in regeneration e.g. to meet affordable homes targets (see separate corporate risk on Housing).</p> <p>Respond to Government consultations and participate on working groups focussing on key policy areas</p>	
Actions/controls under development	<p>Implementation of Economic Strategy – Delivery Plan</p> <p>Economic Development - service reshaping and restructure</p> <p>ESIF Programme engagement</p> <p>Engagement in plans for Shared Prosperity funding</p> <p>Development of Leeds City Region (LCR) pipeline projects</p> <p>Contractual development of local plans</p> <p>Initiatives developed under the Growth Deal to protect priority outcomes</p> <p>Leeds City Region and West Yorkshire Combined Authority action impacting on the District</p> <p>Support for business post Brexit with the LEP</p> <p>Maximising access to resources from the Shared Prosperity Fund</p> <p>Review of Strategic plans underway and employment land research commissioned to identify appropriate interventions</p> <p>NPR growth strategy being developed in consultation with partners.</p>	
Ownership Managed By	Shelagh O'Neill	

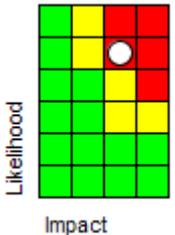
Risk Code & Title	CRR_New_SSC Cohesive Community	Current Risk Matrix
<p>Description</p>	<p>An incident occurs that leads to a rising of community tensions, possibly leading to counter action, civil unrest and criminal activity.</p> <p>As a consequence, there is a direct impact on managing the outcome for the council, police and partners and adverse reputational damage to the 'district'.</p>	
<p>Potential Effect of risk</p>	<p>Negative impact on trust - between citizens, the Council and its partner agencies. Widening inequality. Cost of managing response is not contained within existing resources (council, police & partners). Breakdown in relationships between different community groups, leading to protracted tensions that need to be managed. Loss of community cohesion within the district. Adverse media and reputational damage for the district and key agencies. Ineffective engagement with citizens, community groups Communities continue to believe that some sections are treated better than others Impact of welfare reform on the district's most vulnerable communities</p>	
<p>Internal Controls</p>	<p>The Stronger Communities Partnership is a Strategic Delivery Partnership reporting to the Health and Well Being Board Neighbourhood Service supported Ward Officer Teams - reporting community tensions as part of standard agenda - including police. Council Wardens record issues that may lead to increased community tensions. Ward Assessments provide an annual assessment of community tensions based on above. West Yorks Police share their community tension monitoring with Safer Communities team. Comprehensive action plans ensure each delivery group's objectives are achieved, evidence of effectiveness obtained and performance monitored. Community Safety Partnership co-ordinates a Reassurance and Engagement group. Police incidents which may have an impact on tension are shared with relevant partners. The Counter Extremism and the Prevent Strategy programme reduces risk of extremist influences creating divisions between communities.</p>	
<p>Actions/controls under development</p>	<p>A local strategy has been developed which will lead to a programme of work to respond to the government's Integrated Communities Strategy £1.2 million has been allocated to support year one of a two-year work programme. A funding decision on year two is expected early in 2019. A new 'Stronger communities Partnership' is being put in place that will oversee the implementation of the strategy delivery plan and the district's wider work in support of building strong and resilient communities.</p> <p>Social media continues to pose challenges with real and often 'fake news' leading to heightened tensions locally although effective relationships across communities and a shared commitment to support Bradford and its district is currently providing an effective response.</p>	
<p>Ownership Managed By</p>	<p>Ian Day</p>	

Risk Code & Title	CBMDC Corp – Brexit Resilience & Opportunities	Current Risk Matrix
Description	The exact nature of the UK departure from the European Union remains uncertain. Negotiations remain fraught. Risk is based on a no deal scenario, which is currently a possibility and could lead to issues including short term supply chain issues for food and energy, skills shortages and impacts on the local economy.	
Potential Effect of risk	<p>There are a number of potential issues that may arise, including:</p> <ul style="list-style-type: none"> - An inability to fill skills gaps in social care which have in the recent past, relied in part on a European Union workforce. - Financial consequences linked to the reduction in overall public sector finances following Brexit and the potential for businesses to leave the district, reducing overall business rates. - impact on the UK Economy and local economy. <p>The Council as community leader must consider not only direct impacts on its operations and services but also on the District, its businesses and citizens, visitors and wider relations.</p>	
Internal Controls	<p>CMT have developed a proportionate approach around mitigating for the scenario of no deal Brexit.</p> <p>The reserve position for worst case planning for adverse events/incidents, supply chain disruption, civil unrest and the like rests with existing Civil Contingency, emergency planning, community leadership and operational response/business continuity arrangements.</p>	
Actions/controls under development	CMT have developed a proportionate approach to mitigate risks with CMT members responsible for individual risks associated with a no deal Brexit. This will be revisited in January 2019 depending on whether the current status around the likelihood of a no deal Brexit is more clear.	
Ownership Managed By	Kersten England	

Risk Code & Title	CS - Children & Young People – SEND Services	Current Risk Matrix
Description	Delivery of the SEND Reforms and compliance with the SEND Code of Practice	
Potential Effect of risk	<p>Services are not compliant with legislative requirements leading to a risk of Judicial Reviews</p> <p>Education, Health and Care Assessments are not undertaken within statutory timeframes</p> <p>SEND Inspection outcome is unfavourable resulting in external intervention</p>	
Internal Controls	<p>SEND Strategic Partnership Board established with clear ToRs</p> <p>Work streams in place to focus on priority areas</p> <p>Creation of the SEND Transformation and Compliance Team to lead on ensuring</p>	

	compliance with the SEND reform agenda Additional Management capacity in place to support the creation of efficient and effective teams
Actions/controls under development	Permanent recruitment to key newly created posts Establishment of new team structures to enable EHC compliance measures to be met Development of an accurate SEF Creation of effective systems to collate and analyse data accurately
Ownership Managed By	Marium Haque

Risk Code & Title	CS - Children & Young People – Inspection Outcome	Current Risk Matrix
Description	Poor Inspection Outcome which affects levels of demand reputation and budget	
Potential Effect of risk	Poor reputation Government Intervention Financial	
Internal Controls	SEND Peer Review and self assessment Improvement Board with Independent Chair Improvement plan with monthly Improvement Board meetings to oversee O&S and Council monitoring progress QA Framework Audit Cycle	
Actions/controls under development	Preparation for SEND inspection Regulation 44 visits for Childrens Homes	
Ownership Managed By	Gladys Rhodes White	

Risk Code & Title	CRR_New_E&CS2 Safeguarding incident	Current Risk Matrix
Description	A high-profile safeguarding failure occurs caused by inadequate governance procedures or non-observance of protocols; significant increases in demand and inability to recruit and retain suitably qualified staff Inadequate Ofsted judgment exacerbates challenges described and demonstrates that the risk level is high_ Areas of risk in the Ofsted report include MASH/Front Door; placement sufficiency; social work practice; management and QA;	
Potential Effect of risk	Harm to an individual. Damage to the Council's reputation Increased Financial Pressures	
Internal Controls	Bradford Safeguarding Children Board (BSCB) The BSCB has carried out a Section 11 Audit of the safeguarding arrangements. Tight Performance Management Systems and clear lines of Management and Accountability Systems in place. Comprehensive Child Protection Training Strategy in	

	<p>place for all operational staff. BSCB has implemented enhanced safeguarding procedures across member agencies in the district including a review of children missing education and a review of the CSE Team.</p> <p><u>Children's Social Care</u> An Improvement Plan, Improvement Board and Governance have been put in place with six themed workstreams. Additional QA capacity has been recruited to provide scrutiny and additional data capacity to develop and enhance performance dashboards. Additional managers and social workers have been recruited to address the demand issues social work remuneration is the subject of review along with enhanced CPD and support to strengthen the package to support recruitment and retention</p> <p><u>MASH/Front Door</u> Additional Head of Service in place to increase management capacity; remodelling of the front door; enhanced partnership approach to early help in localities</p>
<p>Actions/controls under development</p>	<p>October 2018</p> <p>A review of caseload allocation has been put in place to ensure resources are aligned to need. The BSCB risk register now reflects the increases in LAC and CP Plans and as separate risk the staffing challenges within Childrens Services. Mitigation and progress is monitored through the Business Planning process. The BSCB continues to conduct multi-agency challenge panels and has timetabled further panels. A follow up Section 175 and Section 11 audit are on-going to allow organisations and schools, to self evaluate SG arrangements and the BSCB will collate and analyse finding to understanding risk and threat. A revised Strategic response to CSE has been signed off and linked Action Plan is in the final stages of planning. The LA have appointed a CSE analyst who will be tasked with the production of Profiles and assessments to inform resourcing, prioritising and planning of services. Collaborative work continues with the SAB and CSP around complex safeguarding, Digital Safeguarding, Shared learning from SCR's and Communications. This work allows the BSCB to recognise the impact of harm to children involved in OCG and Modern Day Slavery. This will present an opportunity to reduce duplication of work around families with multiple vulnerabilities. The risk has been increased to recognise the recent increasing demands and resourcing challenge's.</p>
<p>Ownership Managed By</p>	<p>Jenny Cryer</p>



Report of Finance to the meeting of Executive to be held on 2 April 2019

Subject:

BE

The Council's Capital Strategy 2019-20

Summary statement:

This finance report presents the Council's Capital Strategy for 2019-20.

James Hopwood
Head of Financial Accounting & Systems

Portfolio:
Leader of the Council

Report Contact: Lynsey Simenton
Phone: (01274) 434232
E-mail: Lynsey.Simenton@bradford.gov.uk

Overview & Scrutiny Area:
Corporate

1. SUMMARY

- This report presents the Council's 2019-20 Capital Strategy.

2. BACKGROUND

- The Council's 2019-20 Capital Strategy is presented in Appendix 1 of this report.

3. OTHER CONSIDERATIONS

- None.

4. FINANCIAL & RESOURCE APPRAISAL

- The financial implications are set out in Sections 4, 5 and 7 of Appendix 1.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- Risk Management and Governance issues are set out in Sections 3 and 7

6. LEGAL APPRAISAL

- The legal issues are set out in the body of the report. Legal Services will provide further advice on the implementation of the Capital Programme as required.

7. OTHER IMPLICATIONS

- Equality and diversity, sustainability, greenhouse gas emissions impacts, community safety, Human Rights Act, Trade Union and Ward Implications will be considered on an individual project basis.

7.1 IMPLICATIONS FOR CORPORATE PARENTING

- None

7.2 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

- None

8. NOT FOR PUBLICATION DOCUMENTS

- None

9. OPTIONS

- None

10. RECOMMENDATIONS

- That the Executive requests Council to approve the 2019-20 Capital Strategy.

11. APPENDICES

- Appendix 1: the Council's 2019-20 Capital Strategy.

12. BACKGROUND DOCUMENTS

- None

Appendix 1: CAPITAL STRATEGY

1. INTRODUCTION

A Capital Strategy is an overarching document which sets the policy framework for the development, management and monitoring of capital investment. It is a high level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services along with an overview of how associated risk is managed. Further it considers Council decisions over a longer period than the budget and up to ten years into the future.

The Council delivers a host of services for example from emptying bins to caring for the elderly. Prioritising between these services is based on Council strategies, Council decisions, statute and consultation. In this regard, the essential role of the Capital Strategy is to refer back to these elements.

In addition, the Capital Strategy is based on principles of the Prudential Code for Capital Finance in Local Authorities (December 2017). The key message from the Code is Prudence, Affordability and Sustainability.

Capital investment forms a store of potential future value. Its cost is in proportion to its rate of depreciation in use combined with the interest from any borrowing required: called capital financing costs. Identifying capital financing costs is the first enabler to assess Prudence, Affordability and Sustainability.

Identifying the capital financing costs also allows a second enabler: comparison against ongoing revenue costs and income. This comparison allows an affordability assessment on the best way to deliver a specific service. For example, in analysing the extension of a building life, savings in capital financing costs can be compared to the revenue costs from increased repair and maintenance. Capital financing costs from building a new sports centre are assessed against both additional revenue income and expenditure. The purchase of an investment in property can be compared to the rental income.

Also capital investment generally requires borrowing, unless external grants are available. Sustainability can be assessed by viewing this borrowing both over the long-term and by type of borrowing. Types of borrowing include whether to lease or buy with finance provided by the the Public Works Loan Board (PWLB).

Another aspect of capital investment is that it is substantial and it lasts for a long time. Because of this, the Capital Strategy needs to ensure strong decision-making which is future-proof.

A key aspect of prudence is to identify and mitigate risks. For example, this includes the sensitivity of capital financing costs to interest rate changes and the changes to forecasts of the amount of capital investment.

1.1. CAPITAL EXPENDITURE

Capital expenditure generally relates to spending on physical assets that have a useful life of greater than one year. This can be new assets, improvements to existing assets, or loans to

third parties for a capital purpose. It can also, with the express permission of the Secretary of State, cover revenue expenditure on items such as equal pay claims or statutory redundancy costs.

Capital expenditure is a significant and fundamental part of what the Council does. The Council owns a diverse range of land and property including agricultural land, schools, libraries and museums, cemeteries and crematoriums, car parks, allotments, offices, workshops, depots and heritage buildings. The Council also owns a portfolio of investment assets across the District which helps to stimulate regeneration and economic growth and also provide revenue income to the Council. The table below provides details of the Council's assets.

Table 1: Asset Balance Sheet values as at 31 March 2018

Category	Value as at 31 March 2018 £'000
Council Dwellings	16,615
Land & Buildings	608,763
Vehicles, Plant, Furniture & Equipment	20,437
Infrastructure	212,622
Community Assets	53,266
Surplus Assets	15,443
Assets Under Construction	19,382
Heritage Assets	37,058
Investment Property	58,863
Intangible Assets	595
Total	1,043,044

1.2. GUIDING PRINCIPLES

The Council needs to ensure that it is maximising the efficiency and potential of all of its assets. No project should proceed to inclusion within the Capital Investment Plan (CIP) unless it furthers achievement of the Council's strategic priorities and objectives.

The key principles for the capital programme are summarised below:

- I. Capital investment decisions reflect the priorities included within the Council Plan and supporting strategies.
- II. Schemes added to the capital programme will be subject to a detailed business case review and prioritised according to availability of resources and scheme specific funding, and factors such as deliverability of the benefits, legal obligations, health and safety considerations and the longer-term impact on the Council's financial position.
- III. Schemes financed either from capital grants or Invest to Save income streams will be given a high priority.
- IV. The cost of financing capital schemes, net of revenue benefits, are profiled over the lifetime of each scheme and incorporated into the annual policy and resources strategy and budget.
- V. Commissioning and procuring for capital schemes will comply with the requirements set out in the Council's constitution, financial regulations and contract standing orders.

2. LINKS TO COUNCIL POLICIES, STRATEGIES AND OBJECTIVES

The Capital Strategy complements other key documents by defining the approach, structure and governance for the effective financing and management of our capital investment needs and ambitions. It outlines how the Council's existing capital resources will be effectively managed to meet the planned needs and opportunities for meeting the ambitions for future longer term capital investments.

The Council maintains an approved and annual capital programme that covers a four year period. Key capital commitments already included in the Council Plan include:

- **A Great Start and Good Schools for All Our Children**
 - To build a new Special Educational Needs school.
 - The Primary School Expansion programme and construction of a new Primary School in Silsden.
 - Secondary School expansion.
 - Updating Children's home provision.

- **Better Health, Better Lives**
 - The Great Places to Grow Old Programme seeks to modernise residential care provision within the District.
 - Providing equipment in peoples' homes.
 - New, modern sports facilities at Sedbergh and Squire Lane.
 - Development of a Sports Pitches Strategy and a review of provision across the District including developing Wyke Manor.
 - Learning Disabilities facilities at the former Branshaw School.

- **Better Skills, More Good Jobs and a Growing Economy**
 - To build a new City Centre Market.
 - Completion of restoration works to St Georges Hall.
 - Continuing investment in Highways (includes a number of large West Yorkshire Combined Authority funded schemes for example Greengates and Hall Ings.
 - Development of City hall to include the Rugby Football League Museum.
 - Using Heritage Lottery Funding to improve Bradford City centre townscape.

- **Decent Homes That People Can Afford To Live in**
 - Building affordable housing within the District.
 - Bringing empty homes back in to use.

- **Safe, Clean and Active Communities**
 - Bereavement Strategy.
 - Carbon Management Programme.
 - Former landfill site Sugden end.

- **A Well Run Council**

- Replacement of Street Lights across the District generating savings in energy costs.
- Completion of the Property Programme.
- Investment in property to provide a positive financial return.

In furthering its aim of working regionally, the Council has also a long-term investment in the Leeds City Region Revolving Investment Fund (LCR RIF).

- **Leeds City Region Revolving Investment Fund**

- It was established in 2013 with the local authorities of Leeds, Bradford, Kirklees, York, Harrogate and Calderdale, Wakefield who have jointly committed in excess of £20 million loan funding for commercially viable, private sector led infrastructure and construction projects in the Leeds City Region.
- The Council has so far contributed £2.8m to the fund. Projects eligible for support include new homes, delivering new energy infrastructure, new factories and commercial buildings, where conventional sources of funding are insufficient or unavailable. Loans are made on commercial terms and compliant with State Aid restrictions to meet the gaps where private finance cannot be obtained.

3 GOVERNANCE FRAMEWORK

Democratic decision-making and scrutiny processes provide overall political direction and ensure accountability for investment in the capital programme. These processes include:

- Council approves the Council Plan which sets out the strategic priorities for the Council.
- Council is ultimately responsible for approving the Capital Strategy, Treasury Management Strategy and capital programme.
- The Capital Investment Plan (CIP) sets out the individual schemes that deliver the Council's overall vision. All schemes in the CIP are approved by Executive. As part of the budget process the schemes are further approved by Full Council, unless the scheme is wholly funded from capital grants or Direct Revenue Financing separately approved within Revenue Estimates.
- The Executive receives regular capital monitoring reports, approves variations to the programme and considers new bids for inclusion in the capital programme.
- Scrutiny committees can call in Executive reports, receive and scrutinise reports.
- All projects progressing to the capital programme must follow the constitution, financial regulations and Contract Procedure Rules.
- The capital programme is subject to internal and external audit.

The Project Appraisal Group (PAG) is a corporate officer group that appraises proposed capital bids and makes recommendations to Executive and Council. Its membership comprises finance, legal, procurement, project management and property expertise and it is

chaired by the Director of Finance.

The Capital Business Case will identify the projected running costs and financing costs of the relevant asset. The affordability of the proposals both for the initial investment and over the life of the asset is assessed. In all cases the capital expenditure and any on going costs must be sustainable in relation to the Council's medium term financial plans. The proposed scheme is scored against set criteria based on the guiding principles outlined above.

Capital proposals requiring borrowing will initially be assessed by PAG. Schemes funded from capital grants or Direct Revenue Financing can be progressed and approved directly by the Section 151 Officer. From 1 April 2019, any new proposals which are not funded from capital grants or receipts from the sale of land buildings would have to be: either financed directly from the Revenue Estimates or vired from another capital scheme.

The CIP is monitored quarterly through reports to Executive and PAG. A governance issue in managing the CIP is the variances between the budget and actual spend. The aim of quarterly monitoring is to identify, project and understand such variances.

The performance of the capital programme is also measured by the prudential indicators that are reported to Council as part of the Treasury Management Strategy, the Treasury Management half-yearly review and the annual review.

4 CAPITAL RESOURCES TO SUPPORT CAPITAL EXPENDITURE

Current projects are set out in the Capital Investment Programme 2019-20, approved by Council on 21st February 2019.

The pipeline for the programme comprises: roll forwards from the previous programme; availability of government grants; new projects reviewed by Project Appraisal Group and Executive.

The funding for the current programme is summarised in the table below.

Table 2: Capital Investment Plan 2019-20

	2019-2020	2020-2021	2021-2022	2022-2023	Total
Funding:	£m	£m	£m	£m	£m
Grants	65.694	68.798	30.379	34.480	199.351
Miscellaneous	9.33	6.2	4.204	3.5	23.234
Borrowing	71.496	85.278	71.973	52.206	280.953
Total Spend:	146.520	160.276	106.556	90.186	503.540

Some of the borrowing is termed Invest to Save: this is because the capital financing costs of the borrowing are mitigated by equivalent savings or additional income in the approved revenue estimates. A split of the borrowing showing the Invest to Save element is shown in table 3.

Table 3: Split of Invest to Save Borrowing

	2019-2020	2020-2021	2021-2022	2022-2023	Total
Funding:	£m	£m	£m	£m	£m
Borrowing: Invest to Save	34.882	47.366	28.410	9.829	120.487
Borrowing: Other	36.614	37.912	43.563	42.377	160.466
Total borrowing	71.496	85.278	71.973	52.206	280.953

All borrowing impacts on the revenue estimates in the form of capital financing costs. These capital financing costs include the effect of previous years' capital investment, as it comes into use and provides service benefit. The capital financing costs are summarised in Table 4 below, with costs relating to Invest to Save borrowing shown separately because of the compensatory savings elsewhere in the revenue estimates.

Table 4: Capital financing costs

	2019-20	2020-21	2021-22	2022-23
	£m	£m	£m	£m
MRP overprovision	-6.5	0	0	0
MRP, excluding PFI	19.9	21.6	24.3	26.1
MRP PFI, finance lease	4.4	4.4	4.4	4.4
Old West Yorkshire Waste debt	0.2	0.2	0.2	0.2
Interest on external borrowing	18.4	20.7	23.6	25.5
Interest on PFI	16.7	16.1	15.5	14.9
Premium on debt repayment	0.3	0.3	0.3	0.3
Investment income	-0.7	-0.7	-0.7	-0.7
Total Capital Financing Costs	52.7	62.6	67.6	70.7
Projected Net Revenue Stream	362.5	397	397	397
Ratio to Net Revenue Stream	14.5 %	15.8 %	17.0 %	17.8%
Invest to Save element of Total Capital Financing Costs	6.4	8.1	9.6	12.3
<i>Invest to Save contribution to Ratio to Net Revenue Stream</i>	<i>1.8%</i>	<i>2%</i>	<i>2.4%</i>	<i>3.1%</i>

5 COMMERCIAL PROPERTY INVESTMENTS

Historically, the Council holds investment properties which are rented commercially for rental income. The audited 2017-18 Statement of Accounts show that the Council received £2.3m net income from these investments.

Table 5: Investment Property Net Income (Extract 2017-18 audited accounts)

	2017-18
	£m
Rental income	-2.52
Service charges	-0.24
Repairs and Maintenance	0.18
Capital Financing costs & other	0.3
Total return	-2.3

The value of the Council's investment property as at 31 March 2018 was £58.9m, making a return of 4%. The investment property is valued higher than its purchase cost, so taking this

into account, the return would be higher. This means past spend on investment property is supporting the current revenue estimates.

The Council recently invested £4.4m in an NCP car park in the district, which in 2018-19 will generate gross rental income of £0.33m; and a net rental income of £0.1m over the capital financing costs. The Council aims to develop a sustainable funding model for the revenue estimates as general government grants reduce. As part of this, a £40m budget over four years for property investment is included in the 2019-20 Capital Investment Plan.

The Ministry of Housing, Communities, Local Government Guidance on Local Government Investments states: “Where a local authority is or plans to become dependent on profit generating investment activity to achieve a balanced revenue budget, the Strategy should detail the extent to which funding expenditure to meet the service delivery objectives and place making role of that local authority is dependent on achieving the expected net profit”.

The capital strategy view is that the Council’s dependence on investment activity is currently low. Income from commercial property investment budgeted is estimated to potentially climb to £5.8m. This is just 1.6% of the Council’s funding from Council Tax, Business Rates, general Government grants and reserves. Table 6 breaks down the Council’s estimated gross commercial property income including an estimate for the next four years.

Table 6: Gross rental income from commercial property investment

	2019-20 to 2022-2023 £m
Historical commercial investment	-2.5
NCP carpark	-0.33
Next 4 years	-3.00
Total commercial income	-5.83

The Council is currently developing its Investment Strategy. The new strategy will make it clear that the Council will continue to invest prudently on a commercial basis and to take advantage of opportunities as they present themselves, supported by a robust governance process.

The 2018-19 Capital Strategy set out the assessment criteria, when considering a new purchase to ensure Prudence, Sustainability and Affordability. It is also proposed to retain these criteria shown below, subject to minor adjustments (in italics):

Non Financial Investment Criteria:

- I. Risks associated with the investment
- II. The likelihood of being able to sell the investment in extremis
- III. Whether the location is attractive for selling or letting and whether the location is easy to travel to so that it can be inspected without specialist agents
- IV. The preference for the location of the investment to be firstly in the district and secondly in the Leeds City Region
- V. The security of rental payments, with consideration given to the reliability of tenants
- VI. The prospective length of any lease period for which rental payments are received

- VII. The income stream from the investment, *compared to capital financing costs and budgeted rentals in the revenue estimates*
- VIII. The potential to increase both the income stream and the capital value of the investment
- IX. The likelihood of the capital value of the investment exceeding any outstanding debt
- X. The value of the investment
- XI. Management costs
- XII. The sector in which the investment is made, for example, retail or warehouses.
- XIII. Any prospective tenants or partners in the investment must not be involved in commercial activities that conflict with the Council's values.

The MHCLG Guidance on Local Government Investments states at paragraph 46 that "Authorities must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed". This refers to investments in financial assets like gilts and shares - the guidance goes on to say that if the Council does not follow this recommendation, it should state its "policies in investing the money borrowed, including management of the risks, for example, of not achieving the desired profit or borrowing costs increasing".

Therefore the capital strategy has introduced another criteria that it will not borrow to invest for profit from financial investments. This is not a change from existing policy but makes current practice more explicit.

The Government has suggested a range of indicators as a starting point for local authorities to work from. The Council will therefore develop indicators when the investment property plans are further developed by the Investment Advisory Group.

6. ASSET MANAGEMENT PLANNING

The Council aims to manage its existing assets as efficiently as possible to reduce costs and maximise service benefit. This is undertaken by the Council's Estate Management Service, according to the objectives listed below:

- To ensure that the Council's operational estate is occupied as efficiently as possible and supports the delivery of good outcomes both now, and in the future:
 - to reduce the running costs of Council's buildings;
 - to work with the Third and private sectors to ensure better use of assets to achieve district priorities;
 - to promote the philosophy to work with third sector/public partners to achieve service and accommodation synergies.
- To support regeneration across the district, including delivery of new housing and economic growth:-
 - to minimise the number and impact of underused, empty and derelict Council owned buildings including listed and other heritage buildings;
- To maximise the performance of the Council's investment portfolio, generating additional revenue to support the Council's finances.

The Estates Strategy is due to be updated in 2019. In order to link to the Capital Strategy, this update will specifically quantify the cost of repair and maintenance costs against the savings from extending the lives of Council buildings. This quantitative analysis will be undertaken with the support of the Business Advisor for capital and completed by 28 June 2019.

Further, the Estates Strategy will review its strategy to dispose of its buildings. By reducing its office space, the Council has realised considerable savings. Further the receipt from the sale of buildings can be recycled as funding for the Capital Investment Plan. It is proposed that the Estates Strategy with the support of the Business Advisor for capital quantifies a variety of disposal options for the Council by 28 June 2019.

The purpose of the above actions is that disposing of property has helped the Council significantly reduce the repair and maintenance on the Council's estate. The table below summarises the previous achievement.

Table 7: Backlog maintenance

Backlog maintenance	2009-10	2017-18
Operational Estate £ms	83	46
Non-Operational £ms	13	8
Total Backlog maintenance £ms	96	54
Operational Estate size GIAm2 000s	319	228
Non-Operational Estate size GIAm2 000s	27	37
Total	346	265

7 PRUDENCE, AFFORDABILITY, SUSTAINABILITY

The overall context is that as at 31 March 2018, the Council had a liability of £669m from borrowing for capital investment. This is called the Capital Financing Requirement and will be paid off from capital financing costs in future revenue estimates. The majority of this has required external borrowing from the Public Works Loan Board. However, £178m relates to the private finance initiative, in which the borrowing is with a private company and repaid from future contracted lease payments.

The Capital Financing Requirement exists on the Council's balance sheet as the difference between the Council's land and buildings and the balances already held to pay for them. There is also a relationship between the actual amount of external borrowing and the Council's other assets and liabilities – this is because in practice cash reserves have been temporarily used to reduce borrowing from the Public Works Loan, the effect of this is called under-borrowing. The Capital Financing Requirement and relationship to other assets and liabilities is summarised in the table below:

Table 8: Capital Financing Requirement 31 March 2018

Balance Sheet	31/03/2018 £m
Capital financing Requirement	669
Private finance Initiative	-178
Less Private Finance Initiative	491
Investments Held	35

Cash Reserves	-202
Less School Balances	20
Provisions/Collection Fund	-18
Borrowing from Public Works Loan Board	326
Under-Borrowing	165
Source: 2017-18 Accounts & Appendix A	

The Capital Financing Requirement is due to increase because of the future borrowing required to finance the 2019-20 Capital Investment Plan. This is set out in the table below:

Table 9: Projected increased in Capital Financing Requirement

£m	2019/20 Estimate £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m
Opening Capital Financing Requirement	710	764	824	867
Increase in borrowing	72	86	72	53
Less MRP and other financing movements	-18	-26	-29	-31
Closing Capital Financing Requirement	764	824	867	889

As part of the Capital Strategy, measures to test the affordability of the proposed borrowing in the Capital Investment Plan (CIP) are being used. These measures are shown in the table below:

Table 10: Affordability measures

Measure	Current Position	Potential Position
Total Borrowing related to long term assets	As at 31-03-2018 £322m total borrowing is 31% of long terms assets of £1,045m.	CIP2019-20 to 2022-23 has £120.5m of Corporate Borrowing and £160.4m of Invest to Save, totalling an assumed increase of £280.9m in borrowing to £602.9m. Assuming this increases long term assets also by £280.9m to £1,325.9m, this is 45% of long term assets.
Total Borrowing costs as a percentage of net budget	For 2019-20 borrowing costs of £46.3m plus Invest to Save borrowing costs of £6.4m, totalling £52.7m are 14.5% of net budget	At 2022-23 borrowing costs of £58.4m plus invest to save of £12.3m total £70.7m. 17.8% of the net revenue budget.
Contribution Investment	Estimated rental income for	If an additional £40m is

Properties make to core functions	2019-20 for purchases to date is £2.8m which is 1% of net budget	invested over the next four years the expected increase in rental income is projected to be £3m. Total rental income will be £5.8m and 1.6% of net budget.
-----------------------------------	--	--

A number of actions together with their purpose are set out in the Capital Strategy. These actions are intended to align the Council's operations with the current context of the Council's projected Capital Financing Requirement. They are listed below:

- **Management of the Balance Sheet**

- A balance sheet projection and analysis is included in the Council's quarterly monitoring reports to Executive and Council.
- The purpose of this is to monitor the Council's assets and liabilities going forward and report on any increase in liabilities. Further, it would develop the reporting of potential financial risks to the Council in relation to the Capital Investment Plan and other expenditure.

- **Loans to External Organisations**

- A responsible officer is assigned to monitor all outstanding loans to external organisations and assess on a quarterly basis any risk of non-payment.
- The rate of interest on loans to external organisations will reflect the level of risk and liquidity of them. Where additional loans are considered, the rate of interest may be above the rate at which the Council can borrow from the Public Works Loan Board. The Capital Strategy proposes that a more detailed policy is drawn up.
- The responsible officer will also maintain a central list of financial guarantees provided to external organisations.
- The purpose is to ensure that the Council's long term debts are fully repaid or any future difficulties are anticipated so mitigating action can be taken. Any loans given to an external organisation used for capital expenditure increase the Council's Capital Financing Requirement. If it looks likely that the loan will not be repaid, additional capital financing costs will be a cost pressure within the revenue estimates.

- **Forecasts of spend against the Capital Investment Plan**

- Responsible finance officers will arrange departmental meetings to provide accurate capital forecasting of the 2019-20 Capital Investment Plan. As part of this to develop the Council's shared understanding of the critical paths of the capital schemes.

- The Treasury Management Officer will monitor current interest rates and expectations of future rate increases on a daily basis.
 - The Treasury Management Officer will develop options to contractually borrow in the future at current interest rates.
 - A responsible officer will calculate the sensitivity of Invest to Save schemes to interest rate increases.
 - The overall purpose is to enable the Council to take out borrowing at the most optimal time. Accurate forecasting will help the Council understand when borrowing will be required.
 - The purpose of the option to contractually borrow in the future at current interest rates would reduce the risk of interest rates rising. An interest rate rise would increase capital financing costs. Further the calculations for the Invest to Save schemes, embody assumptions about interest rates which may be incorrect.
- **Investigate borrowing with annuity loans**
 - The Treasury Management Officer and Business Advisor Capital will assess the optimal use of annuity loans compared to repayment at maturity loans.
 - The Treasury Management Officer and Business Advisor Capital also consider whether equal instalment of principal loans would be appropriate.
 - The purpose is to take out borrowing in a way which minimises the Council's costs. Repayment at maturity loans requires the Council to repay the loan principal at the end of the period of the loan and pay annual interest on the outstanding amount. Annuity loans require the Council to make a uniform payment each year over the whole term of the loan. This method of repayment would align more closely with how capital financing costs are charged in practice to the Revenue Estimates. Such alignment could help the Council manage its cash flow, reducing overall capital financing costs. Annuity loans may be more appropriate where there is an expectation that the size of the Capital Investment Plan reduces in future years.
 - Equal instalment of principal loans require that an equal amount of the principal repaid each year. The purpose of investigating this option is to ascertain whether this would reduce capital financing costs and improve cash flow.
- **Review leases arrangements that involve an asset to determine if a purchase arrangement would be more cost effective**
 - A responsible officer to review lease arrangements to determine if it would more cost effective to buy any assets outright.

- The purpose is to ensure that lease arrangements are as cost effective as possible. Further the purpose is to prepare for a likely change in accounting rules which may increase the Council's capital financing costs arising from lease arrangements.
- **PROJECT APPRAISAL GROUP**
 - From 1 April 2019, any new proposals which are not funded from capital grants or receipts from the sale of land buildings would have to be: either financed directly from the Revenue Estimates and vired from another capital scheme.
 - The quarterly monitoring of capital spend will be reported to Project Appraisal Group. As part of the Capital Strategy's aim to continually align the Capital Investment Plan with Council strategies, budget challenge sessions will be conducted with senior officers and Councillors during April and May 2019.
 - Key strategies are the Council Plan 2016-20 and the Invest in Bradford Economic Strategy 2016-2020. Project Appraisal Group will assign an officer to participate on refreshing these strategies. This will further improve linkages between the Capital Strategy and other Council strategies.
 - Post completion statements for schemes costing in excess of £10m will be brought to Project Appraisal Group to appraise value for money and achievement against the Council Plan. As part of this, a revised process for evaluating benefits will be developed during 2019-20 by the Business Advisor Capital.
 - Project Appraisal Group will determine whether there are opportunities to share expertise in accessing capital grants across the Council.
 - The schemes in the 2019-20 Capital Investment are formerly linked for reporting purposes to the Council's strategies. Capital Financing Costs are modelled over the asset life as standard, under the guidance of the Business Advisor Capital.
 - A representative from the Council's procurement section will attend Project Appraisal Group.
 - The purpose is to minimise the Council's requirement for borrowing and to streamline the Project Appraisal Group.
- **Risk Reporting**
 - A responsible officer will be assigned to develop the reporting and escalation of risks arising from the Capital Investment Plan and monitoring of balance sheet liabilities. This would involve the Project Appraisal Group, the Section 151 Officer and to align with the Corporate Risk Register as appropriate.

- The Council's risk appetite is low. This is consistent with the CIPFA Treasury Management Code of Practice which stipulates that investments are prioritised according to security, liquidity and yield, in that order of importance. Subject to careful due diligence, the Council will consider a moderately higher level of risk for capital schemes which meet an important objective in the Council plan and generate significant non-financial benefits for the District.
- A specific risk as a VAT registered body is the recovery of exempt VAT only up to a value of 5% of all the VAT it incurs. This is known as the de-minimis limit. Monitoring and control of exempt input tax is essential for the Council as where exempt input tax exceeds the 5% limit the whole amount is irrecoverable and will represent an additional cost to the council. Each capital investment will be closely reviewed to assess its VAT implications.
- Inflation risk will be managed by using fixed price contracts wherever possible. Further the Capital Investment Plan includes £2m annual contingency. There is an additional risk contingency for the capital financing costs in the revenue estimates.
- The purpose is to ensure that risks are monitored and escalated appropriately.

8. SKILLS AND KNOWLEDGE

The Council has professionally qualified staff across a range of disciplines including finance, legal and property that follow continuous professional development (CPD) and attend courses on an on going basis to keep abreast of new developments and skills. The Council establishes project teams from all the professional disciplines from across the Council as and when required.

The Council uses external advisors where necessary in order to complement the knowledge its own officers hold. Some of these advisors are contracted on long term contracts or are appointed on an ad-hoc basis when necessary. The Council currently employs Link Asset Services as treasury management advisors and PWC as VAT advisors. This approach ensures the Council has access to specialist expertise when needed to support its staff, commensurate with its risk appetite.

Internal and external training is offered to members to ensure they have up to date knowledge and expertise to understand and challenge capital and treasury decisions taken by the Director of Finance.

9. CONCLUSION

Overall the Capital Strategy, sets out the key guiding principles and the approach to borrowing, risk and Governance.

Appendix A

2017-18 Audited Statement of Accounts												
	School	Working	Useable	Other	Provisions/	Investm	Council	Capital	PFI/hire	Finance	Actual	31/03/2018
	balance	Capital	School	Cash	Tax	ent.	cash	financing	purchase	leases	Borrowing	Net Exp.
			reserves	balances	collection	Held	reserves	requirement	(not require	(not require		Audited
									borrowing)	borrowing)		account
	a	b	c	d	e	f	g	h	(PFI)	j	k	l
												sum(a:k)
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Land, buildings, vehicles								946,528				946,528
Paintings, historical artifacts								37,058				37,058
Investment property e.g NCP carpark								58,863				58,863
Mainly computer software								595				595
Long term investment								1				1
Long term debtors		1,195						909				2,104
Short term Investments						15,003						15,003
Assets Held for sale								977				977
Inventories		1,766										1,766
Short term debtors	23,439	53,909										77,348
Cash and Cash Equivalents	-7,035			38,865		20,008						51,838
Cash & cash equivalents	-5,448			112								-5,336
Short term borrowing											-13,105	-13,105
Short term creditors	-10,956	-83,947										-94,903
Provisions					-9,167							-9,167
Provisions					-13,368							-13,368
Long Term borrowing											-312,908	-312,908
Council's Pension liability				-858,087								-858,087
Waste Management & other liabilities				-4,068								-4,559
Private Finance Initiative Liabilities				8,229					-177,691	-491		-169,462
Capital Grants Receipts in Advance						-10,258						-10,258
Useable cash reserves			-20,550				-182,299					-202,849
Asset Revaluation Reserve								-181,029				-181,029
Asset Funding Reserve								-194,448				-194,448
Financial Instruments Adjustment Account		5,134										5,134
Pensions reserve				858,087								858,087
Deferred capital Receipts		-258										-258
Council Tax and NDR collection					2,805							2,805
Accumulated Absences reserve		11,630										11,630
	0	-10,571	-20,550	43,138	-29,988	35,011	-182,299	669,454	-177,691	-491	-326,013	0
1 Capital Financing Requirement less PFI (h - i)										491,272		
2* Underborrowing: Capital financing Requirement less PFI/leases less actual borrowing (1 (a above) - i)											-165,259	
* The £131.039/£166.945m of underborrowing is enabled because of (g) Council cash reserves of £165.294m/£182.299m												

This page is intentionally left blank

Report of the Strategic Director Place to the meeting of Executive to be held on 2 April 2019

Subject:

BF

Corridor Improvement Programme – Compulsory Purchase Order, Side Roads Order and Traffic Regulation Orders.

Summary statement:

This report updates Executive on the development of a series of junction upgrades which are to be delivered as part of the West Yorkshire Transport Fund's Corridor Improvement programme. As part of this programme the outer ring road junctions of Great Horton Road/Horton Grange Road, Thornton Road/Cemetery Road and Toller Lane / Whetley Hill are to have major upgrades to improve traffic flow on the outer ring road.

As part of the upgrade proposals each of these schemes will require the acquisition of properties to deliver the proposed improvement. This report therefore seek approval in principle from Executive for the Council to use its Compulsory Purchase Order (CPO) powers to acquire the land needed should acquisition by private treaty fail together with arrangements for implementation of associated side roads orders and traffic regulation orders.

Steve Hartley
Strategic Director of Place

Report Contact: Richard Gelder
Highways Services Manager
Phone: 01274 437603
E-mail: Richard.Gelder@bradford.gov.uk

Portfolio:

Regeneration, Planning And Transport

Overview & Scrutiny Area:

Regeneration & Waste

1. SUMMARY

- 1.1 This report updates Executive on the development of a series of junction upgrades which are to be delivered as part of the West Yorkshire Transport Fund's Corridor Improvement programme. As part of this programme the outer ring road junctions of Great Horton Road/Horton Grange Road, Thornton Road/Cemetery Road and Toller Lane/Whetley Hill are to have major upgrades to improve traffic flow on the outer ring road.
- 1.2 As part of the upgrade proposals each of these schemes will require the acquisition of properties to deliver the proposed improvement. This report therefore seek approval in principle from Executive for the Council to use its Compulsory Purchase Order (CPO) powers to acquire the land needed should acquisition by private treaty fail together with arrangements for implementation of associated side roads orders and traffic regulation orders.

2. BACKGROUND

- 2.1 The Bradford element of the Corridor Improvement Project comprises a £14m capital programme of junction upgrades at the junctions of (a) Great Horton Road and Horton Grange Road, (b) Thornton Road and Cemetery Road, and (c) Toller Lane and Whetley Hill. These works are designed to reduce congestion and improve journey times together with improving air quality and increasing road safety through the incorporation of non-motorised user facilities.
- 2.2 The improvements will also support growth in jobs, businesses and housing developments in the immediate areas and wider district. The proposed improvements include the follow works at each of the junctions:

(a) Great Horton Road/Horton Grange Road Junction, Bradford

- Construct a new road between Horton Park Avenue and Cecil Avenue junction and All Saints Road and Dirkhill Road junction with give way junctions at each end.
- Install traffic lights at the Great Horton Road and Horton Park Avenue junction.
- Provide an additional lane on Great Horton Road towards Bradford on the approach to Great Horton Road and Horton and Grange junction.
- Make All Saints Road one way southbound towards Turner Place.
- Prevent right turns from Great Horton Road into All Saints Road.

(b) Thornton Road / Cemetery Road Junction, Bradford

- Provide a right turn lane on Thornton Road towards Cemetery Road.
- Provide two lanes on Thornton Road westbound towards the Cemetery Road junction.
- Provide two lanes on Allerton Road to the Cemetery Road junction.

- Provide two lanes on Cemetery Road through to Allerton Road towards Bradford Girls Grammar.

(c) Toller Lane/Whetley Hill Junction, Bradford

- Provide two lanes on A6177 on approach to the junction.
- Provide dedicated left turn lanes from the A6177 to Toller Lane and Whetley Hill.
- Introduce two lanes in both directions on Toller Lane from the Carlisle Road junction to the dual carriageway.
- Widen the approaches to the A6177 on Toller Lane and Whetley Hill to provide a right turn lane.

3. OTHER CONSIDERATIONS

- 3.1 Following preparation of the draft designs, proposals for the upgrade of each junction were put out for public consultation by the West Yorkshire Combined Authority. The initial scope and extent of each scheme were developed and modelled such that their benefits could be quantified sufficiently to allow the development of an Outline Business Case for each scheme.
- 3.2 In developing the proposals for each scheme a comprehensive exercise was undertaken to try to minimise the amount of third-party land which would be required for each improvement. As a result of this approach the quantum of third-party land required for the whole Bradford programme has been reduced.
- 3.3 The Council has been in negotiation with landowners and is continuing to do so wherever possible, although it is clear from enquiries, that there is still little or no prospect of all the land being acquired by voluntary negotiations.
- 3.4 In order to ensure the deliverability of the proposed Corridor Improvement Programme to the overall Corridor Improvement Programme timescales, it is proposed the Council authorises the use of CPO powers should there be no alternative other than to rely on the use of CPO powers as a last resort to acquire the land needed to achieve the desired highway improvement objectives. Such an approach would provide certainty of timescale for the corridor improvement programme ensuring the Council can meet the expectations of the Combined Authority in this regard.

Planning Implications

- 3.5 The main components of the schemes involve a combination of
- road widening;
 - new pedestrian and cyclist facility provision;
 - a new link road within in the Great Horton Road/Horton Grange Road scheme described at paragraph 2.2 (a) above;
 - landscaping;
 - improvements in traffic signalisation;
 - realignment of on-street car parking spaces; and

- a rationalisation and enhancement of bus shelters.

Under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“GPDO”) express planning permission will not be required for parts of the schemes in instances where Class A, Part 9, Schedule 2 of the GPDO permits the carrying out by the Council in its separate capacity as a local highway Authority of works required for or incidental to the maintenance or improvement of the highway on both existing highway land and land outside but adjoining the boundary of an existing highway. The permitted development rights granted by Part 9 of the GPDO would cover all such works where all such works are required for the improvement of the highway and are located on land which is either currently used as a highway or land adjoining the existing highway.

- 3.6 Whilst it is not foreseen that there is likely to be any fundamental planning obstacles, clarification is continuing to be sought as to whether any specific planning consents are needed and the outcome will be reported to the Executive either before or at the Executive meeting.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The improvements will be funded through the Corridor Improvement Programme, which is a component of the West Yorkshire-plus Transport Fund. The combined budget to deliver the three schemes described in this report is £14 million which is to be wholly funded from the West Yorkshire-plus Transport Fund.
- 4.2 Currently the Outline Business Case submissions for the Corridor Investment Programme are being assessed by the Combined Authority in order to release the next tranche of funding for the programme. The Combined Authority will consider the recommended approval of funding at its meeting on 25 April.
- 4.3 It is not considered that any external specialised expert advice is needed at this stage of the compulsory purchase process, although it might be necessary to instruct Counsel should a local public Inquiry be held to consider objections if a CPO is made and published.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 Responsibility for the governance of this project is the responsibility of the West Yorkshire Combined Authority (WYCA) and is controlled under their Assurance Framework. A rigorous project management system is in place for all West Yorkshire+ Transport Fund projects based around the OGC PRINCE2 (Projects in Controlled Environments) and MSP (Managing Successful Programmes) methodologies. The scheme described in this report will be subject to these processes.
- 5.2 A project team level of risk management is in place which is reviewed on a regular basis and also discussed at monthly Project and Programme Board chaired by the Highways Services Manager. In addition a further Programme Board is held with West Yorkshire Combined Offices chaired by the Director of Delivery.

- 5.3 The success of this programme will depend upon the Council's ability to acquire all the land needed. There are also risks linked to the timing of land acquisition; as the schemes are each programmed to be started on site by March 2021. If the Council continues to rely on current negotiations and only seeks to authorise a CPO if negotiations break down, valuable time would be lost. By making a CPO for each highway scheme at this stage, it demonstrates that the Council is serious in its intentions to promote the proposed highway junction improvement schemes with the support of CPO powers and which in turn, might encourage those whose land is affected to enter into more meaningful negotiations.
- 5.4 A key risk which has been identified by the project team based on previous experience of delivering strategic transport projects relates to the ability of the Council to effectively implement the traffic regulation orders associated with the scheme. Whilst it is not immediately assumed that there will be any objections received to the proposals the potential for delays in delivery of the scheme to programme could arise as a result of consideration of any such objections by the relevant Area Committee. Previous strategic improvements have been delayed as a result of consideration of objections to orders by area committees who by way of mitigation of objections seek to amend the scope of the main scheme, thereby imparting additional cost and delay to the scheme. Whilst an element of cost increase of such a situation can, and has been, mitigated through the QRA process protracted delay in determining whether to implement an order or make minor alterations to the scheme proposals could impart costs far in excess of that provided for under the QRA.

6. LEGAL APPRAISAL

- 6.1 This Report considers the consequences and justification of proceeding to authorise the use of compulsory purchase powers to facilitate each of the proposed highway junction improvement schemes. In deciding on the most appropriate power to use to enable each CPO to be made, regard must be given to the use of the specific power available for the purposes intended. As the proposed schemes involve the compulsory purchase of land to facilitate highway improvements, it is proposed to rely on the use of statutory highway powers to –
- a) make compulsory purchase orders for each of the 3 highway schemes under, as applicable, sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and under section 2 of the Acquisition of Land Act 1981;
 - b) provide under section 40 of the Road Traffic Regulation Act 1984 off-street parking places, together with a means of entrance to and egress from them, for the purpose of relieving or preventing congestion of traffic; and
 - c) make a Side Roads Order for each of the 3 highway schemes under sections 14 and 125 of the Highways Act 1980, should the schemes require additional highway alterations to be made, arising as a direct consequence of the junction improvements.

- 6.2 In consideration of the potential use of compulsory purchase powers to support voluntary negotiations to acquire all the land needed for the schemes, reliance has been placed on Government guidance entitled “Guidance on Compulsory Purchase Process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of compulsion” published in October 2015. Weight must be given to the Guidance to ensure that the proper compulsory procedures are followed, that the process is open and transparent and that nobody with a purported interest in land needed for the highway schemes is prejudiced.
- 6.3 The Executive must therefore be satisfied prior to authorising the use of its compulsory purchase powers that there is sufficient justification to make a CPO for each junction improvement scheme and to demonstrate that the Council has exercised due diligence and probity and has been open and transparent in formulating its scheme proposals and in contacting and opening negotiations with interested parties to acquire the land needed.
- 6.4 Legal Services have confirmed that the Council has the necessary legal powers to initiate a CPO to enable the schemes to be delivered, provided it can be demonstrated
- that the use of CPO powers is a “last resort”, there being little or no prospect of all the land being acquired by voluntary negotiations;
 - that sufficient funding is or is likely to be made available;
 - that there are no planning obstacles;
 - that each of the schemes can be implemented and completed within a reasonable timeframe;
 - that the compulsory purchase process is open and transparent;
 - that due regard has and is being given during the compulsory purchase process to the rights of the individual under human rights and equality impact legislation; and
 - that there is a compelling case for each scheme in the public interest.
- 6.5 Promotion of traffic regulation orders associated with the project would be exercised by the Council under its inherent powers under the Road Traffic Regulation Act 1984 as local highway authority.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Project officers in formulating and promoting a CPO for each highway scheme have at this stage, also had regard to the Council’s statutory duties and obligations under the Equality Act 2010 and in particular, to the Council’s obligations under Sections

149 and 150 of the said Act, by taking into account the differential impact each CPO might have on various groups of persons with protected characteristics. As a result, project officers are satisfied that no negative impact upon any protected social groups has been identified.

In addition, the highway schemes aim to maximise public access by being fully disability and dementia friendly and compliant, with plans to consult and engage all relevant stakeholder groups throughout the design process.

7.2 SUSTAINABILITY IMPLICATIONS

The improvements to the junctions described in this report will support the future housing requirements of the District.

Improvements to the traffic flow on the outer ring road will assist in reducing the level of harmful pollutant emissions from vehicles at these junctions.

Introduction of dedicated cycle facilities will assist in encouraging greater use of cycling by providing a safe route for cyclists.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

A high level assessment of the impact of the corridor investment programme schemes on air quality was undertaken in preparation of the Outline Business Case for the project. This assessment indicated that the delivery of these schemes will have a beneficial impact on air quality in the vicinity of the junction.

As part of the development of the Full Business Case for this scheme a robust assessment of the schemes impact on greenhouse gas emissions, and other air quality contaminants, will be undertaken to provide quantifiable benefits. This assessment will be incorporated into the Full Business Case submission to the West Yorkshire Combined Authority.

7.4 COMMUNITY SAFETY IMPLICATIONS

The scheme will facilitate the introduction of safe pedestrian and cycling facilities on this corridor as well as improving street lighting and providing other environmental improvements. These will have a beneficial impact on Community Safety.

7.5 HUMAN RIGHTS ACT

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way that is incompatible with the “European Convention on Human Rights”. Various Convention rights are likely to be relevant to the individual Compulsory Purchase Orders, including –

- a) **Entitlement to a fair and public hearing** in the determination of a person's civil and political rights (Convention Article 6) - this includes property rights and can include opportunities to be heard in the consultation process.

- b) Rights to respect for private and family life and home** (Convention Article 8)
 - Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest.
- c) Peaceful enjoyment of possessions** (First Protocol Article 1) - This right includes the right to peaceful enjoyment of property and is subject to the Council's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.
- d) Right to life** - in respect of which the likely health impacts of the highway schemes will need to be taken into account in evaluating the scheme (Conversion Article 2).

The European Court has recognised that "*regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole*". Both public and private interests are to be taken into account in the exercise of the Council's compulsory purchase powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate. If compulsory purchase powers are required, project officers are of the view that in pursuing a CPO, careful consideration has been given to the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the redevelopment scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the compulsory purchase national compensation code.

Project officers therefore believe that each highway junction improvement scheme is in the public interest and that the works associated with each scheme outweighs any harm that may be caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for each scheme. That any interference with any human rights protected by the Human Rights Act 1998 and the "European Convention on Human Rights" is considered to be justifiable in order to secure the public benefits that the schemes will bring to the community and wider area."

7.6 TRADE UNION IMPLICATIONS

There are no trade union implications associated with the subject of this report.

7.7 WARD IMPLICATIONS

A briefing note has been circulated to Ward members to make them aware of the proposals.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

Not applicable.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

There are no corporate parenting issues associated with the subject of this report.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

There are no issues arising from the privacy impact assessment of the subject of this report.

7.11 NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1 The options presented for Executive's consideration are as follows:

- a) The Council can make a CPO for each scheme whilst continuing to explore whether land needed to support the individual schemes can be acquired by voluntary means and if not, to use compulsory purchase powers as a last resort; or
- b) The Executive can determine not to authorise the use of the Council's compulsory purchase powers to acquire the scheme land and instead to continue to rely on voluntary negotiations, notwithstanding that there is at present, little indication of all the land needed being able to be acquired by voluntary treaty.

9.2 In order to ensure achievement of the current construction programme there are three options for consideration of the delivery strategy to deal with the risk highlighted in paragraph 5.4 of this report:

- a) To delegate the consideration of any objections received to advertised traffic regulation orders to the Strategic Director of Place in consultation with the Portfolio Holder. This option would:
 - Provide a more streamlined approach to consideration of objections ensuring that oversight of the strategic transport improvements of the scheme are balanced with local concerns.
 - Ensure that current budget and programmes can be fully adhered to in relation to delivery of this project.
 - However, such an approach would remove the opportunity of objectors to present their reasons for objection to the decision makers.
- b) To have any objections received to the advertised traffic regulation orders brought back to Executive for consideration. This option would:
 - Afford objectors the ability to make verbal representation to members of

Executive in relation to their concerns about the traffic regulation orders proposed.

- Ensure that decisions taken are cognizant of the strategic transport infrastructure nature of the project and that decisions are taken with due regard to their implications in relation to project budget and programme constraints.
- c) To maintain the existing arrangements and have the consideration of any objections considered by the relevant Area Committee. This option would:
- Afford objectors the ability to make verbal representations to members of the Area Committee in relation to their concerns.
 - It would however potentially increase the opportunity for the committee in trying to mitigate or resolve objections to adversely affect the delivery programme and budget of the project.

10. RECOMMENDATIONS

That the Executive approve the following recommendations -

- 10.1 That the Executive is satisfied that the schemes referred to in this report, being part of the Council's Corridor Improvement Programme, are in the public interest and that any harm caused by the use of compulsory purchase powers to acquire and interfere with third party land and rights needed for the scheme is outweighed by the public benefits which the improvement schemes will generate, having also taken into account at this stage, the Council's statutory obligations under the Equality Act 2010 in relation to the differential impact a Compulsory Purchase Order might have on various groups of persons with protected different characteristics;
- 10.2. That in principle a Compulsory Purchase Order to be made for each of the following schemes -
- a) The City of Bradford Metropolitan District Council (Great Horton Road and Horton Grange Road, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shown shaded pink on Plan A annexed hereto;
 - b) The City of Bradford Metropolitan District Council (Thornton Road and Cemetery Road, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shown shaded pink on Plan B annexed hereto;
 - c) The City of Bradford Metropolitan District Council (Toller Lane and Whetley Hill, Bradford) (Highway Junction Improvement Scheme) Compulsory Purchase Order 2019, in respect of the land shaded pink on Plan C annexed hereto

pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and section 40 of the Road Traffic Regulation Act 1984 and under section 2 of the Acquisition of Land Act 1981 for the purpose of relieving or preventing congestion of traffic by providing off-street parking places, together with means of entrance to and egress from them and section 1 of the Localism Act 2011 and all other relevant and enabling powers to secure the compulsory acquisition of the land and buildings shown shaded pink on the plans annexed hereto, relating to the three highway improvement schemes, described above.

10.3 That delegated authority be given to the Strategic Director: Place in consultation with the Portfolio Holder for Regeneration, Planning and Transport to -

- a) Make a final decision on whether Compulsory Purchase Orders should be made in respect of each of the proposed highway schemes outlined above, provided that the Strategic Director: Place and the Portfolio Holder for Regeneration, Planning and Transport are both satisfied that
- that there are or are likely to be no planning obstacles to the implementation and completion of each of the highway schemes;
 - that there is or is likely to be available sufficient funds to meet all costs associated with an individual highway scheme;
 - that there is little or no prospect of all the land needed for each of the individual highway schemes being acquired by voluntary negotiations;
 - that due regard has been given to compliance with all relevant human rights and public sector equality requirements in the formulation of an individual highway scheme and in conducting negotiations;
 - that there are no impediments to the implementation and completion of an individual scheme; and
 - that an individual scheme is in the public interest and can be justified on highway management grounds.
- b) Determine the exact power to make the aforementioned Compulsory Purchase Orders and if necessary to make minor or technical amendments to each Compulsory Purchase Order.
- c) Modify and settle for each highway junction improvement scheme, the draft “Statement” to justify the use of compulsory purchase powers, the Compulsory Purchase Order Map and Schedule and all other legal documentation necessary to support and accompany each of the Compulsory Purchase Orders to the Secretary of State for Transport for confirmation;
- d) Approve agreements with landowners setting out the terms for withdrawal of any objections to the Compulsory Purchase Orders, including where appropriate, seeking exclusion of land from the Compulsory Purchase Orders;

- e) Confirm the Compulsory Purchase Orders, if satisfied that it is appropriate to do so, in the event that the Secretary of State for Transport notifies the Council that the Council has been given the power to confirm any of the Compulsory Purchase Orders;
 - f) Promote any modifications to the Compulsory Purchase Orders, if expedient to do so;
 - g) Take all and any necessary action, as the case may be to continue or open negotiations with persons for the acquisition of land and to facilitate each of the individual highway junction improvement schemes and any other interests included in the Compulsory Purchase Orders and any other land needed for the schemes and to authorise acquisitions by agreement where the use of compulsory purchase powers is in contemplation and to approve the purchase price, advance payments and all other compensation payments;
 - h) Take all necessary steps in relation to any statutory blight proceedings instituted against the Council for the acquisition of land claimed to be blighted by the threat or presence of the Compulsory Purchase Orders;
 - i) Take all necessary action, should the quantum of compensation flowing from the threat or use of compulsory purchase powers be in dispute and be referred to the Upper Tribunal (Lands Chamber) or other form of arbitration; and
 - j) To take and do all things necessary or incidental to the implementation of the above resolutions;
- 10.4 That Executive confirms that all land acquired for the highway improvement schemes be held for highway purposes.
- 10.5 That Executive delegate consideration of any objections to the associated traffic regulation orders to the Strategic Director of Place in consultation with the Portfolio Holder.

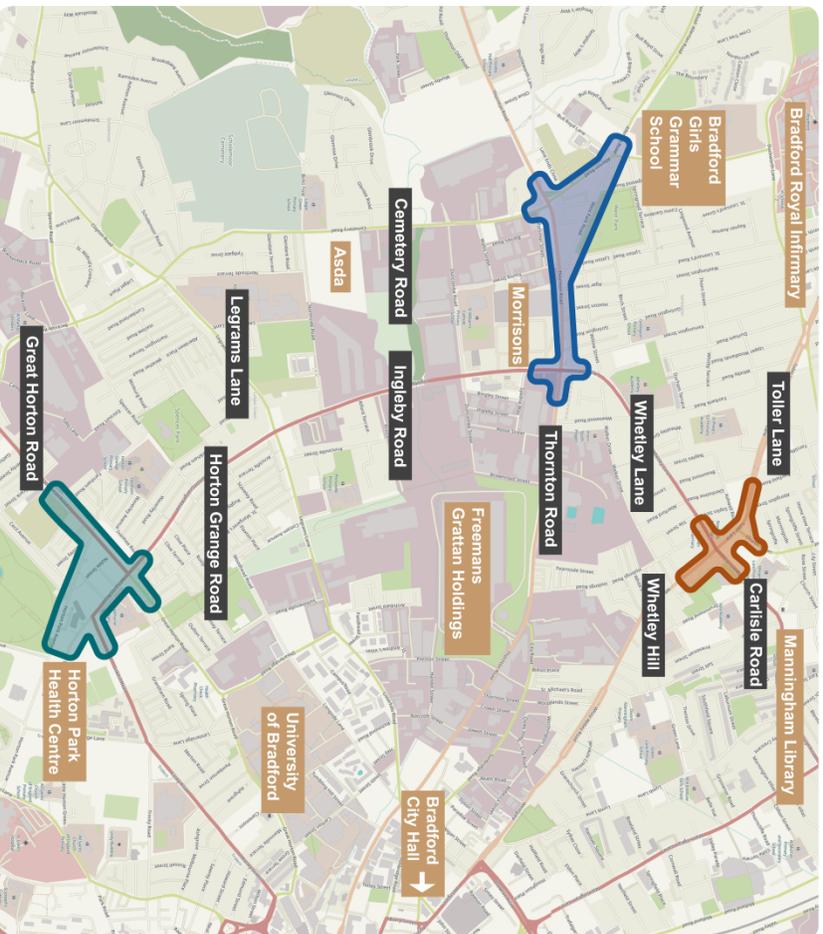
11. APPENDICES

- 11.1 Appendix 1 – Scheme proposals.
- 11.2 Appendix 2 - Drg Nos: PTH/HS/103886/CPO-1A, PTH/HS/103813/CPO-2A, PTH/HS/103813/CPO3A.

12. BACKGROUND DOCUMENTS

- 12.1 Scheme File – 103813
- 12.2 Scheme File – 103886
- 12.3 West Yorkshire Combined Authority Outline Business Case submission – Corridor

West Bradford Junctions Improvement Scheme



Bradford Council, in partnership with the West Yorkshire Combined Authority, is looking to make improvements to three junctions, in order to reduce congestion for the benefit of all road users.

Collectively, the schemes focus on bringing improvements to the A6177 Outer Ring Road to the west of Bradford.

Improvements are proposed at the following junctions:

- Toller Lane / Whetley Hill**
- Thornton Road / Cemetery Road**
- Great Horton Road / Horton Grange Road**

The improvements are designed to be low to medium cost with an emphasis on reducing journey times and improving accessibility and connections with economic growth and housing sites. The improvements will be funded through the Corridor Improvement Programme and will be deliverable in the shorter term. The combined budget to deliver the schemes is £14 million (subject to approval by the West Yorkshire Combined Authority).

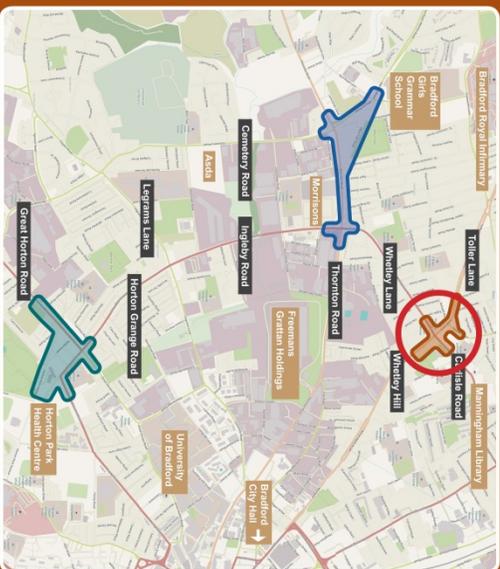
WEBSITE: yourvoice.westyorks-ca.gov.uk/westbradford

EMAIL: yourvoice@westyorks-ca.gov.uk

Have your say by 29 March 2019

Toller Lane / Whetley Hill Junction

West Bradford Junctions Improvement Scheme



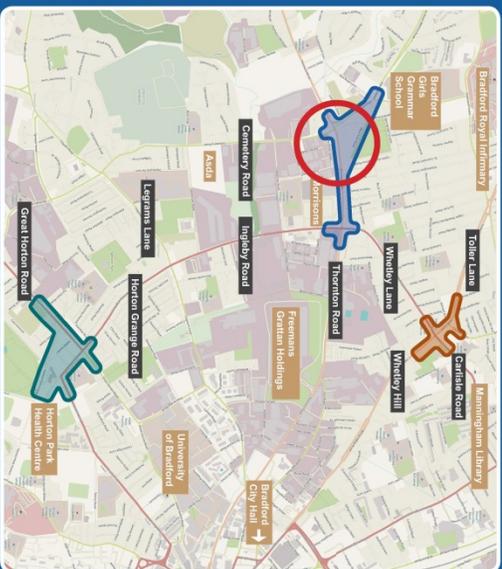
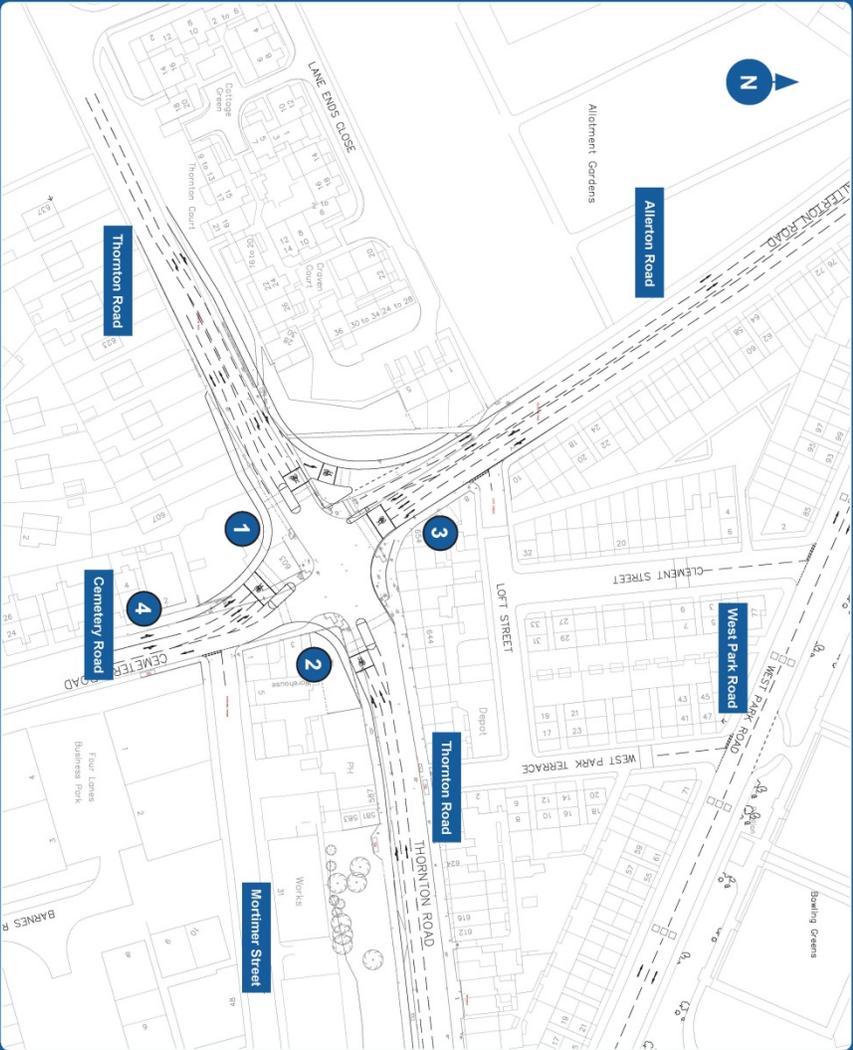
Toller Lane / Whetley Hill

- 1 Two lane approaches to junction on A6177
 - 2 Dedicated left turns from A6177
 - 3 Two lanes in both directions on Toller Lane from the Carisle Road junction to existing dual carriageway
 - 4 Widen out approaches on Toller Lane and Whetley Hill to provide a short right turn
- You can view the plans and feedback online at:
yourvoice.westyorks-ca.gov.uk/westbradford



Thornton Road / Cemetery Road Junction

West Bradford Junctions Improvement Scheme



Thornton Road / Cemetery Road

- 1 Formalise right turn lane inbound on Thornton Road into Cemetery Road
- 2 Widen westbound direction on Thornton Road to have two lanes from the A6177
- 3 Two lane approach on Allerton Road
- 4 Two lanes north on Cemetery Road approach and two lanes on Allerton Road exit

You can view the plans and feedback online at:
yourvoice.westyorks-ca.gov.uk/westbradford

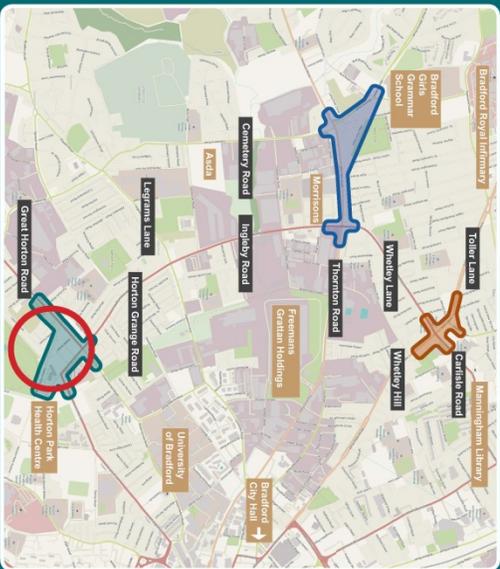
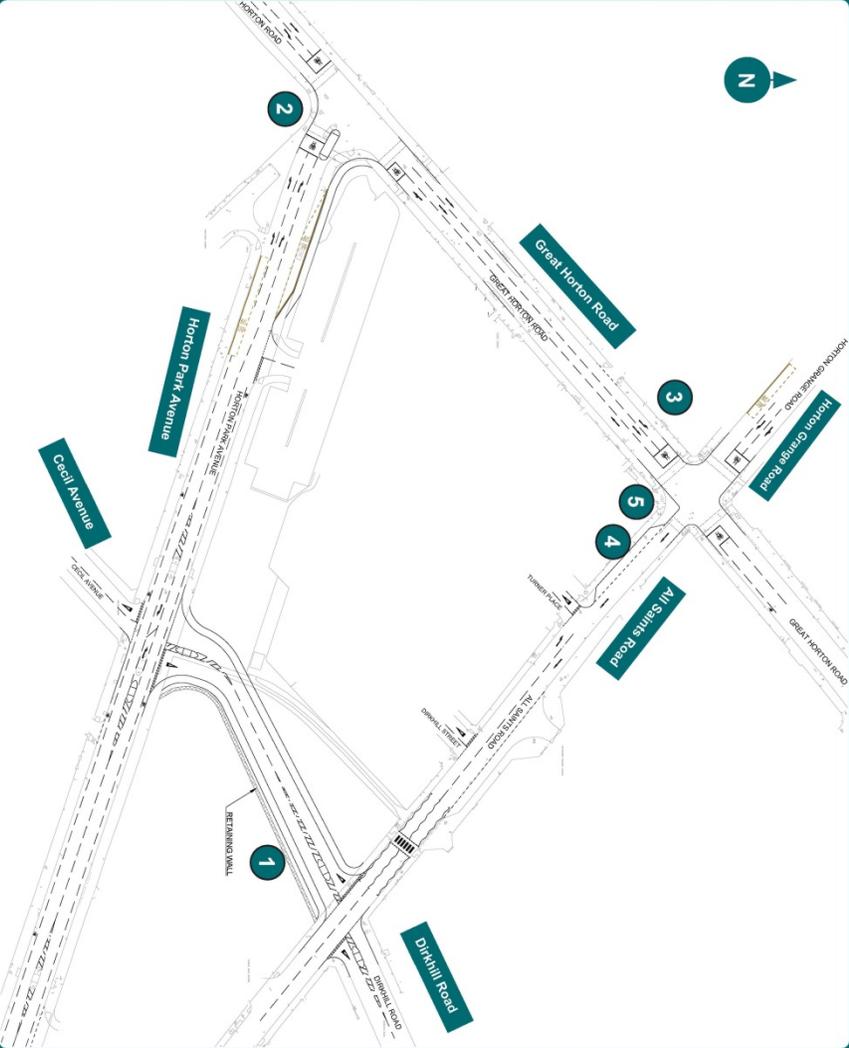


Supported by

Working in partnership with the

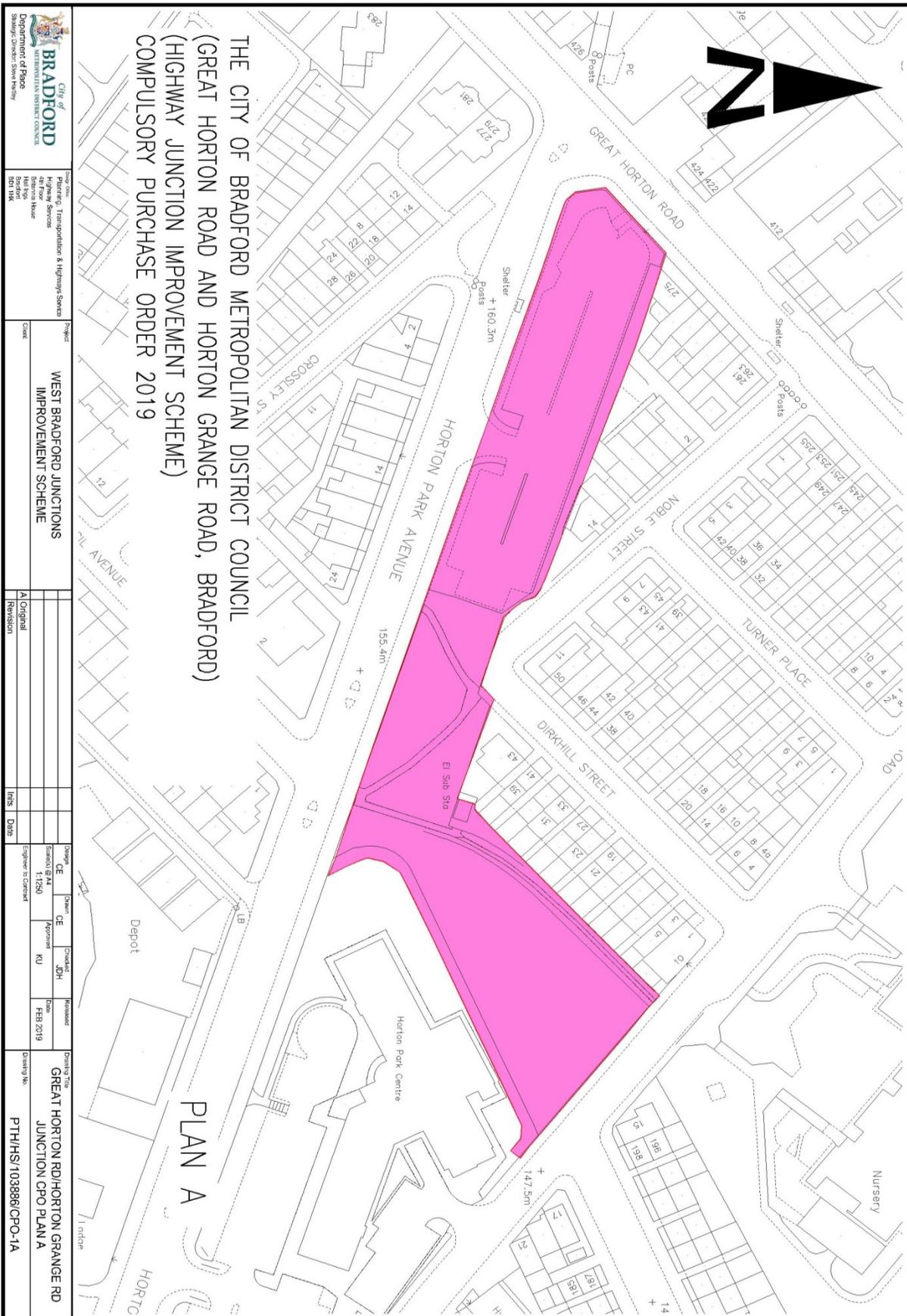
Great Horton Road / Horton Grange Road Junction

West Bradford Junctions Improvement Scheme



- Great Horton Road / Horton Grange Road**
- 1 New road between Horton Park Avenue / Cecil Avenue junction and All Saints Road / Dirkhill Road junction, with priority junctions at both ends
 - 2 Signalise Great Horton Road / Horton Park Avenue junction
 - 3 Provide two lanes inbound to the junction of Great Horton Road / Horton Grange Road / All Saints Road
 - 4 Make All Saints Road one-way southbound between Great Horton Road and Turner Place
 - 5 Prevent right turn from Great Horton Road into All Saints Road
- You can view the plans and feedback online at: yourvoice.westyorks-ca.gov.uk/westbradford





 City of Bradford METROPOLITAN DISTRICT COUNCIL Department of Place Strategic Director Steve Parry	Planning, Transportation & Highways Services Highway Services Highways Highways Highways Highways Highways	Project WEST BRADFORD JUNCTIONS IMPROVEMENT SCHEME	Contract A Original Revision	Date 11/25/20 Approved to Contract	Designer CE Checked CE Approved KU FEB 2019	Drawing No. GREAT HORTON RD/HORTON GRANGE RD JUNCTION CPO PLAN A



Report of the Strategic Director of Place to the meeting of The Executive Committee to be held on 2nd April 2019.

Subject:

BG

**Introduction of Fixed Penalty Notices for Householder's Duty of Care
Offences**

Summary statement:

The Executive is asked to approve new enforcement powers in relation to S34 (2A) of the Environmental Protection Act 1990, known as the Householder's Duty of Care.

Steve Hartley
Strategic Director

Portfolio:

Healthy People & Places

Report Contact: Amjad Ishaq
Environmental Services & Enforcement
Manager
Phone: (01274) 433682
E-mail: amjad.ishaq@bradford.gov.uk

Overview & Scrutiny Area:

Regeneration & Environment

1. SUMMARY

The Executive is asked to approve the introduction of a new Fixed Penalty Notice (FPN) for offences committed under section 34 (2A) of the Environmental Protection Act 1990, known as the Householder's Duty of Care

2. BACKGROUND

2.1 Nationally there has been a year on year increase in fly tipping offences. Over a third of the waste involved in illegal fly-tipping is from households, resulting in waste crime costing the UK economy around £600 million every year, according to The Environment Agency.

2.2 The Householder's Duty of Care under section 34 (2A) of the Environmental Protection Act 1990 requires occupiers of a domestic property to take all reasonable measures available to them to ensure that they only transfer household waste to an authorised person. This includes:

- Details of the business and of any vehicle used which can be linked to an authorised operator;
- A record of the operator's registration or permit;
- A receipt for the transaction which includes the business details of a registered operator;
- A copy of the carrier's waste licence or site's permit.

2.3 If an unauthorised waste carrier is found to be carrying waste and/or the waste is subsequently fly tipped and can be directly linked back to the householder, the householder has committed an offence under the Householder Duty of Care (if the householder cannot demonstrate that they took the above-mentioned reasonable measures).

Changes in the law mean that householders are being held more accountable for their household waste and where it ends up. If householders are found to have disposed of waste with someone who is going to illegally dispose of it, they can be prosecuted or now be offered a Fixed Penalty Notice (FPN).

2.4 Prior to 2019 the only options open to the Council were to prosecute or offer formal cautions for householder duty of care offences. Between 2017 and 2018 there were 2 prosecutions brought by the Council and 8 formal cautions issued.

However, prosecutions are costly for the Council and for the Courts, and also result in householders being left with a criminal record. Having the option of a FPN can avoid unnecessary criminal prosecutions, reduce costs, and be more effective at changing behaviour. It is hoped that these changes will encourage householders to think about who is collecting their waste and where it will end up.

2.5 Fly tipping investigations of household waste have identified an increasing trend amongst unlicensed waste operators who are now targeting householders via social media, local advertising and door-to-door sales pitches. They tempt people with cheap prices for the removal of large items of waste, including furniture, building waste and white goods, which inevitably end up dumped on highways or land.

It is often the householder that unwittingly finds themselves the victim of unscrupulous waste carriers who have charged householders for taking waste away only to dump it in a lay-by. These traders rely on householders not asking questions as to whether or not they are registered to carry and dispose of waste.

3. OTHER CONSIDERATIONS

- 3.1 On 7th January 2019 the Environmental Protection (Misc Amendments) (E&W) Regs 2018 came into effect allowing for a FPN to be issued for Householder Duty of Care Offences as an alternative to prosecution.
- 3.2 The level of the fine should be set within the limits set out in legislation, ranging from £150 to £400. If the Council can't determine a level the default level is £200. Councils can offer an early payment discount and the minimum discounted penalty is £120.
- 3.3 Consultations with other regional Local Authorities have determined the following levels set by each Council:

Local Authority	FPN – level of fine
Doncaster	£250 fixed – no discount for early payment
Sheffield	£250 fixed – no discount for early payment
Kirklees	£250 reduced to £200 for early payment
East Riding	£250 fixed – no discount for early payment
Craven	£250 reduced to £150 for early payment
York	£250 reduced to £150 for early payment
Leeds	£250 reduced to £200 for early payment

- 3.4 In Bradford it is proposed that the Council set the householders duty of care fixed penalty at £250 reduced to £200 for early payment.
- 3.5 The rationale for this proposed level is that on average it costs the Council's Cleansing Service approximately £200 for removing waste arising from householder duty of care offences.
- 3.6 The FPN will allow householders to discharge their liability for the offence by payment of the FPN, however the Council will prosecute where payments are not made.
- 3.7 As an alternative to issuing a FPN the Council will reserve the right to prosecute offenders or issue formal cautions as appropriate.
- 3.8 Before the introduction of the FPN, it is proposed that an extensive media campaign will be held to raise awareness of the new FPN. This will involve liaising with the Councils Marketing & Communications team to use the existing allocated budget to develop material designed to increase awareness around responsible disposal of household waste and reducing fly tipping. In addition existing social media such as

the Councils Facebook page and Bradford Council website will be used to promote these messages.

- 3.9 The Council are members of the Keep Britain Tidy (KBT) group and as such will have access to KBT posters and campaign material at discounted cost.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 It is hoped that through targeted educational advertising and marketing campaigns the Council can raise public awareness of the issues, effects, pitfalls and possible criminal outcomes of unknowingly providing an unlicensed waste carrier with their household waste that later becomes fly-tipped across the Bradford District.
- 4.2 Issuing a FPN as an alternative to prosecution or formal cautions will save considerable Officer time. Income received from payments will be retained by the Council and will offset the costs of removing the waste as well as increasing awareness. The FPN will allow householders to discharge their liability for the offence by payment of the FPN, however the Council will prosecute where payments are not made.
- 4.3 The introduction of the FPN as an option to deal with Householder Duty of Care offences will not have an impact on existing resources within the Environmental Enforcement Team.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no risk management and governance issues apparent within the context of this report

6. LEGAL APPRAISAL

The Council has a responsibility to investigate, clean up and take appropriate enforcement action in relation to fly tips on public land including public roads and highways. The Council will also investigate fly-tips on private land and take appropriate enforcement action where evidence is found.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

There are no equality and diversity implications apparent within the context of the report.

7.2 SUSTAINABILITY IMPLICATIONS

Preventing fly tipping contributes positively towards the sustainable agenda.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

The content of the report does not have a negative climate change impact. If fly tipping is reduced there will be a carbon saving from less vehicle and miles needed to remove fly tipped waste.

7.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications.

7.5 HUMAN RIGHTS ACT

There are no known Human Rights Act implications.

7.6 TRADE UNION

There are no staffing implications arising from this report.

7.7 WARD IMPLICATIONS

Enforcement action would take place across the district and all Wards would be covered under the new legislation. This will hopefully help to reduce the amount of fly tipping across the district, when applied as part of a wider Environmental Enforcement strategy.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 Implications for Corporate Parenting

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None as data will be processed on the basis of legal obligations

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

Option 1

The Executive may determine to adopt the new powers, enabling Fixed Penalty Notices to be issued for Householder Duty of Care offences as appropriate.

Should The Executive determine to adopt the legislation, it will need to provide

guidance on the level for the preferred fixed penalty and any concession for early payment, in accordance with the information contained in paragraph 3.2.

Option 2

The Executive may determine not to seek the adoption of the new powers that allow Fixed Penalty Notices to be issued for Householder Duty of Care offences.

10. RECOMMENDATIONS

That the new powers to issue Fixed Penalty Notices for Householder Duty of care offences under S34 (2A) of the Environmental Protection Act 1990 be adopted and that the level of fine is set at the maximum of £250, reduced to £200 for early payment.

11. APPENDICES

None

12. BACKGROUND DOCUMENTS

None



Report of the Interim Strategic Director of Children's Services to the meeting of Executive to be held on 2 April 2019

Subject:

BH

Ofsted Monitoring Visit – 6th and 7 March 2019

Summary statement:

Following Ofsted's Inspection of Children's Social Care Services from the 17th to 28th September 2018, the first of a series of Monitoring Visits took place on the 6th and 7th March 2019.

The focus of the Monitoring Visit was on the Front Door looking at contacts and referrals, child protection enquiries, step-up from and step-down to early help and no further action/sign-posting.

The findings will be available from 29th March 2019. This is the only Monitoring Visit letter that will not be published by Ofsted.

Gladys Rhodes White
Interim Strategic Director of Children's Services

Portfolio:

Children and Families

Report Contact: Gladys Rhodes White
Phone: (01274) 431266
E-mail: Gladys.Rhodes.White@bradford.gov.uk

Overview & Scrutiny Area:

Children's Services

1. SUMMARY

- 1.1 Following Ofsted's Inspection of Children's Social Care Services from the 17th to 28th September 2018, the first of a series of Monitoring Visits took place on the 6th and 7th March 2019.
- 1.2 The focus of the Monitoring Visit was on the Front Door looking at contacts and referrals, child protection enquiries, step-up from and step-down to early help and no further action/sign-posting.
- 1.3 The findings will be available from 29th March 2019. This is the only Monitoring Visit letter that will not be published by Ofsted.

2. BACKGROUND

2.1 Areas Covered in the Visit

Inspectors reviewed the progress made in relation to the Front Door, as well as the effectiveness of the manager oversight of the service, and the response to young people age 16-17 years old when they present as homeless.

The visit looked at electronic case records, observation of contact advisors, the multi-agency safeguarding hub (MASH) social workers, performance management information, case file audits and other information provided by senior managers.

2.2 Summary of Findings

- The Authority has started to make positive progress in improving its front door services with better screening of contacts, consent is better managed although there is still variability. Staff are embracing new ways of doing things.
- The interim Strategic Director and her leadership team have swiftly reached a good understanding of the scale and depth of inadequacies. A MASH Strategic Board with partners has been established and has demonstrated improvement in some activity at the front door. The improvement plan addresses the areas of improvement identified but would benefit from a greater focus on outcomes for children and young people.
- Homeless young people age 16-17 years-old who present to the council for help and support do not receive a good service. Improvements identified at the last inspection have not been progressed to meet the needs of these young people.
- The Children's Initial Contact Point is the first point of contact and contacts are screened promptly. The placement of a social worker in the team has strengthened the initial screening/consent for a referral.
- Cases sampled in the MASH demonstrated that thresholds are being applied appropriately. While there has been improvement in the level of screening which is now proportionate to the level of risk and need, decision making on some contacts goes out of the expected timescale for screening.

- The early help gateway has been co-located to the MASH and the process of a full integration with the service has been initiated. Staff have said they can see the benefits of co-location in improved communication and manager oversight.
- Early help triage is supported by a risk assessment methodology to determine the right service to meet the needs of the child and family. Contacts are appropriately sent to social care to be screened by the MASH when they are considered to require a social work service.
- When concerns or risks are heightened appropriate decisions are made to escalate for a social work assessment or a strategy meeting to consider whether child protection enquiries are required. Strategy meetings are well attended which promotes appropriate decision-making. Some delays in the completion of child protection enquiries due to basic checks and seeking of consent. The rationale for decision making is not always clearly recorded and not based on a sufficiently detailed outcome assessment.
- Interpreters are appropriately used for parents whose first language is not English, but this is not consistently the case for children. Children are seen and spoken to during child protection enquiries. There is little observation of their presentation and their views are limited to their current circumstances rather than ascertaining their wider lived experience. There is no evidence of social workers using direct work tools to aid communication. This means the ambition to improve the voice of the child has not yet been realised in the early stages of the child protection process.
- Safety planning agreed at strategy meetings identify basic protective actions but there is an over-emphasis on the parent to safeguard. This is a missed opportunity to consider the role of other professionals and the families wider support networks to develop comprehensive safety plans.
- The Interim Strategic Director is uncompromising in challenging practice within social care and across the partnership when it falls below expected standards or where practice has not been compliant. This has resulted in social work managers having more confidence to reassert their lead role. Police partners in the MASH report that it has been the strength of the relationships in the multi-agency hub which has enabled them to embrace the changes required to support the improvement plan.
- Domestic abuse contacts are considered by experienced and knowledgeable social workers which provides sensitive handling and timely response to referrals where domestic abuse features.
- In terms of young people who present as homeless, there are delays in assessing the needs of these young people and their right to become looked after is not explained or explored with them. The temporary accommodation arrangements offered are short term and not suitable, using bed and breakfast and adult hostels which leads to further exposure to risk.

- Improved data is enabling monitoring of service effectiveness, driving improvements and forward planning. More work needed to enable live data collection.
- Senior leaders understand the importance of having a robust programme of quality assurance. This is highlighted by a broad programme of auditing and dip sampling activity of the front door. More work needed to develop the skill base of auditors and auditing practice. Recognition that auditing is more meaningful for learning and in understanding quality when done with social workers and this will be developed. Use of moderation is good practice and provides additional checks and balances whilst consistency of approach is achieved.
- The auditing programme has enabled progress tracking of developments in social work practice, clearly identifying in December 2018 that the improvement plan had not yet brought about the necessary change to ensure children were safe. By February 2019, audits had identified that progress was now being made. Senior managers under the leadership of the Interim Strategic Director understand the service well and are clear about what is required to improve the quality and consistency of practice.
- Council leaders are fully committed to supporting the necessary changes so children receive good quality services. There has been significant financial investment, facilitating an uplift in social work salaries, retention payments and an increase in the social work establishment. Social workers are being supported in their learning and development and are fully engaged and enthusiastic about the change programme.

3. OTHER CONSIDERATIONS

- 3.1 The Interim Strategic Director of Children's Services and members of her leadership team will continue to work on the improvement journey and implement the actions in the Improvement Plan.
- 3.2 This report has not been included on the published forward plan as an issue for consideration however as the inspection took place on the 6th and 7th March and the draft letter was not received until the 14th March. As it is impractical to defer the decision until it has been included in the published Forward Plan the report is submitted in accordance with paragraph 10 of the Executive Procedure Rules set out in the Council's Constitution.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 Additional resources have been secured to support the improvement journey, including additional Social Workers to help reduce the demand and manage down the caseloads.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 The Children's Social Care Improvement Board has been set up to ensure that timely and effective responses are made to all Ofsted's recommendations and DFE

required improvements. The Board focuses on outcomes for children and provides the drive and focus to ensure that necessary improvements are achieved and evidenced.

6. LEGAL APPRAISAL

- 6.1 The inspection in September 2018 was undertaken under the new Framework, Evaluation Criteria and Inspector Guidance for the Inspections of Local Authority Children's Services (ILACS). This contains provisions regarding actions to be taken after an inadequate inspection report. These include monitoring by Ofsted including an action planning visit, quarterly monitoring visits and a re-inspection, and also an action plan prepared by the local authority within 70 days of receiving the report.

On 4 December 2018, following the Secretary of State's decision to take a non-statutory approach in Bradford's case, the DFE issued an Improvement notice to the council, requiring the council to take a number of actions to address all areas of improvement identified in the Ofsted report. The notice also provides for DFE reviews of progress against the improvement agenda.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

None.

7.2 SUSTAINABILITY IMPLICATIONS

Not applicable.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Not applicable.

7.4 COMMUNITY SAFETY IMPLICATIONS

Not applicable.

7.5 HUMAN RIGHTS ACT

Not applicable.

7.6 TRADE UNION

Ongoing consultation with the trade unions around social work grade uplift and case loads continue between senior leaders within the service and trade union representatives.

7.7 WARD IMPLICATIONS

The Improvement Notice and Improvement Plan affect all Wards, due to the Inadequate Judgement.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

In addition to the above improvements around the front door, further areas of improvement are also necessary, including services to children in care, subject to permanency plans, our fostering and residential services and children leaving care all of which sits under Corporate Parenting responsibilities.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None; both the Notice to Improve and Ofsted report have been published on their respective websites and are therefore in the public domain.

8. NOT FOR PUBLICATION DOCUMENTS

- 8.1 Appendix 1 of this Report is embargoed and therefore not for publication.
- 8.2 Appendix 1 Ofsted Report of Monitoring Visit – 6th and 7th March 2019 contains confidential information as defined by section 100A of the Local Government Act 1972 – Government restriction. The letter was given to the Local Authority by Ofsted upon terms which forbid the disclosure of the letter to the public until after 29 March 2019.

9. OPTIONS

- 9.1 Not applicable.

10. RECOMMENDATIONS

- 10.1 The Committee is asked to note the contents of this report.

11. APPENDICES

- 11.1 Not for Publication Appendix 1 – Ofsted Report of Monitoring Visit – 6th and 7th March 2019.

12. BACKGROUND DOCUMENTS

- 12.1 None.