

## Minutes of a meeting of the Corporate Overview and Scrutiny Committee held on Thursday, 11 April 2019 in Committee Room 1 - City Hall, Bradford

Commenced 5.30 pm  
Concluded 7.50 pm

### Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Azam Duffy Green Watson	Cooke Hargreaves M Smith	J Sunderland

Apologies: Councillor Cath Bacon and Councillor Kamran Hussain

### Councillor Azam in the Chair

#### 71. DISCLOSURES OF INTEREST

In the interest of transparency Councillors Duffy and Hargreaves declared an interest in the item relating to West Yorkshire Joint Services (Minute 76) as they were Council appointed Members.

***ACTION: City Solicitor***

#### 72. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

#### 73. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

No referrals had been made to this Committee up to and including the date of publication of this agenda.

#### 74. CHAIR'S OPENING REMARKS

The Chair stated that this was the last meeting for Councillors Cooke and Martin Smith as they will be retiring from the Council at the end of this Municipal Year, and on behalf of the Committee he thanked them for their hard work and dedication and contribution to the work of this Committee.

#### 75. EXCLUSION OF THE PUBLIC

**Resolved –**

**That the public be excluded from the meeting during the discussion of the Not for Publication Appendices relating to the Operation of West Yorkshire Joint Services on the grounds that it is likely, in view of the nature of the proceedings, that if they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

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

#### 76. OPERATION OF WEST YORKSHIRE JOINT SERVICES

The Director of West Yorkshire Joint Services submitted a report (**Document “AK” which contained Not for Publication Appendices 1-3**) which provided members with an overview of the operation of West Yorkshire Joint Services.

The Director of West Yorkshire Joint Services was present at the meeting and gave a resume of their activities which included Trading Standards, Archives Archaeology Advisory Service, Ecology service, Calibration Service, Materials Testing Service, Archaeological Services and Analytical Services.

Each of the five districts provided funding to the Joint Committee based on its population as a proportion of the whole of West Yorkshire. The budget was set by the Committee annually, following consultation with the Leaders. As local authority budgets had become more constrained, WYJS had been required to make budget reductions. In 2013 an interim Director was brought in to review the organisation and there followed a substantial change programme that reduced LA contributions by £1m over 2 years and changed the operating model to make it leaner and more focused on delivery impact.

In summer 2018 a review was undertaken of the viability of WYJS due to the

anticipated low level of reserves from 2019/20 onwards and a concern that falling income levels in some areas would lead to an inability to meet the budget strategy in year.

A further more comprehensive review of WYJS is now being undertaken to consider a longer term sustainable delivery model. The terms of reference of the review group are to establish a sustainable model for the future delivery of the services provided by WYJS as well as determining the efficacy of the statutory services.

In the ensuing debate, discussion Members asked a number of questions around the information contained in the Not for Publication appendices and following that it was:

**Resolved –**

- (1) That this Committee requests that a report be presented in 6 months time which focuses on the viability of Bradford Council using West Yorkshire Joint Services as an internal provider.**
- (2) That the findings from the comprehensive review of West Yorkshire Joint Services be presented to this Committee prior to a final decision being made.**
- (3) That this Committee requests that the Chief Executive writes to the relevant Minister for HMRC and Trading Standards regarding shared enforcement activity and shared information concerns regarding Trading Standards enforcement action.**

***ACTION: Joint Services / Chief Executive***

**77. QTR. 4 FINANCE POSITION STATEMENT FOR 2018-19**

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

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

The report was also considered at the meeting of the Executive on 2 April 2019.

Officers from the Department of Finance were present at the meeting to give an overview, during which it was stated that on a projection at 28<sup>th</sup> February 2019, the Council was forecasting to underspend the £358.1m net budget by £1.3m. Contained within the underspend there were however a number of significant variances to budget. The overspends were principally in Adult and Children's Social Care and within the Department of Place, the details of the overspend were contained in the report.

The reserves position was also alluded to along with the capital expenditure and the Council Tax and Business Rates collection rates.

During the discussion Members asked a number of questions, the questions together with the responses are detailed below. A number of Strategic Directors and Assistant Directors were present at the meeting to give service specific response to Member's questions:

A Member stated that in setting the budget and forecasting spend within the overall budget it was difficult for residents in the district to understand how the overall forecast between quarter 1 and quarter 4 was so out of sync. In response it was explained that a number of significant factors around additional funding announcements and 1 off monies from Central Government were unknowns and these could only be factored into the budget when the allocations were made. In addition resources that were allocated for redundancy payments were also fluid and resulted in a reduced spend as the anticipated level of redundancies' failed to materialise, and in the end all the different facets of the budget were difficult to forecast, as they were predicated on so many variables.

In response a Member stated that the allocated and unallocated reserves position should be reviewed with a view to funding redundancy payments from the revenue budget. It was acknowledged that going forward the redundancy payments would be included as a separate budget item.

A Member expressed his concerns at the way the general fund was utilised in the context of an overspend /underspend. In response it was clarified that the general fund covered amongst other things capital finance to repay interest loans as well as the West Yorkshire Transport and the West Yorkshire Combined Authority levy.

A Member stressed that it was important that we explained the budget to the wider public in layman's terms.

A Member questioned the £3m overspend on the Bingley Music Live, stating that the weather and lower than anticipated tickets sales had been given as reasons for the overspend. In response the Assistant Director Sports and Leisure stated that although the event was a success a number of factors had contributed to this overspend, which were around reduced tickets sales for the daytime events, although weekend sales tickets remained buoyant; in addition concessions were also down and less income was generated from food and drink sales as a consequence. Due to the unavailability of some of the bands, other bands had to be procured at short notice, resulting in higher costs. Staffing costs had also increased this year as a number of experienced staff familiar with the running of the event had left, and therefore additional staff had to be brought in at short notice, as well as infrastructure costs escalating, as they had been procured later than envisaged.

As a result of the issues faced in hosting Bingley Live, a full review will be

undertaken to establish all the facts and the options to consider in hosting the event in the future.

A Member expressed concern at the spiralling overspend at Hanson School which was now running at £4m, and there was a possibility that if the school sought Academy status, this liability would be transferred to the Local Authority and it was therefore imperative that as a Council we scrutinised this issue as a matter of urgency. In response the Interim Strategic Director Children's Services stated that the Local Authority was working closely with Hanson School to address the issues facing the School and this support would continue to be provided going forward.

A Member queried the £600k overspend on staffing costs in Sports and Leisure and given the sums involved, how this was not factored into the overall budget for the Service. He added that he had been circulated a briefing note following the same concerns he raised at a previous meeting and that it alluded to some staff being on zero hours contract.

In response the Assistant Director Sports and Leisure stated that the Service had been set income targets which had failed to materialise, and that historically there had been efforts to try and bring the budget back on track and the delivery of the new Sedbergh facility would achieve this. In relation to the issue of the zero hours contract, the Assistant Director stated that this was more about terminology, as the service was regularly using casuals to cover certain events as and when required.

A Member stated as a Council we had set ourselves income targets, however these had failed to materialise, and as a Council we should be realistic what we can achieve in this context.

**Resolved –**

- (1) That this Committee requests that a full and detailed report dealing with the financial circumstances relating to the £4m overspend in Hanson School be presented to this Committee early in the new Municipal Year.**
- (2) That this Committee requests that information clarifying the use of zero contracted hours be circulated to Members.**

***ACTION: Strategic Director Corporate Resources (2) / Interim Strategic Director Children's Services (1)***

The Chair of the Corporate Overview and Scrutiny Committee submitted a report (**Document “AM”**) which presented the DRAFT Terms of Reference for the Hate Crime Scrutiny Review.

During the discussion Members suggested that the following additional matters should be included within the draft terms of reference:

- Invite members of the LGBT community and gain their perspective on hate crime; Women’s Groups; young people affected by hate crime; and the Standing Advisory Council for Religious Education.
- Explore hate crime within the learning disability context.
- Look at the possibility of inviting perpetrators of hate crime with a view to understanding some of the context.
- Look at some of the conflicts around hate crime eg transgender community and radical feminism.
- Explore the issue of free speech in the context of hate crime.

**Resolved –**

**That the DRAFT Terms of Reference for the Hate Crime Scrutiny Review be adopted subject to the inclusion of the additional matters suggested by Members.**

***ACTION: Overview and Scrutiny Lead***

**79. DOMESTIC VIOLENCE SCRUTINY REVIEW - DRAFT TERMS OF REFERENCE**

The Chair of the Corporate Overview and Scrutiny Committee submitted a report (**Document “AN”**) which presented the DRAFT Terms of Reference for the Domestic Violence Review.

During the discussion Members suggested that the following additional matters should be included within the draft terms of reference:

Invite Bradford women’s groups including voluntary and 3<sup>rd</sup> Sector groups local, regional and national; Women’s refuges; Rape Crisis; victims and families who may have moved into Bradford from another Local Authority following domestic violence and how they are supported.

**Resolved –**

**That the DRAFT Terms of Reference for the Domestic Violence Scrutiny Review be adopted subject to the inclusion of the additional matters suggested by Members.**

***ACTION: Overview and Scrutiny Lead***

**80. RESOLUTION TRACKING 2018-19**

The Chair of the Corporate Overview and Scrutiny Committee submitted a report (**Document “AO”**) which detailed the progress made against the resolutions passed by the Corporate Overview and Scrutiny Committee, during the 2018-19 Municipal Year.

**Resolved –**

**That Members accepted the recommendations made in the 2018-19 Municipal Year as set out in the resolution tracking report.**

***ACTION: No Action***

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Corporate Overview and Scrutiny Committee.**