

Minutes of a meeting of the Executive held on Tuesday, 9 July 2019 in Committee Room 1 - City Hall, Bradford

Commenced 10.33 am
Concluded 11.55 am

Members of the Executive – Councillors

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

Observers: Councillors Davies, Bibby, Pennington, Poulson and Wainwright

Apologies: Councillor Abdul Jabar

14. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

15. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

16. RECOMMENDATIONS TO THE EXECUTIVE

No recommendations to the Executive were received.

LEADER OF COUNCIL & CORPORATE

(Councillor Hinchcliffe)

17. FINANCE POSITION STATEMENT FOR 2018-19

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

It showed the revenue and capital financial position of the Council at the 31st March 2019. The report provided an update on;

- The year end position of the Council’s revenue budget.

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

The Director of Finance explained that despite challenges a small underspend had been secured. It was noted that the Department of Health and Wellbeing over sent by £4.7m and that steps had been taken to ensure that the overspend did not recur in 2019-20. He added that Children's Services had overspent which had resulted from an increase in the number of Looked After Children and children in permanent arrangements. The Department of Place overspent by £2.7m that had been partly offset by underspends in other parts of the Department. He added that the overall year end underspend of £1.7m had been transferred to reserves. Capital expenditure and Council Tax and Business Rates collection were detailed in the report.

The Leader thanked officers for achieving an underspend at the year end. She added that austerity still affected the District and other areas of the country and called for it to end.

The Children and Families Portfolio Holder thanked officers and referred to the overspend in Children's Services which he stated was not unique to Bradford. He referred to the funding gap and called on the Government to fund Children's Services adequately.

Resolved –

- (1) That the financial position of the Council reported for the year ended 31 March 2019 be noted.**
- (2) That the £789k of better use of budget requests as outlined in Section 3.1 of Appendix 1 to Document "H" be approved.**

ACTION: Director of Finance
 Overview and Scrutiny Committee: Corporate

18. QTR. 1 FINANCE POSITION STATEMENT FOR 2019-20

The Director of Finance submitted a report (**Document "I"**) which provided Members with an overview of the forecast financial position of the Council for 2019-20.

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

The report covered:

- The forecast outturn of the Council's revenue budget including management mitigations where issues had been identified.

- The delivery of 2019-20 approved budget savings plans.
- A statement on the Council's reserves including movements in the first quarter.
- An update on the Capital Investment Plan.
- An update on Council Tax and Business Rates collection.

The Leader noted that in common with other authorities, Children's Services posed the most challenges. She noted that Health and Wellbeing had underspent for the first time in a number of years and congratulated officers in achieving this by demonstrating a firm control of costs and anticipated need.

The Healthy People and Places Portfolio Holder underlined that Adult Social Care and Children's Social Care accounted for 60% of the Council's budget. She referred to the long awaited Social Care Green Paper and called again for it to be published by the Government. She referred to the need for certainty that the authority would have the ability to care for an aging population in the future.

The Leader thanked all staff for the quality of the work they delivered in challenging times.

Resolved –

- (1) That the contents of Document "I" and the actions taken to manage the forecast overspend be noted.**
- (2) That the decision as to how to commit the final surplus from the retained Leeds City Region Business Rates pool as outlined in sections 6.2 to 6.4 to Document "I" be delegated to the Director of Finance in consultation with the Leader of Council and Portfolio Holder.**
- (3) That the following capital expenditure schemes be approved:**
 - (i) £1.9m additional funding to the construction of the new Silsden Primary School. This funding is from additional basic needs grant.**
 - (ii) £0.1m to repair the fencing and complete resurfacing at the Shearbridge Depot to be funded from the general contingency budget.**
 - (iii) £0.039m to purchase new software to upgrade the Council's fleet management and DVLA Licence checking systems. To be funded from the general contingency budget.**
 - (iv) £0.034m to upgrade the electrical systems at Keighley Transfer Loading Station and this will be funded from the general contingency budget.**
 - (v) The commencement of the procurement for the Forster Square scheme which is funded via a grant of £17.3m from the West Yorkshire Combined Authority Transport Fund.**
- (4) That Executive note that the following capital expenditure scheme has now been reviewed by the Project Appraisal Group after approval by Executive in June 2019:**

- (i) **£5.523m for the provision of the Wyke Community SportsHub. This is the first of the schemes in the Sports Pitches Strategy and will be funded by a mixture of capital receipts, grants and corporate resources.**

ACTION: Director of Finance
Overview and Scrutiny Committee: Corporate

19. **MEDIUM TERM FINANCIAL STRATEGY 2020/21 TO 2022/23 AND BEYOND**

The Medium Term Financial Strategy focused on how the Council intended to respond to the forecasted public sector funding reductions as a result of the on-going austerity measures imposed by the Government's spending plans. It set out the approaches and principles the Council would follow to ensure it remained financially viable and delivered on its priorities.

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

The Director of Finance submitted a report (**Document "J"**) which recognised for planning purposes that savings need to be identified of £23.9m in 2020/21 in addition to the £17.4m savings agreed in February 2019. In the following year the gap increased to £26.2m in 2021/22 and then up to £28.9m by 2025/26. This forecast reflected the risks associated with delivering the Council Plan 2017-2021 in particular the challenges of the costs of social care.

The Leader referred to the need make assumptions about future funding and for certainty at a national level. She expressed concern for the future funding of Local Authorities. She stressed that the authority needed to show it was delivering major projects locally. She noted the challenges in predicting the funding gap in the next financial year which would be fed into the budget process.

Resolved –

That having considered the Medium Term Financial Strategy as an assessment of the Council's financial outlook to 2022/23 and beyond, and a framework for it to remain financially viable and deliver sustainable public services in line with its priorities and the principles, that Executive recommends the updated and revised Medium Term Financial Strategy at Appendix 1 to Document "J" be forwarded to Council for approval.

ACTION: City Solicitor for reference to Council
Overview and Scrutiny Committee: Corporate

20. **FULL-YEAR PERFORMANCE REPORT**

The Chief Executive submitted a report (**Document “K”**) which provided a summary of the Council’s performance against its key performance indicators. This report also proposed a set of measures and targets for the 2019/2020 municipal year.

A PowerPoint presentation was made which provided an overview of progress and challenges by outcome area. The report set out a number of targets that it was proposed to remove and new targets that they would be replaced with, together with the reasons for removal and rational for inclusion.

The Education, Employment and Skills Portfolio Holder welcomed the positive achievements outlined in the report. He noted the positive direction of travel in relation to the Good Start, Great Schools performance indicator. He noted that provision had been made in the budget for Special Educational Needs and Disabilities (SEND).

The Leader noted that the gap in attainment had narrowed but that it needed to improve further. She referred to the Better Health, Better Lives performance indicator and noted that wrap around care was being provided for working age adults form 60 to 64 in their own home, rather than placing them in residential care. She added that attention required to be focused in the future on areas where the assessment of current performance was red.

Resolved –

- (1) That the progress against performance metrics outlined in Document “K” be noted.**
- (2) That the new targets outlined in section 4 to Document “K” be approved.**

ACTION: Chief Executive

Overview and Scrutiny Committee: Corporate

**REGENERATION, PLANNING & TRANSPORT
PORTFOLIO**

(Councillor Ross-Shaw)

21. BRADFORD COMMUNITY INFRASTRUCTURE LEVY (CIL) - INVESTMENT OF THE STRATEGIC FUND

The Council had adopted the Bradford Community Infrastructure Levy (CIL), which had now been in place and applied to new development since July 2017. The Strategic Director Place submitted a report (**Document “L”**) which related to the investment of the strategic CIL fund. The purpose of this report was to seek Executive approval for the investment of the CIL Strategic Fund for monies accumulated up until March 2019.

A member attended the meeting and noted that a decision to spend the strategic CIL pot would be delegated to the Strategic Director in consultation with the

Portfolio Holder and asked whether Ward Councillors would be consulted, or whether this would be taken to Overview and Scrutiny Committee. In response the Strategic Director reported that this was a strategic pot of money and a district wide strategic decision would be taken. He confirmed that Section 106 moneys were still in place for specific areas. He added that the report set out the proportion that went to Parish Councils in particular areas.

The member questioned whether there should be consultation with Ward Councillors on spending the strategic pot and the Leader confirmed that where money was being spent in a particular area Ward Councillors would be made aware.

The Regeneration, Transport and Planning Portfolio Holder referred to the infrastructure gap in the district and the need for flexibility to allow for larger scale strategic projects. He was pleased that there would be funding for green infrastructure and biodiversity, however he added that this was relatively small and that there was still a funding gap and noted the need for additional investment from the Government in the future.

Resolved –

(1) That it be agreed that the allocation of the CIL strategic fund as set out in Table 1 and 2 to Document “L” (up to March 2019) be used to contribute to Education, Green infrastructure, recreation and open space and Habitats Mitigation.

(2) That the decision on the spend of the Strategic CIL Pot in Table 1 to Document “L” be delegated to the Strategic Director(Place) in consultation with the Portfolio holder.

ACTION: Strategic Director Place
Overview and Scrutiny Committee: Regeneration and Environment

22. AMENDMENTS TO THE OFF-STREET PARKING PLACES CONSOLIDATION ORDER 2015

The Strategic Director Place submitted a report (**Document “M”**) which set out objections in response to the formal advertisement of amendments to the Off-Street Parking Places Consolidation Order 2015 at car parks in Ilkley (Part A).

Part B of the report requested that any objections received in relation to the amendments to the Off-Street Parking Places Consolidation Order 2015 were considered by Strategic Director of Place in consultation with the Portfolio Holder.

Resolved –

Part A

(1) That the objections received to the Off-Street Parking Places Consolidation Order 2015 be over-ruled and the Order, as shown in Appendix A to Document “M” be implemented.

Part B

- (2) That consideration of objections to the Schedule – Off Street Parking Places, shown in Appendix C to Document “M” be delegated to the Strategic Director Place in consultation with the Portfolio Holder to seal the Order as advertised or make any modifications before implementation.

ACTION: Strategic Director Place

Overview and Scrutiny Committee: Regeneration and Environment

CHILDREN AND FAMILIES PORTFOLIO

(Councillor Farley)

23. PREVENTION AND EARLY HELP ESTATES STRATEGY

On 5th February 2019 Executive gave approval to commence formal consultation into the future use of 41 Children Centre buildings across the District. This decision followed a review into the potential future use of these buildings in order to identify opportunities to make savings that could sustain the additional two year funding provided for the newly formed 0-19 years Prevention and Early Help service

The Consultation process took place between 12th February 2019 and 7th May 2019.

A report was presented to the Executive on 9 June 2019 in respect of 3 of the 41 Children’s Centres which required an urgent decision ahead of the report to this meeting.

The Interim Strategic Director Children’s Services submitted a report (**Document “N”**) which sought approval from the Executive for recommendations based on the outcome of the consultation for 38 of the 41 Children Centres.

The Strategic Director reported that changes had been made to the proposals as a result of the consultation, in response to community and other representation. It was stressed that this was a sustainable way of delivering services with the best use of resources going forward. Confirmation had been received from the Department for Education since the report was written, that there would be no claw back in relation to the 3 centres which would cease to be used.

A member attended the meeting and supported the principle of spending money on services rather than buildings and thanked officers for the consultation. She noted that the consultation document included an intention to provide a minimum of 8 hours per week at delivery sites but that had not been included in Document “N” and asked what assurance could be given for the future. In response it was noted that there was a need to deliver 8 hours of early help in all areas but that it would not all come from Council funding. Hubs would ensure community delivery for example in midwifery. The Leader added that as Sure Start funding no longer existed services had to be delivered in partnership with other agencies.

The Education, Employment and Skills Portfolio Holder added that there would be more settings in the voluntary sector on an ad hoc basis, that it would not be possible to commit to 8 hours per week and that services would be provided as and when needed.

A Ward Councillor attended the meeting and spoke in support of the proposed All Age Community Hub based at the TFD Centre Holmewood.

The Education, Employment and Skills Portfolio Holder referred to the wide and meaningful consultation and noted that responses had been taken into consideration. He commended the proposal for the TFD Centre Holmewood.

Resolved –

- (1) That Option 1 regarding the proposals for the future use of all 38 Children’s Centres as set out in table 2.14 to Document “N” be agreed.**
- (2) That the Strategic Director for Children’s Services progresses the proposal to develop the TFD Centre, Holmewood, an All Age Integrated Family Hub and that a full options appraisal is brought to a future Executive for consideration.**
- (3) That following approval of the recommendations set out above in paragraph 2.14 to Document “N” against each of the individual premises, the Strategic Director Children’s Services in consultation with the Portfolio Holder be given delegated authority to execute all necessary contractual and supporting documents needed to effect the proposals.**

ACTION: Strategic Director Children’s Services
Overview and Scrutiny Committee: Children’s Services

24. OFSTED MONITORING VISIT - 11TH AND 12TH JUNE 2019

Following Ofsted’s Inspection of Children’s Social Care Services from 17 to 28 September 2018, the second of a series of Monitoring Visits took place on the 11 and 12 June 2019. The focus of the Monitoring Visit was around Children in Need and Child Protection.

The Strategic Director Children’s Services submitted a report (**Document “O”**) which set out the findings published by Ofsted, the Ofsted letter was attached as an appendix to Document “O”.

The Strategic Director explained that this was the first Ofsted letter to be published. He added that Ofsted had indicated that the pace of improvement was slow, they continued to challenge management oversight and indicated that the volumes of work being referred to social care by other agencies were too high. He added that Inspectors saw some positive improvements in assessment quality. He added that staff morale was good, that no child was at risk and that managers were aware of the issues raised by Ofsted. He advised that detailed

plans had been put in place in preparation for the next visit.

The Leader commented that the authority understood the challenges it faced and accepted that the rate of progress had not been good enough. However she noted the enthusiasm and motivation of staff.

The Children and Families Portfolio Holder welcomed the new Strategic Director of Children's Services and referred to the positive improvements made by the Interim Strategic Director. He noted that the authority was not where it wanted to be but that the improvement journey was under way and an improvement plan in place. He added that it could take 2 to 3 years for the authority to get to a judgement of good.

The Strategic Director noted that there was a clear commitment from staff, that they understood the challenge that was faced and that they wanted to improve. He added that foundations existed for Children's Social Care to move from inadequate. He saw the Ofsted visits as a positive experience as it identified where the authority needed to focus on improvements. He felt that a 2 to 3 year timescale to make improvements was realistic and that it would require a concentrated effort by the Council and all of its partners to make improvements.

The Leader reiterated members support to officers to make improvements Children's Social Care for children in the District

Resolved –

That the contents of Document "O" be noted.

ACTION: Strategic Director Children's Services
Overview and Scrutiny Committee: Children's Services

25. ENSURING THE SUFFICIENCY OF SPECIALIST PLACES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) ACROSS THE DISTRICT

The Strategic Director Children's Services submitted a report (**Document "P"**) which sought approval from the Executive to increase the number of specialist places for Children and Young People in Local Authority maintained schools across the Bradford district.

The proposals outlined in the report would deliver:

- 34 new Resourced Provision places in two LA maintained primary schools
- 40 additional maintained special school places

It was noted that, in addition to the proposals to increase specialist places at the above maintained schools, 215 additional specialist places were also proposed across the academy sector, requiring approval from the Regional Schools Commissioner.

These proposals including, the academies proposals, would deliver in total 289 additional specialist places out of the additional 354 commissioned SEND places outlined at School Forum in January 2019. Further developments with a number of LA maintained schools and academies were on-going and would be consulted on at a later date to deliver the remaining 65 places.

The Strategic Director advised members that consultation had taken place from March 2019 and that Statutory Notices were published from 23 May to 20 June 2019. A high level of responses had been received, the majority of which agreed with the need for increased SEND places. The analysis of Consultation Responses and Statutory Notice Consultation Analysis were attached as appendices to Document "P".

It was noted that £2.6 million had been allocated from the Basic Needs Allocation to pay for the additional accommodation/modifications that were required to deliver the proposals and the local authority would also use the £306k SEND Capital allocation from Central Government.

Reference was made to the need to undertake the necessary building work required to create the additional SEND places in time for the September 2019 pupil intake and as such it was recommended that resolutions (1) and (2) below not be subject to call-in.

A member attended the meeting and asked whether the proposals meant that every child that needed a special school place in September would have one. In response the Director of Education confirmed that this was correct and added that if provision had not been increased it would have had to be provided outside the District.

The Education, Employment and Skills Portfolio Holder commended the proposals to increase the number of SEND places in the District which would be kept under review. He added that 354 places would be in place for September 2019.

Resolved –

- (1) That the proposal for increasing pupil numbers at Oastlers Special School from 94 to 134 be approved.**
- (2) That the separate proposals for the development of a coherent scheme of Resourced Provisions (RPs) in maintained primary mainstream schools be approved as follows:**
 - i. establish a new 22 place RP at Princeville Primary School**
 - ii. establish a new 12 place RP at Miriam Lord Primary School**
- (3) That in accordance with paragraph 8.7.4 of Part 3E of the constitution, resolutions as set out in 10.1, 10.2 and 10.3 to Document "P" are not subject to call-in as the matter is urgent; as any delay which may result from calling-in the decision may be prejudicial to the interests of the Council's ability to undertake the**

necessary building work required to create the additional SEND places in time for the September 2019 pupil intake.

ACTION: Strategic Director Children's Services
Overview and Scrutiny Committee: Children's Services

26. EXCLUSION OF THE PUBLIC

Resolved –

That the public be excluded from the meeting should any discussion take place of the Not for Publication Document "Q" relating to a proposed acquisition of a freehold property in Bradford city centre on the grounds that it is likely, in view of the nature of the proceedings, that if they were present, exempt information within paragraphs 3 and 5 (financial or business affairs and legal privilege) of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceedings for the following reasons:

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

27. (2) PROPOSED ACQUISITION OF A FREEHOLD PROPERTY IN BRADFORD CITY CENTRE

Resolved –

(1) That the acquisition of the freehold interest in the property in Bradford city centre be approved, subject to the tenancies and terms as detailed in the recommendations within the confidential Appendix to Document "Q".

(2) That in accordance with paragraph 8.7.4 of Part 3E of the Constitution, the resolutions set out in the confidential Appendix to Document "Q" are not subject to call-in as the matter is urgent for the reason set out in paragraph 5.2 of the NFP appendix as any delay which may result from calling-in the decision may be prejudicial to the interests of the Council or a third party.

ACTION: Strategic Director Corporate Resources
Overview and Scrutiny Committee: Corporate

Chair

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

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