

Minutes of: OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 22 November 2018

Present: Councillor M D'Albert (in the Chair)
Councillors N Bayley, R Caserta, M Hankey, J Harris,
M James, N Jones, K Leach and Smith

Also in attendance:

Public Attendance: No members of the public were present at the meeting.

Apologies for Absence: Councillor T Cummings and Councillor S Smith

OSC.247 DECLARATIONS OF INTEREST

Councillor Hankey declared a personal interest in item 12, Bury Council/Forestry Commission as he is a Board Member of Burrs Country Park.

Councillor Harris declared a personal interest in any item relating to Six Town Housing as she a Member of the Board.

OSC.248 PUBLIC QUESTION TIME

There were no members of the public present to ask questions under this item.

OSC.249 MINUTES OF THE LAST MEETING

It was agreed:

That subject to the inclusion of Councillor Lucy Smith being in attendance the Minutes of the last meeting held on 11 September 2018 be approved as a correct record and signed by the Chair.

OSC.250 MATTERS ARISING

Attached to the agenda was a report updating Members on issues raised at the last meeting in relation to car parking.

Members asked that an officer attend a future meeting of the Overview and Scrutiny Committee to report.

OSC.251 RADCLIFFE HALL PRIMARY SCHOOL - UPDATE

Paul Delbridge-Smith, Assistant Director, Children and Young People attended the meeting to provide an update on the performance issues in relation to Radcliffe Hall Primary School which had been placed in special measures following an inadequate rating from Ofsted.

It was explained that the local authority had issued a warning to the school in March 2018 in relation to permanent exclusions. The head teacher had resigned from the school at this point. Two interim head teachers have been in position and

an interim Executive Board has been established to work with the school and parents.

A new head teacher, Emma Ford has been appointed and will be taking up her new position in January 2019. The school was on track to convert to an academy in April 2019.

Members were given the opportunity to ask questions and make comments and the following points were raised:

- Councillor Caserta stated that an Ofsted report had been undertaken in February 2017 which had stated that the school required improvement. The next Ofsted inspection had then rated it as inadequate in the summer of 2018. Councillor Caserta asked what actions the Local Authority had been undertaking between February 2017 and June 2018.

Paul explained that he had been in post since summer 2018. He had requested chronological reports for the previous two years' from all of the borough's schools, this information sets out exactly what work had been undertaken. Paul had been working with all schools and had met with all head teachers, some more regularly than others. He had been holding weekly meetings with Radcliffe Hall Primary School. Paul stated that he would be able to share the information with the Committee which would give a timeline of actions carried out.

Paul would be attended the next meeting of the Committee to present a number of reports in relation to education.

It was agreed:

1. That the Committee thank Paul for his attendance at the meeting.
2. That the progress made in relation to Radcliffe Hall Primary School be noted.

OSC.252 RECRUITMENT TO SENIOR POSITIONS AND USE OF EXTERNAL CONSULTANTS

Geoff Little, Chief Executive presented a report from the Cabinet Member for Corporate Affairs and Regulatory Services.

The Overview and Scrutiny Committee had requested an update in respect of recruitment to senior positions within the Council and the use of external consultants/advisors.

Geoff explained that in response to funding reductions the Council had reduced the workforce by 565 staff since 2010, 165 of these being at a Senior Management level.

Geoff had come into post in mid July 2018 and had put in place an initial set of changes to begin the process of strengthening the Council's managerial capacity. All of the most senior roles reporting to the Chief Executive are currently held on a temporary basis which causes insecurity to the organisation and the individuals

concerned. This needs to be resolved if the Council is to be served by a more confident and dynamic management style.

Geoff explained that as well as his appointment as Chief Executive he has also been appointed as the Chief Officer of Bury NHS Clinical Commissioning Group which will enable the acceleration of a single commissioning function for all Local Government and NHS commissioning across the borough.

Geoff reported that senior positions were in the process of being filled permanently and a number of new positions had been created some of which were currently being recruited to:

- Executive Director for Strategy and Transformation – the role has been advertised internally and externally and if the recruitment process is successful, the post will be offered by the end of December 2018.
- Executive Director of Children, Young People & Culture – Following a rigorous recruitment process the position has been offered to Karen Dolton.
- Growth and Investment Directorate – The recruitment of two new Director Posts is currently under way, if successful these posts will be offered by the end of December.
- Operations Directorate

Geoff explained that the use of consultants is standard practice in local government but only where it can be justified:-

- To address peaks in workload
- To undertake specific time limited projects
- To address areas where specialist skills/capacity are not available in house

During 2017/2018 the spend on consultants was reported as £1.6 million. The forecast spend for the current year is £1.2 million.

Those present were given the opportunity to make comments and ask questions and the following points were raised:

- Councillor Harris referred to the recruitment of the new posts and development of the Strategic Leadership Team and asked how long it would be before the results were seen.

Geoff explained that he had listened intently to all staff and Councillors and had received support from external partners such as the LGA who had carried out 4 reviews across the Council:-

- Finance
- Adult Social Care
- Children's Services
- Peer Review

The Peer Review had been undertaken across the Council during the previous week and had involved staff and Councillors across all levels in the Council. The reviews had highlighted areas where improvements could be made immediately,

over the next 3 years and over the coming 5 years. The LGA were due to carry out a further review in 5 years' time.

- Councillor N Jones referred to the LGA reviews that had been carried out and asked what their findings were in relation to the Council's finances.

Geoff explained that working practices would be updated, the capacity to use capital would be increased and investment would be made in capital growth. It was clear that we could do better and the LGA recognised that there were pressures on budgets and the Council would have to work hard to remain financially stable. Geoff stated that he would be more than happy to attend a future meeting of Overview and Scrutiny with Steve Kenyon to present a more detailed report in this area.

- Councillor Hankey referred to the new director posts that were being appointed and asked whether these appointments would free capacity for current directors.

Geoff explained that the Director of Transformation and Strategy would be bringing together a corporate core of services by combining HR/OD, finance, procurement, communications, ICT support, performance intelligence and research from across all directorates and the CCG and would be funding through the deletion of the post of Executive Director of Resources and Regulation and a contribution from the CCG. The growth directorate posts will be delivering the growth strategy which will involve leading on regeneration and housing and influencing GM to support major development programmes. These posts are essential if the Council is to secure new income and reduce its reliance on central government funding.

- Councillor Bayley referred to the information provided in relation to the use of external consultants and stated that it would have been more helpful if it was broken down further to show departments/timescale/projects/costs etc. Councillor Bayley stated that he was glad to see that the amount spent had reduced.

Geoff confirmed that he would be able to provide more of a breakdown for Members.

- Councillor Caserta asked what further benefits there would be from the Combined Authority.

Geoff explained that the Council needed to ensure that it was in a position to engage with the Combined Authority to ensure that it could take advantage of all funding that they had to offer. To make sure that this was the case the Council had to have the right people in position, that schemes were ready to go and that appropriate investment had been carried out where required. The Council had invested in health and social care which had then unlocked the £19 million Transformation Fund which would be used to improve services and deflect demand.

It was agreed:

1. That the Chief Executive provide an update to the Committee in 12 months.
2. That the Chief Executive be thanked for his attendance.

OSC.253 MID YEAR TREASURY MANAGEMENT REPORT

Councillor Eamonn O'Brien the Cabinet Member for Finance and Housing and Steve Kenyon, Interim Executive Director of Resources and Regulation presented the Mid-Year Treasury Management report to the Committee.

The report covered the following:

- An economic update for 2018/2019 financial year to 30 September 2018;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council's investment portfolio for 2018/2019;
- A review of the Council's borrowing strategy for 2018/2019;
- A review of any debt rescheduling undertaken during 2018/2019
- A review of the compliance with Treasury and Prudential Limits for 2018/2019

Those present were given the opportunity to ask questions and make comments and the following points were raised:

- Councillor Hankey referred to the figure at paragraph 4.2 of the report and the figure relating to slippage. Councillor Hankey stated that this was misleading asked if there was any way to get away from this.
- Councillor Harris asked whether the external auditors had raised any concerns in relation to the Council's financial position.

Steve reported that no issues had been raised in the Annual Audit Letter.

- Councillor Lucy Smith referred the Council borrowing being under the maximum rate and asked if the Council was borrowing at a good rate.

Steve explained the different types of borrowing that the Council undertook from day to day to long term and explained that the Council used the services of brokers to ensure that the Council borrowed at best rates possible.

- Councillor Hankey referred to capital receipts and asked what assets the Council had sold and whether this had seen a gain or a loss.

Steve stated that he would report back to the committee with regards to this.

It was agreed:

That in accordance with CIPFA's Code of Practice on Treasury Management, the report be noted.

OSC.254 CORPORATE FINANCIAL MONITORING REPORT - APRIL TO SEPTEMBER 2018

Councillor Eamonn O'Brien the Cabinet Member for Finance and Housing and Steve Kenyon, Interim Executive Director of Resources and Regulation presented The Corporate Financial Monitoring Report, April to September 2018.

The report informed Members of the Council's financial position for the period April 2018 – September 2018 and projects the estimated outturn at the end of 2018/2019.

Members were asked for questions and comments:

- Councillor N Jones referred to the budgeting controls and asked if missed savings targets would toll over into the following financial year.

Steve Kenyon explained that pressures to the Council were get bigger particularly in Adults and Children's Social care with more clients presenting to the Council.

- Councillor Jones asked whether the Council would achieve the budget based on the current figures.

Steve explained that the figures set out were six months of actual and 6 months forecast. The Council's External Auditors had confirmed that the Council's budgetary controls were robust.

- Councillor Caserta asked what the rate of collection of business rates was.

Steve reported that for 2017/2018 the collection rate was 96.04%. There was currently £19.9m outstanding for 2018/19 of £50m. There is a dedicated debt recovery team which is currently being reviewed with a view to increasing staff numbers.

- Councillor Bayley referred to the use of agency staff and asked whether there were plans to make temporary staff permanent.

Councillor O'Brien explained that there would also be the use of temporary staff as it was not always possible to hire permanent staff and sometimes cover was required at short notice.

- Councillor James referred to 'low-hanging fruit' and asked whether there was anything left to cut.

Councillor O'Brien stated that the Council was beyond this stage now and there would be no additional money forthcoming in the future. Councillor O'Brien stated that the Council would had to change how it operated and this was in the process of happening with the development of more neighbourhood working, community involvement and development and investment work.

- Councillor Lucy Smith stated that a lot of staff had left the Council over the previous years and staffing levels had reduced asked how this had affected the staff that remained.

Councillor O'Brien stated that the recent peer review had shown that staff were under pressure but are a committed workforce who love the borough and do want to continue working for the Council.

It was agreed:

1. That the Overview and Scrutiny Committee note the financial position of the Council as at 30 September 2018.
2. That the Overview and Scrutiny Committee support the recommendations from the LGA Finance Review regarding line management accountability to the S151 Officer as detailed in par. 2.4 of the report.

OSC.255 GREATER MANCHESTER CLEAN AIR UPDATE

Councillor Alan Quinn, Cabinet Member – Environment and Lorraine Chamberlin, Head of Health and Environmental Protection attended the meeting to give an update on the Greater Manchester Clean Air Plan and the work that was being carried out regionally and locally in respect of this.

It was explained that Bury Council is mandated to produce a Clean Air Plan early in 2019. TfGM are carrying out this work on behalf of all GM Boroughs as road traffic is responsible for 80% of emissions.

A GM communication plan to address the lack of understanding about health impacts of poor air quality and the difference between clean air zones and congestion charges was rolled out on 26 October 2018 through to December 2018.

A full Member briefing has been planned for 28 November 2018.

Background information was provided which set out progress to date and timelines in relation to the work.

Members were given the opportunity to ask questions and the following points were raised:

- Cllr Harris referred to the targets for N02 in the Bury Bridge area and the fact that this area was heavily congested and also had a bus lane which added to the build-up of traffic.
- Councillor Bayley stated that until the bus operators were aware of the plans they would be unwilling to invest in new vehicles. Councillor Bayley also stated that a lot of the pollutants were as a result of traffic on the motorways but there had been no input from Highways England.

It was agreed:

That the update be noted.

OSC.256 WASTE MANAGEMENT AND RECYCLING

Councillor Quinn, Cabinet Member – Environment and Glenn Stuart, Head of Waste Management presented a report providing an update on waste management and recycling.

Set out in the report was a table showing the weights of each waste stream collected over the last two complete years and the first half of 2018/2019.

Glenn explained the figures and any fluctuations that may occur.

Glenn reported that the resources charity WRAP (Waste and Recycling Action Programme) had announced a partnership with the Greater Manchester Waste Disposal Authority – Resource GM aimed at driving up the recycling rate to 60% across the GM conurbation by 2025 as well as improving the quality of recycling collected. The partnership has been responsible for undertaking extensive research which will inform future promotional campaigns and the delivery of advertising campaigns across GM.

It was also reported that a new national Waste and Resources Strategy is due to be published by the end of the year. It is anticipated that the strategy will see the introduction of a range of new measures designed to kick start recycling performance in England and may include:

- Mandated separate collections of food
- A ban of food waste to landfill
- Extended producer responsibility
- Deposit return scheme for containers such as drinks cans and bottles

The report also set out information in relation to household sign up to receive email alerts and it was explained that over 35% of households across the borough had done so.

It was explained that Bury Council was the first in England to introduce three weekly residual waste collection and 9% of the 115 councils that responded to a recent survey had moved to three weekly with another 63% planning to within 2 years.

Also within the report was information relating to the collection and recycling of plastic bottles and the number of missed bin collections over the previous 3 and a half years.

Those present were given the opportunity to ask questions and make comments and the following points were raised:

- Councillor Hankey referred to contaminated bins and asked whether the waste could still be separated.

Neil explained that the teams worked to a 5% rule (up to 5% of the bin's contents by weight) and it was up to the individual operative to make a decision as to whether a bin can be emptied.

- Councillor Leach referred to the use of agency staff and asked if any issues arose from this.

Neil explained that there had been an over reliance on the use of agency staff which had contributed to some disruptions but this had been recognised and rectified with vacant posts being awarded to agency operatives following a recruitment process.

- Councillor Nicholas Jones referred to the saving target that was set when the residual bins went to 3 weekly collections and asked whether this target had been met.

Neil explained that the 3 weekly collections had been in place for 3 years' and in this time a number of recycling initiatives had been carried out. A further service review was underway which was looking at in house efficiencies.

- Councillor Caserta asked whether there would be any barriers to insisting that new developments have central containers.

It was explained that waste disposal is material in planning but the Council could not insist on central waste containers. They could however negotiate with developers regarding options.

It was agreed:

That the contents of the report be noted

OSC.257 BURY COUNCIL/FORESTRY COMMISSION PARTNERSHIP

Neil Long and Councillor Quinn presented a report updating Members on how Parks and Countryside are working positively with the Forestry Commission on the feasibility study which is looking at the extension of Forestry Commission landholding from Waterdale through to the centre of Radcliffe to create the 1000 acre woodland.

It was explained that Bury Council and the Forestry Commission (FC) have worked in partnership since 2011 as the FC currently manages 73ha of woodland on behalf of Bury Council and Waterdale and Drinkwater parks.

Feasibility work is being carried out to see if the FC could manage additional land on behalf of the Council including Philips Park, Outwood, Outwood Trail and Prestwich Clough. The feasibility work will look at legal, environmental and economic aspects of the land and how it could be managed for the future.

Community roadshows have taken place allowing people living and working in the area to see what the work is all about and future roadshows will take place once a decision has been made as to whether the FC will take on the land.

The work carried out so far was listed within the report as well as the benefits of the project and risks of not completing it.

It was explained that the feasibility study should be completed by April 2019 and it was envisaged that public consultation would take the form of roadshows. Two business cases will need to be prepared one by the Forestry Commission Project Manager and one by the Council's Parks and Countryside Manager/Assistant Director (Operations) which will go to SLT/Cabinet to confirm whether to proceed.

It was explained that it could take two years to finalise the project with a lease drawn up should it be deemed feasible.

Those present were given the opportunity to ask questions and make comments and the following points were raised:

- Councillor N Jones referred to the voluntary organisations that were involved with local parks and countryside and stated that they did a really good job and should be commended for their hard work.

It was agreed:

That the contents of the report be noted

OSC.258 EXCLUSION OF PRESS AND PUBLIC

It was agreed:

That the press and public be excluded from the meeting.

OSC.259 ENVIRONMENTAL QUALITY & FLY TIPPING INITIATIVE

Neil Long presented a report updating Members on the work that had been undertaken in relation to fly tipping across the borough.

There were a number of different initiatives being implemented across the borough and these included recording of incidents, targeted action, CCTV surveillance, replacement of missing and damaged bins, replacement signage and back street clearance.

The report set out the enforcement that had been carried out by the Environmental Health Team and the work that was being carried out by Community Safety.

It was agreed:

That the contents of the report be noted

COUNCILLOR M D'ALBERT

Chair

(Note: The meeting started at 7.00 pm and ended at 9.30 pm)