

**Minutes of: OVERVIEW AND SCRUTINY COMMITTEE**

**Date of Meeting:** 4 September 2013

**Present:** Councillor M Hankey(in the Chair);  
Councillors M Bailey; D Cassidy; S Carter; A J Cummings;  
J Daly; L Fitzwalter; M James; P Heneghan; S Nuttall; D  
O’Hanlon and T Tariq

**Public in attendance:** 1 member of the public was present at the meeting.

**Also in attendance:** Councillor Campbell– Cabinet Member for Children and Families.

Councillor J Smith – Deputy Leader of the Council and Cabinet Member for Finance and Corporate Affairs.

**Apologies for absence:**

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### **OSC.303 DECLARATIONS OF INTEREST**

Councillor Heneghan declared a personal and prejudicial interest in Minute OSC.306 below, Ofsted Inspection (SLAC) Action Plan, as the newly appointed Deputy Cabinet Member for Children and Families and took no part in discussions on this item.

Councillor Fitzwalter declared a personal interest in Minute OSC.307 below, Publication Core Strategy, as a member of the Fletcher Bank Action Group.

Councillor O’Hanlon declared a personal interest in the Financial Reports before the Committee as a garage tenant of Six Town Housing.

### **OSC.304 PUBLIC QUESTION TIME**

There were no questions asked by members of the public present at the meeting.

### **OSC.305 MINUTES**

**It was agreed:**

1. That the Minutes of the meeting, held on 11 June 2013, be approved as a correct record and signed by the Chair.
2. That the Minutes of the meeting, held on 14 August 2013, be approved as a correct record and signed by the Chair.

### **OSC.306 OFSTED INSPECTION (SLAC) ACTION PLAN**

Further to Minute OSC.110 of the meeting of this Committee, held on 11 June 2013, the Cabinet Member for Children and Families submitted a report setting out an updated draft Action Plan in respect of Children's Safeguarding and Social Care.

The Cabinet Member for Children and Families reported that the new Ofsted Inspection Framework for Children's Safeguarding and Social Care was due for publication in September 2013 and due for implementation in November 2013. It was explained that the draft Action Plan had focussed on the proposed key judgement with regard to the experiences and progress of children who need help and protection. A final version of the Action Plan will developed and presented following the publication of the Ofsted Inspection Framework.

Questions and comments were invited and the following issues were raised:

- In response to questions around the inspection process, the Executive Director of Children's Services referred to the recent experiences of neighbouring authorities and highlighted the more stringent process which had resulted in a number of Council's being deemed inadequate. It was explained that liaison was taking place with neighbouring authorities who had recently been inspected. With regard to the issue of possible changes to the framework, the Executive Director stated that he did not expect the notion of what is good practice to change fundamentally.
- Councillor Tariq sought assurances as the level of confidence within the Department in relation to a future inspection. The Cabinet Member and Officers explained that a clear idea of the inspection framework would obviously help preparations and reported that there were clear signs of improving performance data since June.
- In response to questions from Councillor O'Hanlon concerning quantitative and qualitative data, the Assistant Director Social Care and Safeguarding explained that the Action Plan was a high level document with a number of service level plans sitting below. It was reported that the Department was in the process of developing a qualitative tool to assess the service. With regard to quantitative data compliance and statutory assessment timescales, the Assistant Director suggested this could be submitted to the Committee.
- During discussion of this item, the Executive Director reported that the Department were carrying out a consistent, systematic assessment across all teams, which had resulted in changes to the way staff are managed assessed and supported.

#### **It was agreed:**

1. That, following the publication of the new Ofsted Inspection Framework, a further report be submitted to this Committee in early 2014.

## **OSC.307 PUBLICATION CORE STRATEGY**

Paul Allen, Head of Planning Policy and Projects, gave a presentation regarding the Council's Core Strategy consultation. The Core Strategy will be a key document at the heart of Bury's Local Plan. It will set out the long-term vision for the future development of the borough to 2029 and will contain strategic policies that are required to deliver that vision.

The consultation on the Publication Core Strategy runs for six weeks (2 August to 13 September 2013) at which point any comments or representations made will be submitted to the Secretary of State for consideration. An examination of the Strategy will take place in March 2014 and it is anticipated that the final Core Strategy would be adopted in September 2014.

The presentation provided information on the following issues that are likely to face challenge as the Strategy progresses to Examination:

- Housing Target
- Gin Hall
- Retail Capacity
- Wind Turbines

Questions and comments were invited from the Committee and the following issues were raised:

- Councillor Daly referred to the previous consultations and versions of the Strategy and highlighted that it was only recently that residents of Walmsley had become aware of proposals relating to Gin Hall. In response to questions about the robustness of the consultation process, the Head of Planning Policy and Projects stated that he believed the process had been open and transparent and had taken into account the responses submitted.
- With regard to recent amendments to the Strategy, approved by Full Council on 3 July 2013, it was explained that the amended Strategy was still available for consultation, with any responses or comments being considered as part of the Examination process.
- Councillor Daly sought clarification on the "very special circumstances" which could lead to the development of the Gin Hall site. The Head of Planning Policy and Projects referred to National Greenbelt Policy Guidance which sets out detail of appropriate development within the Green Belt.
- With regard to the Housing Target, the Head of Planning Policy and Projects explained that the role of the Strategy was to identify broad areas where development will be accommodated. The Strategy includes a target of 400 units per annum which it is felt can be achieved without the need to release Green Belt land.
- In response to a question from Councillor Tariq it was reported that the Strategy looked to protect employment generating sites and looked to develop areas for employment in locations such as Pilsworth, Irwell Bank, Chamberhall, Townside and land at Prestwich Hospital.

- With regard to the issue of wind turbines, it was reported that although work had been done on average wind speeds, which showed that Holcombe Moor would be suitable, any future proposal would still have to be considered against other planning policies.
- In response to a question concerning Gin Hall from Councillor Daly, the Head of Planning Policy and Projects confirmed that the Council would not assist any potential developer by removing the tip site.

**It was agreed:**

1. That the Head of Planning Policy and Projects be thanked for his presentation.
2. That formal representations on the Publication Core Strategy be submitted in writing or by email to the Planning Policy and Projects Section no later than 13 September 2013.

**OSC.308 CORPORATE PLAN PROGRESS REPORT**

A report was submitted by the Leader of the Council outlining the progress during quarter four 2012–2013 for the corporate performance indicators and projects within the Bury Council Corporate Plan. The information is extracted from the Performance Information Management System (PIMS) and provided by the responsible services.

The Assistant Director of Business Re-Design & Development referred to the importance of having valid and relevant measures to monitor Council progress and that the list of indicators would continue to be kept under review.

In response to the under achievement of the indicator relating to the percentage of children and young people in care achieving 5 A\*-C GCSEs it was reported that the figure is based on a small cohort where the results of a few individuals can have a major impact on the indicator. Councillor Carter enquired whether there was any indication that the percentage could have been affected by changes nationally to the way the exams are graded.

With regard to the issue of recycling food waste from schools an undertaking was given to update the Committee on the progress of measures to increase recycling in schools. Councillor Fitzwalter highlighted the difficulty faced by schools being able to afford to carry out the initiative.

During discussion of this item, Sarah Marshall, Performance Officer, undertook to provide a response to the Committee to questions and issues raised in relation to the following:

- Further detail on the "Working Age People on Out of Work Benefits" indicator
- The impact of Day Opportunities Strategy on Wards
- Online usage figures in respect of Libraries
- Request for progress on recycling in schools and whether a specific performance measure could be incorporated

**It was agreed:**

That Officers be thanked for the good performance highlighted in the report and a further update be submitted at the end of Quarter 1, 2013/14.

**OSC.309 REVENUE AND HRA OUTTURN 2012/13**

The Deputy Leader and Cabinet Member for Finance and Corporate Affairs submitted a report providing Members with details of:

- the revenue outturn figures in respect of the last financial year, 2012/2013, detailing specific carry-forward requests and the proposed application of the carry-forward rules;
- major variances between the revised estimate and the outturn;
- the level of school balances;
- transfers to / from reserves;
- HRA outturn for the year;
- The minimum level of balances in the light of risk assessments

The figures in the report are consistent with the figures included within the Statement of Accounts which were both approved by the Responsible Finance Officer and presented to Audit Committee on 25 June 2013.

In response to a question about the issue of school balances, the Cabinet Member explained that a balance control review was held annually where schools were required to justify any balances deemed to be excessive.

During discussion of this item, Members highlighted the 2.8% increase in rent arrears during the last financial year. The Cabinet Member stated that changes to welfare had compounded the issue and referred to the pro-active work being undertaken to work with people with rent arrears. Claire Jenkins, Head of Customer Support & Collections, highlighted the individual interventions that were being undertaken to help customers manage debts.

**It was agreed:**

That the report be noted.

**OSC.310 CAPITAL OUTTURN 2012/2013**

The Deputy Leader and Cabinet Member for Finance and Corporate Affairs submitted a report providing Members with details of the:

- The capital outturn figures in respect of the last financial year 2012/13;
- Major variances between the Revised Estimate and the Outturn;
- The financing of the Capital Programme in 2012/13;
- Re-profile of budgets/allocations and funding into 2013/14; and
- Details of the capital receipts received during the year.

**It was agreed:**

1. That the final capital outturn for 2012/2013, and explanations for major variances, as detailed in Appendix A and the report submitted, be noted.

2. That the financing of the Capital Programme in 2012/2013, as detailed in Paragraph 3.5 of the report, be noted.
3. That the re-profiled/slippage requests and associated funding into 2013/2014 as detailed in Appendix B of the report be noted.
4. That the level of Capital Receipts realised in year as detailed in Appendix C of the report be noted.

### **OSC.311 2012 – 2013 TREASURY MANAGEMENT ANNUAL REPORT**

The Deputy Leader and Cabinet Member for Finance and Corporate Affairs submitted a report providing details of Treasury Management activities during 2012/13. The Council undertakes Treasury Management Activities in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of

Practice on Treasury Management, which requires that the Council receives an annual strategy report by 31 March for the year ahead and an annual review report of the previous year by 30 September.

In considering the report the Chair, Councillor Hankey, congratulated the officers involved in the report for their work.

#### **It was agreed:**

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

### **OSC.312 CORPORATE FINANCIAL MONITORING – APRIL TO JUNE 2013**

The Deputy Leader and Cabinet Member for Finance and Corporate Affairs submitted a report which provided information on the Council's financial position for the period up to June 2013 and projected the likely outturn at the end of 2013/2014.

The report included details of Prudential Indicators in accordance with CIPFA's Prudential Code.

Questions and comments were invited and the following issues were raised:

- In response to a question concerning the fact that the £400k saving had not yet been achieved in respect of waste management, it was reported that a report would be submitted to the next Cabinet meeting.
- With regard to the current projected overspend, it was explained that historically the Quarter 1 figure had often resolved itself before the end of the year following remedial action. Councillor Smith explained that through the Start Chamber process, Cabinet Members and Senior Officers were constantly monitoring the budget position and taking swift action where necessary.
- In response to concerns about the delay in savings from the Department of Communities and Neighbourhoods, the Cabinet Member stressed that

- these were delays due to consultations around staff restructures and expressed confidence that the savings would be realised.

**It was agreed:**

1. That the financial position of the Council as at 30 June 2013 be noted.
2. That the s151 Officer's assessment of the minimum level of balances be noted.

**OSC.313 REQUEST FOR OVERVIEW PROJECT GROUP**

Councillor Cummings requested that the Committee give consideration to setting up an Overview Project Group to look at the issue of School Admissions in the Borough.

**It was agreed:**

1. That an Overview Project Group be set up to look at the issue of School Admissions, with full membership sought from the Political Group Leaders.
2. That the Group referred to in (1) above be Chaired by Councillor Fitzwalter.

(**Note:** This item which did not appear on the agenda for the meeting was allowed by the Chair to be considered as a matter of urgency to enable the Group to commence its work at the earliest opportunity.)

**COUNCILLOR M HANKEY**  
**Chair**

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