

Minutes of: THE CABINET

Date of Meeting: 28 November 2012

Present: Councillor M Connolly (in the Chair);
Councillors G Campbell, I Gartside, A Isherwood,
J Lewis, T Pickstone, J Smith, R Shori and S Walmsley

Also in attendance: -

Apologies: Councillor N Parnell

Public attendance: 4 members of the public were in attendance

CA.531 DECLARATIONS OF INTEREST

Councillor Connolly declared a personal interest relating to any matters likely to impact on the fact that his partner is employed by Adult Care Services. Councillor Connolly also declared a prejudicial interest in respect of Minute number CA.** Review of Council Owned Garage Sites for the reason that he rents a garage from the Council. Councillor Connolly left the meeting room during consideration of the item.

Councillor Walmsley declared a personal and prejudicial interest in respect of Minute number CA.** for the reason that her sister is employed by one of the organisations which had applied for funding. Councillor Walmsley left the meeting room during consideration of the item.

CA.532 PUBLIC QUESTION TIME

A period of thirty minutes was allocated for members of the public present at the meeting to ask questions about the work or performance of the Council or Council services.

No questions were submitted.

CA.533 MINUTES

Delegated decision:

That the minutes of the meeting held on 7 November 2012 be approved and signed by the Chair as a correct record.

CA.534 INDEPENDENT REVIEW OF CIVIC VENUES

The Cabinet Member for Leisure, Tourism and Culture submitted a report which presented the findings of an independent review into the operation of the Civic Halls. The report summarised work undertaken, key findings, and the Council's response to recommendations made.

Delegated decisions:

1. That the findings of the Price Waterhouse Coopers review be noted.

2. That approval be given to the action plan developed in response to the recommendations.
3. That a Management Group be set up to take forward the action plan and look at wider options to increase usage.
4. That a progress report be submitted to Cabinet in six months.

Reason for the decisions:

The Council recognises the importance of Civic Venues to users and residents of the Borough and is committed to exploring options to make the service economically sustainable and increase value to the community.

Other option considered and rejected:

To reject or amend the recommendations.

(Note Councillors I Gartside and T Pickstone abstained on this matter).

CA.535 PLAN FOR CHANGE: PROGRESS OF LIBRARIES REVIEW

The Cabinet Member for Leisure, Tourism and Culture submitted a report which provided progress on the review of library provision in the borough, set out Phase 1 savings to be realised in 2013/14 and a strategy for further savings.

Delegated decisions:

1. That approval be given to £240,000 of Phase 1 savings primarily focused on a re-structuring of services at Bury Library.
2. That approval be given to the strategy for the development of Phase 2 of the Libraries review, the delivery of further savings and the principles that will underpin decisions.
3. That the commitment to report back to Cabinet in March 2013 be noted.

Reason for the decisions:

The proposals reflect current usage patterns and trends. The reduction in service capacity that the proposals will bring can be mitigated by the increased use of self service technology and Ebooks and by use of the nearby Castle and other library provision across the borough. Key principles are noted to frame further work focused on co-location of library and other services, which will deliver further savings to meet overall targets and be reported back to Cabinet in March 2013.

Other option considered and rejected:

To reject or amend the recommendations.

(Note Councillors I Gartside and T Pickstone abstained on this matter).

CA.536 TREASURY MANAGEMENT STRATEGY – MID YEAR REVIEW 2012/13

The Cabinet Member for Finance and Resources submitted report providing a mid-year report that was been prepared in compliance with CIPFA's Code of Practice covering the following:

- An economic update for the first six months of 2012/2013;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy for 2012/2013;
- A review of the Council's borrowing strategy for 2012/2013;
- A review of any debt rescheduling undertaken during 2012/2013, and
- A review of compliance with Treasury and Prudential Limits for 2012/2013.

Recommendation to Council:

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

Reason for the decision:

The Council has adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.

Other option considered and rejected:

To reject the recommendations.

CA.537 CORPORATE FINANCIAL MONITORING REPORT – APRIL 2012 TO SEPTEMBER 2012

The Cabinet Member for Finance and Resources submitted a report informing Cabinet of the Council's financial position for the period April to September 2012 and projects the likely outturn at the end of 2012/13.

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

Delegated decisions:

1. That the financial position of the Council as at 30 September 2012 be noted.
2. That approval be given to the s151 Officer's assessment of the minimum level of balances.

Reasons for the decision:

Successful budget monitoring provides early warning of potential major overspends or underspends against budgets. The report identifies areas which will need remedial action.

Other option considered and rejected:

To reject the recommendation.

(Note: At this point Councillor Connolly left the meeting room and Councillor Smith took the Chair for the next item of business)

CA.538 REVIEW OF COUNCIL OWNED GARAGE SITES

The Cabinet Member for Neighbourhoods and Regeneration and the Cabinet Member for Finance and Resources submitted a report regarding garage colonies managed by the Council's Corporate Property Services and Six Town Housing. In line with good practice the Council had undertaken a review team consisting of Council officers and Six Town Housing had undertaken a review of these assets to ensure continued operational usefulness and value for money. Thirty three sites were initially identified for action, based on low occupancy rates, low rental income/future liabilities. Each of the sites were subsequently evaluated in greater depth and discussed in consultation with elected members, garage tenants and people living near to the garage sites. Comments received, together with feedback on issues such as anti social behaviour at these locations, have been taken into account when determining the recommended options for the future use of the sites.

The report presented proposals on the thirty three sites. The other fifty two garage sites would continue in their current form for the immediate future, although this position will remain under review. The management of these sites will also be reviewed to determine the most effective management options.

Delegated decisions:

1. That the recommendations of the Review Team be approved.
2. That the garage sites listed in paragraph 3.1 of the report submitted be retained, with the future management and ownership to be determined by the Review Team.
3. That the Review Team be authorised to:
 - Pursue the disposal and redevelopment of sites listed in paragraph 3.2 of the report submitted for housing purposes (private and public) subject to business cases being agreed by the Executive Director of Resources.
 - Dispose of the sites listed in paragraph 3.3 of the report submitted on the open market, being mindful of the need to ensure that their future use does not impact negatively on the surrounding areas.
 - Consider ways of converting the sites listed in paragraphs 3.4 and 3.5 of the report submitted into community assets (e.g. allotments / community gardens / community spaces) at no cost to the Council. If these options prove to be unviable, the sites are disposed of in accordance with paragraphs 3.2 and 3.3 of the report submitted depending on the site, as detailed in the report.
 - Keep the remaining fifty two garage sites under regular review and consider alternative uses for sites that fall below the threshold in consultation with Ward Members and local communities.
 - Consider the most appropriate management options for garage sites retained by the Council.

4. That the Executive Director Adult Care Services and the Executive Director Resources be delegated authority to agree, in conjunction with the Cabinet Members for Neighbourhoods and Regeneration and Resources, the details of disposal for individual sites in line with Delegated decisions 2 and 3 above.

Reasons for the decision:

This is the preferred approach as it seeks to address all the more problematic sites by suggesting uses that offer greatest value to the community (which includes retention as a garage site in some cases). In maintaining fewer sites, the Council's liabilities will also be reduced.

Other options considered and rejected:

1. Do nothing. This involves no change but is not a tenable long term solution due to the costs and management issues associated with unpopular garage sites.

2 Accept some of the recommendations of the Review Team. This indicates a more selective approach to the recommendations. To ensure due process, reasons would need to be given for the decision.

CA.539 COMMUNITY RIGHT TO CHALLENGE – GOVERNANCE ISSUES

The Cabinet Member for Community Development submitted a report which set out the provisions of the Community Right to Challenge and a process dealing with these.

Delegated decisions:

1. That approval be given to appoint the Executive Director of Resources to be the proper officer for the receipt and validation of expressions of interest.

2. That approval be given to authorise the proper officer to determine a timetable for the acceptance or rejection of expressions of interest, after consultation with appropriate Heads of Service.

3. That Cabinet consider whether grounds exist to accept or reject an expression of interest.

4. That approval be given to delegate the proper officer with authority to designate a Procurement Officer to act as the project lead for any procurement exercises.

5. That the Procurement Officer determine timescales for the period between acceptance of an expression of interest and start of the procurement exercise.

6. That the proper officer (or a Deputy) be responsible for managing each procurement exercise, subject to the settlement of the specification for the service with the appropriate Head of Service.

7. That Cabinet consider the evaluation of any tenders jointly with the proper officer and Procurement Officer.

Reason for the decision:

The Localism Act 2011 introduced a right for community and voluntary bodies, charitable trusts and 2 or more local authority employees to submit an Expression of Interest in taking over the provision of a service on behalf of the authority.

Other option considered and rejected:

To reject the recommendations.

CA.540 COMMUNITY COHESION PLAN 2013-2016

The Cabinet Member for Community Development submitted a report which outlined work undertaken through Team Bury to refresh and develop the Team Bury Community Cohesion Plan for 2013-16. The report set out the legislative context within which the Plan has been developed, the purpose of the Plan, process followed for developing the Plan, priority objectives agreed, performance management framework in place and the role of the Council in supporting delivery of the Plan. The Council's contribution to the Plan will take place within existing budgetary frameworks.

Delegated decisions:

1. That approval be given to support and adopt the Community Cohesion Plan for 2013-2016 on behalf of the Council.
2. That it be noted that an annual action plan will be developed and agreed through the Team Bury Communities Group (to support delivery of the objectives in the Community Cohesion Plan). Work undertaken by the Council (through this annual action plan) will take place within existing budgetary frameworks.

Reasons for the decision:

The Community Cohesion Plan for 2013-16 will build on the previous Plan's good work. The priorities identified support Team Bury's joint ambitions of making Bury 'the place to live in Greater Manchester' and 'each Township thriving'. The priorities also support the Bury Values Prospectus. The Plan supports the Council's priority outcomes contained within the Corporate Plan and the Plan for Change, informing its values and outcomes.

Other option considered and rejected:

The Cabinet does not support the priorities and principles included in the Team Bury Community Cohesion Plan for 2013-16 (Appendix A).

CA.541 COMMUNITY RIGHT TO BID

The Cabinet Member for Community Development submitted a report outlining the provisions of the Localism Act 2011 relating to the Community Right to Bid, and the implications to the Council of the requirement to hold a 'List of Assets of Community Value'. The report also proposed details of a decision making process for the listing of community assets and for the determination of any compensation claims.

Delegated decisions:

1. That the contents of the report be noted regarding the duty under the Localism Act 2011 to implement the Community Right to Bid.
2. That approval be given that all nominations for assets of community value be determined by the Cabinet Member for Community Development, in consultation with an officer nominated by the Executive Director of Environment and Development Services.
3. That approval be given that all appeals against a listing decision can be determined by any member of the Cabinet with the exception of the Cabinet Member of Community Development.
4. That approval be given that all initial claims for compensation are determined by the Head of Property and Asset Management and any subsequent reviews of that decision undertaken by the Executive Director of Resources.

Reason for the decision:

This is recommended means of addressing the Council's obligations under the Localism Act 2011, insofar as they relate to the Community Right to Bid.

Other option considered and rejected:

To reject the recommendations.

CA.542 ENGAGING AND DEVELOPING ELECTED MEMBERS

The Deputy Leader and Cabinet Member for Corporate Affairs and the Member with responsibility for Equality and Member Development submitted a report presenting the Elected Member Engagement Strategy and the Elected Member Development Strategy.

Delegated decisions:

1. That approval be given to the Member Engagement Strategy.
2. That approval be given to the Member Development Strategy.
3. That the Member Engagement Strategy and the Member Development Strategy be referred to Council for consideration.

Reasons for the decision:

Elected Member Engagement and development are key priorities for the Council.

Other option considered and rejected:

To reject the recommendations.

CA.543 CORPORATE PLAN PROGRESS REPORT – QUARTER 2 2012-2013

The Leader of the Council submitted a report outlining the progress during quarter two 2012-13 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.

It was agreed:

That the report be noted.

Reason for the decision:

The Corporate Plan Progress Report provides an update on the progress at quarter two of the corporate indicators and projects linked to the Bury Council Corporate Plan 2012-15.

Other option considered and rejected:

To reject the recommendation.

CA.544 PROPOSAL FOR MAYOR OF BURY 2013-2014

Councillor Connolly announced that Councillor Sharon Briggs would be proposed as the Mayor of Bury for 2013-2014.

CA.545 EXCLUSION OF PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item of business as it involves the likely disclosure of information as detailed in the conditions of category 3.

**CA.546 FORMER GM POLICE HEADQUARTERS, IRWELL STREET, BURY –
E REMOVAL OF ASBESTOS**

The Cabinet Member for Finance and Resources submitted a report containing details of tenders received for the removal of asbestos from the former GM Police headquarters at Irwell Street, Bury. These works are a precursor to the demolition of the building.

Delegated decisions:

That approval be given capital expenditure of £367,327 for the removal of asbestos.

Reason for the decision:

The removal of asbestos from the former GM headquarters is the requisite first step in demolishing the buildings.

Other option considered and rejected:

To reject the recommendations.

**CA.547 Third Sector Commissioning Fund – 2013/2014, 2014/2015 and
E 2015/2016**

The Cabinet Member for Resource and Finance submitted a report outlining the process for determining the allocation of funding through the Council's Third Sector Commissioning Fund. The recommendations of the Third Sector Commissioning Fund Panel which had met during the day were circulated at the meeting.

Delegated decisions:

That the recommendations of the Third Sector Commissioning Fund Panel be endorsed.

Reason for the decision:

Bury Council recognises and values the contribution made to the life of the borough by the wide range of independent organisations which make up the voluntary and community sector (the third sector) in Bury.

Other option considered and rejected:

To reject the recommendations of the Third Sector Commissioning Fund Panel.

COUNCILLOR M CONNOLLY
Chair

(Note: The meeting started at 6.00 pm and ended at 7.20pm)