

AGENDA FOR

CABINET

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To: All Members of Cabinet

Councillors : R Shori (Leader and Cabinet Member for Economic Growth and Human Resources (Chair)), Simpson (Deputy Leader and Cabinet Member Health and Wellbeing), S Briggs (Cabinet Member for Children and Families), J Kelly (Cabinet Member Corporate Affairs and Regulatory Services), E O'Brien (Cabinet Member Finance and Housing), A Quinn (Cabinet Member for Environment) and T Tariq (Cabinet Member for Communities)

Dear Member

Cabinet

You are invited to attend a meeting of the Cabinet which will be held as follows:-

| | |
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| Date: | Wednesday, 26 July 2017 |
| Place: | Meeting Rooms A & B - Town Hall |
| Time: | 6.00 pm |
| Briefing Facilities: | If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted. |
| Notes: | |

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of Cabinet are asked to consider whether they have an interest in any of the matters of the Agenda, and if so, to formally declare that interest.

3 PUBLIC QUESTION TIME

Questions are invited from members of the public present at the meeting about the work of the Council and the Council's services.

Approximately 30 minutes will be set aside for Public Question Time, if required.

4 MINUTES *(Pages 1 - 10)*

To approve as a correct record the Minutes of the meeting held on 28 June 2017.

5 PROPOSED CLOSURE OF RIBBLE DRIVE NURSERY *(Pages 11 - 74)*

6 CORPORATE FINANCIAL MONITORING REPORT - APRIL 2017 TO JUNE 2017 *(Pages 75 - 100)*

7 BURY LOCAL PLAN - RESPONSE TO REGULATION 18 NOTIFICATION AND KEY ISSUES AND POLICY FRAMEWORK REPORT *(Pages 101 - 154)*

8 COMMUNITY ASSET TRANSFER POLICY *(Pages 155 - 178)*

9 PARRENTHORN HIGH SCHOOL - PROPOSAL TO ENLARGE THE SCHOOL PREMISES *(Pages 179 - 188)*

10 URGENT BUSINESS

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

11 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under Section 100 (A)(4), Schedule 12(A) of the Local Government Act 1972, that the press and public be excluded from the meeting for the reason that the following business involves the disclosure of exempt information as detailed against the item.

12 10 HOUSING UNIT SCHEME - TO FOLLOW

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|---------------------------|--|
| Minutes of: | THE CABINET |
| Date of Meeting: | 28 June 2017 |
| Present: | Councillor R Shori (in the Chair) Councillors K S Briggs, E O'Brien, J Kelly and A Simpson |
| Apologies: | Councillor A Quinn (cl) |
| Public attendance: | 34 members of the public were in attendance. |

CA.01 DECLARATIONS OF INTEREST

Councillor R Shori declared a personal interest that his partner is employed by the Council.

Councillor A Simpson declared a personal interest in respect of minute number CA.13 for the reason that she is a governor of Parrenthorn High School.

CA.02 PUBLIC QUESTION TIME

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

The Chair invited questions from the members of the public present that did not relate to items to be considered at the meeting.

No questions were received.

CA.03 MINUTES

Delegated decision:

That the minutes of the meeting held on 12 April 2017 be approved and signed by the Chair as a correct record.

CA.04 LIBRARY REVIEW – OUTCOME OF THIRD SURVEY ON PROPOSED OPTIONS AND RECOMMENDATIONS

The Cabinet Member (Children and Families) submitted a report presenting:

- The summarised outcomes of the public consultation on the Library Review relating to the 2 proposed options:
 - Option 1** - Retain Bury, Ramsbottom and Prestwich Libraries plus a service-wide team.
 - Option 2** - Retain Bury, Ramsbottom, Prestwich and Radcliffe Libraries plus a smaller service-wide team.
- An overview of additional work carried out since the last report to Cabinet, and;
- A recommendation for option choice and next steps.

The Chair invited questions from members of the public present.

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- Can an assurance be given that the Council will support the Friends of Tottington Library to keep their local library open?

The Council will listen to proposals of the Friends of Tottington Library and will support them where it is cost neutral to the Council.

- Tottington Library has the highest number of young readers in the Borough and the Council's proposal to close the library will discriminate against them. How has the Council included young readers in its consultation?

The Council undertook its consultation across all areas including children at school. The libraries at Tottington and Unsworth were well used by younger readers with the support of family members and the Library Service would continue to work with families in the future.

- Can the Council reconsider the proposal to close Bury libraries? There will be an impact on the lives of residents if their library is closed. There will also be implications for older people commuting and disabled people who will not be able to travel into Bury or find a disabled parking space close to the library. Safety is an issue for these people. Unemployed people also rely on libraries and may not be able to afford the cost of travel to get access.

The Council is not in a financial position to be able to keep all the libraries in the Borough open and must take decisions to provide a sustainable, high quality library service for Bury residents.

- Why has Option 3 not been mentioned in the report regarding a possible reduction in the size a libraries? The more libraries there are the more efficient the access to facilities will be for residents. Community groups and clubs could be lost if the closures happen. The volunteers mentioned in the report are not coming forward as expected.

Option 3 was considered in the previous stage of the review process but was it not financially viable. Also, the arrangements for the libraries involved would not have provided a level of service and quality appropriate for the whole of the Borough. Work with the community will still continue including luncheon clubs and work to reduce social isolation. Unfortunately the Council still has to make further financial savings on services and cannot afford to maintain the service in its current form.

- What sort of resources will be made available for library volunteers to promote a community library service? Can the Council commit resources to maintain a community asset?

The Council welcomes the support of community groups and will offer advice and help to identify and access funding but is unable to provide direct financial resources.

- When the Council refers to 'cost neutral' can details be provided because it is important for a group that is interested in taking on an asset to know the costs involved in order to produce a costed business plan.

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The Council is not able to provide specific details on every asset at this stage of the process.

- Why has the Council not built up funds from Council Tax for use to maintain library buildings?

The Council has to meet a number of service demands and prioritises its resources accordingly.

- The Council promised that the Seedfield Library was safe for twenty years after receiving lottery funding and now after eight years the service is going to be lost.

A twenty year period was given at the time however the present financial situation in which the Council if finds itself means that this position cannot be sustained. The Council will continue to work for and support the local community. The lottery funding provided was a capital grant and the Council provided the staffing resources for the library.

- The library in Tottington is the only community asset available to hold meetings and clubs. The local churches have been approached but are not able to help. There is no bus service to the other closest areas with a library.
- Can Councillors take a knock like the people of the borough are experiencing through cuts to services and use the money saved to help fund a library service?

The Boundary Commission is to be contacted and enquiries made regarding a change to the electoral cycle and numbers of Councillors. If this is taken forward the money saved would not be ring-fenced specifically for libraries provision but would be directed to other areas such as emergency and priority spending and increases in costs.

- If a community group can demonstrate that it could successfully maintain a building would the Council consider a community asset transfer?

The Council would consider the transfer of a community asset if this could be successfully demonstrated.

- Once the library buildings are no longer providing a library services will groups still be able to use the space for community related activities?

There will be transitional arrangement plans which will need to be developed but this would take place after a decision to close a library facility.

- The three month period for setting up a community group to take on a building and negotiate an operating framework with the Council is a relatively short period. Can the Council set up meetings on a weekly basis to take negotiations forward?

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Where there are plans produced that demonstrate a community group could take on the running of a building it will be supported by Council and meetings will be arranged accordingly.

Written questions were also submitted as follows:

- Who are the members of the Service-Wide team and how can they be contacted?

The service wide-team is not yet established. We will not be embarking upon a staff consultation until the decision is taken at Cabinet to approve one of the two options. The service wide team will be implemented after this consultation.

- What has this team done so far to promote this possible new option across all libraries users and residents in their neighbourhoods?

During March 2017 a presentation updating communities about the Library Review was given at all Township Forums. Time was also allowed for questions and discussion. The presentation covered: The outcome of the first public consultation; impact of the Council budget; phase two consultation (including discussions with community groups) and next steps.

All groups currently or recently using libraries have been given the opportunity to have an informal discussion with senior library staff in order to help them plan for the future of their group. A mapping exercise has been carried out so we understand every group that currently meets in the existing libraries.

- What has been done to identify and provide adequate support to volunteers and further community groups who would be willing to develop such community led projects?

Several groups have expressed an interest in developing a model to run library buildings which are proposed to close at the end of the review either as libraries or as other community provision. Discussions with these groups will be ongoing over the coming months. It should be noted that any library service provided by these groups will be outside the Council's statutory library offer and must be cost neutral to the library service and the Council.

- When are you going to make available to the public, community groups, library users and volunteers detailed information about what the Council intends to do with each buildings, fittings, equipment and books likely to be closed due to the review of the Library service?

Until a decision is made at cabinet we are not in a position to look at potential building usage post library review. In the Cabinet report (January 2017) appendix 5 lists an Asset Management view of opportunities to achieve savings, giving early indications of possible future usage. The next Cabinet report will also update on this item on June 28th. Following a Cabinet decision there will be a full transition plan implemented to change the structures of the library service to the new chosen model.

Cabinet 28 June 2017

Delegated decision:

That approval be given to Option 2, as presented in the report submitted, to retain Bury, Ramsbottom, Prestwich and Radcliffe Libraries and a smaller Service-Wide Team.

Reasons for the decision:

The Council is reviewing its services in order to deliver significant savings over the next four years. The Council also has a legal duty to provide Bury residents with a comprehensive and efficient library service.

Other option considered and rejected:

To retain Bury, Ramsbottom and Prestwich Libraries plus a service wide team.

CA.05 PROPOSED CLOSURE OF RIBBLE DRIVE NURSERY

The Cabinet Member (Children and Families) submitted a report following a request from the Governing Body of Ribble Drive Primary School for the Local Authority to publish and consult on a statutory proposal to remove its nursery provision. This would change the age range of the school from 3-11years to 4-11years.

The proposal for the closure of the nursery provision at the school was published on 18 April 2017 and this set out arrangements for those affected by the proposal to make their views known. The closing date for comments was 16 May 2017. The school also carried out an informal consultation prior to the publication of the proposal.

The Chair invited questions from members of the public present.

The Grand parent of a child currently attending Ribble Drive Nursery addressed Cabinet making the following points:

- The minutes of the Governors meetings had agreed to an increase in numbers in the nursery until 2018.
- The notice posted on the proposal was not correct and had to be replaced.
- The recommendation of the Governors is based on an inaccurate report.
- The cost of the nursery provision is £75,000 per annum. It is proposed that the teaching assistants in the nursery will be made redundant but it appears that the nursery teacher will remain as an employee of Ribble Drive PS.
- The school has not consulted with the families affected by this proposal. Who has checked the accuracy of the consultation process?
- Parents were invited to place their children in the nursery in January 2017.
- There is a moral issue in the manner the school has invited children and then leaves nine children to find a new nursery.

Delegated decisions:

1. That consideration of the proposal to close Ribble Drive Nursery be deferred until the next meeting of Cabinet (26 July 2017).
2. That the report to the next Cabinet meeting include details on the consultation process undertaken by the Governors of Ribble Drive Primary

3. School including the contact made with parents of children currently attending Ribble Drive Nursery and the responses received.

Reason for the decision:

To ensure that the consultation process has been conducted in a fair, thorough and transparent manner before a decision is taken on the recommendation to close the nursery.

Other options considered and rejected:

To approve or reject the proposal to closure the nursery provision at Ribble Drive Primary School.

CA.06 REVENUE AND HOUSING REVENUE ACCOUNT OUTTURN 2016/2017

The Cabinet Member (Finance and Housing) submitted a report providing details of:

- The revenue outturn figures in respect of the last financial year (2016/2017);
- Major variances between the revised estimate and the outturn;
- The level of school balances;
- HRA outturn for the year;
- The minimum level of balances in the light of risk assessments

Delegated decisions:

1. That the final outturn for 2016/2017 and explanations for major variances (Appendix A, B and C) be noted.
2. That the recommendations of the Interim Executive Director for the minimum level of balances in light of the review of the corporate risk assessments and departmental risk assessments (Section 4) be endorsed.
3. The final revenue outturn and HRA outturn for 2016/17 be noted along with explanations for major variances.
4. The level of the General Fund balances be noted.
5. That it noted that the minimum level of the General Fund balance calculated at £4.250m for 2017/18 is subject to regular review as part of the budget monitoring process.

Reason for the decision:

The presentation of an annual report on the Revenue and HRA Outturn is a requirement of the Council's Financial Regulations, as part of Council's Financial Procedure Rules.

Other options considered and rejected:

To reject the recommendations.

CA.07 CAPITAL OUTTURN REPORT 2016/2017

The Cabinet Member (Finance and Housing) submitted a report providing Members with details of:

- The capital outturn figures in respect of the last financial year 2016/17;
- Major variances between the Revised Estimate and the Outturn;

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- The financing of the Capital Programme in 2016/17;
- Re-profile of budgets/allocations and slippage of funding into 2017/18;
- Details of the capital receipts realised during the year.

Delegated decision:

1. That the final Capital Outturn for 2016/2017, including the explanations for major variances as detailed in the report and Appendix A be noted.
2. That the financing of the Capital Programme in 2016/17, as detailed in Paragraph 3.5 of the report submitted, be noted.
3. That approval be given to the re-profiled/slippage requests and associated funding into 2017/2018, as detailed in Appendix B of the report submitted.
4. That the level of Capital Receipts realised in year and the proposed use of the sites disposed of during the year as detailed in Appendix C be noted.

Reason for the decision:

The presentation of an annual report on the Capital Outturn is a requirement of the Council's Financial Regulations, as part of the Council's Financial Procedure Rules.

Other option considered and rejected:

To reject or amend the recommendations.

CA.08 TREASURY MANAGEMENT OUTTURN REPORT 2016/2017

The Cabinet Member (Member for Finance and Housing) submitted a report reviewing the Council's Treasury Management activities during 2016/2017.

Delegated decision:

That the Treasury Management Annual report 2015/2016 be noted.

Reason for the decision:

The Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management requires that the Council receives an annual review report of the previous year by 30 September.

Other option considered and rejected:

To amend or reject the recommendations.

CA.09 FUTURE OF SECTION 48 AGMA GRANTS SCHEME

The Leader and Cabinet Member (Economic Growth and Human Resources) submitted a report seeking consideration to be given to the closure of the current Section 48 AGMA Grants Scheme, with a view to its replacement by a new scheme under the Greater Manchester Combined Authority.

Delegated decisions:

1. That in giving initial consideration to the case for closure of the Section 48 AGMA Grants programme, authority be given for a consultation on closure of the scheme to be undertaken by AGMA to inform a final decision on closure to be taken at a later date.

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2. That support be given to the development of a new funding programme for

culture, under the GMCA, as a potential replacement for the Section 48 Scheme.

3. That it be noted that it is intended to run the consultation for a new Combined Authority programme for culture at the same time as the consultation on closure of the Section 48 scheme.

Reason for the decision:

AGMA Leaders have suggested that they would like to review options for the development of a new programme for culture under the GMCA and to align the new programme with the closure of the Section 48 Scheme.

Other option considered and rejected:

To reject the recommendations.

CA.10 CORPORATE PERFORMANCE 2016/2017- QUARTER 4

The Leader and Cabinet Member (Economic Growth and Human Resources) submitted a report providing an update on corporate performance in line with the Single Outcomes Framework for Team Bury.

The report detailed a series of indicators and performance measures under each outcome, with the most recent data provided for each of these.

Delegated decision:

That the report be noted.

Reason for the decision:

A robust performance management framework is essential if the Council is to measure the effectiveness and value for money of the services it delivers.

Other option considered and rejected:

To reject the recommendation.

CA.11 BURY WHOLE SYSTEM TRANSFORMATION: DEVELOPMENT OF ONE COMMISSIONING ORGANISATION

The Leader and Cabinet Member (Economic Growth and Human Resources) submitted a report outlining the programme structure for the development of a One Commissioning Organisation in Bury by April 2018 in line with the Bury Locality Plan and the Greater Manchester Transformation fund bid.

Delegated decisions:

1. That the report be noted.
2. That the planning framework for Whole System Transformation and the planned approach to the development of One Commissioning Organisation in Bury be endorsed.

Reason for the decision:

Failure to move the integration agenda forward represents a major organisational risk and jeopardises provision of services to residents.

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Other option considered and rejected:

To reject the recommendations.

CA.12 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 items of business as it involved the likely disclosure of exempt information, as detailed in the conditions of category 3.

CA.13 PARENTHORN HIGH SCHOOL EXTENSION AND REMODELLING WORK TO SUPPORT AN INCREASE IN PUPIL NUMBERS AT THE SCHOOL – CAPITAL PROJECT STAGE 2 APPROVAL

The Cabinet member (Finance and Housing) and the Cabinet Member (Children and Families) submitted a report setting out in financial terms, the details of a project at Parrenthorn High School and involved expenditure exceeding £250,000.

The project is contained within the Council's agreed capital programme for 2017/18 and 2018/19 and includes the proposed funding arrangements.

Delegated decisions:

That approval be given to the financial details set out in the report submitted.

Reason for the decision:

Modelling of future demand for high school places indicates that the most appropriate school in which to create additional capacity is Parrenthorn High School.

Other option considered and rejected:

To reject the recommendation

CA.14 ELMS BANK SPECIALIST ARTS COLLEGE – PHASED SCHEME OF REBUILD AND REFURBISHMENT – CAPITAL PROJECT STAGE 2 APPROVAL

The Cabinet member (Finance and Housing) and the Cabinet Member (Children and Families) submitted a report setting out in financial terms the details of a project at Elms Bank Specialist Arts College to provide a phased scheme of rebuild and refurbishment. The proposed would be funded from the 2017/18, 2018/19, 2019/20 Capital Programme, (schools capital maintenance grant) which involves expenditure exceeding £250,000.

The report gave details of the financial profile of the project identifying the costs to be incurred and the funding to support it.

Delegated decision:

Cabinet 28 June 2017

That approval be given to the financial details as set out in the report submitted.

Reason for the decision:

The proposed scheme will increase the capacity of the school help meet the needs of its 185 pupils.

Other option considered and rejected:

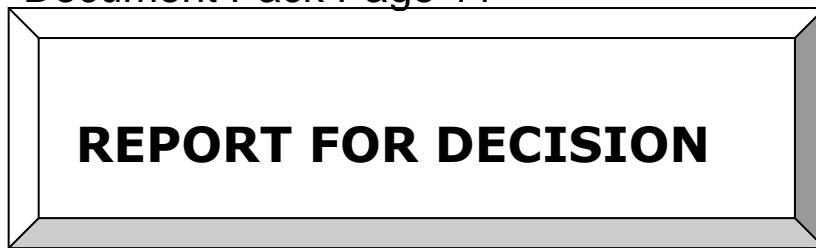
To reject the recommendations.

(cl – clash with other Council related business)

COUNCILLOR R SHORI

Chair

(Note: The meeting started at 6.00pm and ended at 7.55pm.)



| | |
|---------------------------------------|---|
| DECISION OF: | CABINET |
| DATE: | WEDNESDAY 26 JULY 2017 |
| SUBJECT: | PROPOSED CLOSURE OF NURSERY PROVISION AT RIBBLE DRIVE PRIMARY SCHOOL |
| REPORT FROM: | CABINET MEMBER FOR CHILDREN AND FAMILIES |
| CONTACT OFFICER: | PAUL COOKE STRATEGIC LEAD (SCHOOLS, ACADEMIES AND COLLEGES) |
| TYPE OF DECISION: | EXECUTIVE (KEY DECISION) |
| FREEDOM OF INFORMATION/STATUS: | OPEN |
| SUMMARY: | <p>The Governing Body of Ribble Drive Community Primary School has requested that the LA publish and consult on a statutory proposal to remove its nursery provision, thus changing the age range of the school from 3-11 to 4-11.</p> <p>A report was presented to Cabinet on 28 June 2017, a decision regarding the proposal was deferred pending further information being provided by the school in relation to the informal consultation that was conducted prior to the publication of the proposal. Additional information provided by the school is contained at Appendix Two.</p> <p>If approved, the proposal will be implemented with effect from 1 September 2017.</p> <p>In accordance with the Education and Inspections Act 2006 (as amended by the Education Act 2011), and associated Prescribed Alterations Regulations, the Local Authority has responsibility for determining the proposal.</p> |

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| OPTIONS & RECOMMENDED OPTION | Cabinet is requested to determine the proposal as published. |
| IMPLICATIONS: | |
| Corporate Aims/Policy Framework: | Do the proposals accord with the Policy Framework? Yes No |
| Statement by the S151 Officer: Financial Implications and Risk Considerations: | The school and its nursery provision are funded through the Dedicated Schools Grant, Pupil Premium and Universal Infant Free School Meal grants, meaning that there are no Council provided financial resources. As nursery income reduces, this needs to be matched by reduced costs to avoid a call upon the school's core budget. |
| Health and Safety Implications | |
| Statement by Executive Director of Resources (including Health and Safety Implications) | There are no wider resource implications. |
| Equality/Diversity implications: | Yes No (see paragraph below) |
| Considered by Monitoring Officer: | Yes The process followed, as set out within the report, is in accordance with the relevant legislation and associated statutory guidance, which the Council must have regard to. Equality issues appear to have been considered and provision made for those children currently attending, as well as those who propose to attend. |
| Wards Affected: | Besses |
| Scrutiny Interest: | |

TRACKING/PROCESS

DIRECTOR:

| Chief Executive/ Strategic Leadership Team | Cabinet Member/Chair | Ward Members | Partners |
|--|-------------------------|--------------|----------|
| | | | |
| Scrutiny Committee | Cabinet/Committee | Council | |
| | | | |

1.0 Background

- 1.1 The school’s nursery provision was originally established to offer 52 places (26 places in the mornings and 26 in the afternoons, with the possibility of parents paying for extra sessions to create full time provision). However, over recent years the demand for nursery places has declined, to the extent that the school now only offers places in the mornings.
- 1.2 The school therefore currently offers Nursery provision for five mornings a week during term time. There is a high adult to pupil ratio in the Early Years Foundation Stage unit, with two teachers and two support staff full time equivalent (FTE), and one other member of support staff who works five mornings (0.5 FTE). This ratio enables the school to have a maximum of 56 children in the mornings and 30 children in the afternoons; the Published Admission Number for the Reception year group is 30 pupils. Reception pupils attend full time, therefore Nursery provision could be a maximum of 26 children in any one session.
- 1.3 Since 2014-15 the numbers of children attending the nursery have declined, from 46 in 2014-15, to 24 in 2015-16. In January 2017, the school admitted 9 children into the nursery in an attempt to increase numbers. There are a further 6 children whose parents have expressed interest in a nursery place from September 2017. Therefore, there would potentially be 15 children requiring nursery places in September 2017.
- 1.4 The costs of running the nursery, including meeting statutory staffing ratios, are significantly higher than the funding received using the approved Early Years Single Funding Formula (EYSFF), which is set to reduce further according to known nursery intake numbers.
- 1.5 Based upon current numbers, funding and income generation there is a significant shortfall to meet the costs of running the Nursery, and low numbers of pupils in Nursery over a period of time are unsustainable.
- 1.6 The Governing Body therefore requested that the LA publish and consult upon a proposal to remove its nursery provision, thus changing the age range of the school from 3-11 to 4-11.

2.0 Process

- 2.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and associated statutory guidance, sets out the process to be followed in relation to changes to school organisation, and the factors that must be considered by decision makers.
- 2.2 In respect of changes involving a Community school, such as alteration of the age range, the LA it is both the proposer and the decision maker of the proposal. Whilst the Governing Body have requested that this proposal be developed, the LA must publish and consult on the proposal. Thereafter, it is for the LA to consider the proposal and to determine if it should be approved. If it is unable to do so, the LA must refer the proposal to the Schools Adjudicator for decision.
- 2.3 Upon publication of a statutory notice setting out the proposal, representations can be made to the LA by any person within a four week period.
- 2.4 The statutory guidance states that the LA as decision-maker will need to be satisfied that the appropriate, fair and open consultation has been carried out, and that the proposer has given full consideration to all the responses received.
- 2.5 The decision-maker must consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school.

3.0 Consultation

- 3.1 Prior to the publication of a proposal, there is a strong expectation that interested parties will be consulted in developing the proposal prior to publication, taking into account all relevant considerations.
- 3.2 The school has carried out informal consultation with the staff and families that would be affected by this proposal. Details are contained at Appendix 2. Following this, the LA was requested to publish a statutory proposal to remove nursery provision at the school.
- 3.3 The proposal was published on 18 April 2017, setting out arrangements for those affected by the proposal to make their views known. The closing date for receipt of comments was 16 May 2017.
- 3.4 The LA received five objections to the proposal from prospective parents, or families whose children currently attend the nursery. A petition to show support for the nursery and the staff was also received which contained 146 signatures from parents and members of the community.
- 3.5 A summary of the representations received in response to the consultation, and responses to the issues raised, is set out at Appendix 1.
- 3.6 Cabinet members will also have sight of all responses received.
- 3.7 Departmental HR officers have been involved in the consultation with the staff affected by this proposal, and their respective union representatives.

4.0 Implications

- 4.1 If approved, the proposal will be implemented with effect from 1 September 2017.
- 4.2 Those children currently attending Nursery who are eligible to start in Reception in September 2017 have applied to the LA for a school place in the normal way.
- 4.3 There are currently 15 children whose parents have expressed interest in a nursery place from September 2017, 9 of whom were admitted in January 2017.
- 4.4 There is private provision adjacent to the school, and there are other private providers and schools in the local area to ensure the sufficiency of early years provision in the area. The school has confirmed that, if the proposal is approved, it will support parents to identify the most suitable provision for their child.
- 4.5 Despite the decline in demand for nursery places at the school, demand for school places remains high, and the Reception intake for September 2017 is oversubscribed, with forecasts set to sustain this level of demand.
- 4.6 Governors have indicated that removal of the nursery provision will enable the school to continue the development of a rich curriculum that supports all children throughout Reception, consolidating and further developing the successes and benefits they have already seen from effective leadership in Foundation 2.

5.0 Conclusion

- 5.1 In considering proposals, the Local Authority as decision maker must now decide to either reject the proposal; approve the proposal without modification; approve the proposal with modifications; or approve the proposal – with or without modification – subject to certain conditions being met.
- 5.2 Based upon current and projected numbers, the Governing Body is of the opinion that the nursery provision is not financially sustainable.
- 5.3 A number of families will be affected by this proposal, and the school has committed to working with those families in order to support them in finding suitable alternative provision.
- 5.4 The statutory process in making a prescribed alteration to a school has been followed.
- 5.5 In that respect there appears to be no reason for the Local Authority to reject the proposal.
- 5.6 Cabinet is therefore requested to approve the proposal as published.

List of Background Papers:-

Prescribed Alteration Statutory Proposal

Consultation document

Consultation responses

Petition of signatories

Making 'prescribed alterations' to maintained schools - Statutory guidance for proposers and decision-makers, DfE April 2016

Guidance for Decision Makers, DfE April 2016

Contact Details:-

Paul Cooke – Strategic Lead (Schools, Academies and Colleges)

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APPENDIX ONE

**PROPOSED CLOSURE OF NURSERY PROVISION AT RIBBLE DRIVE
PRIMARY SCHOOL
CONSULTATION FEEDBACK & RESPONSES**

| RESPONDENTS | COMMENT | RESPONSE |
|--|--|---|
| Parents/Grandparents of nursery children | Although there is a consultation period in place, we feel that the outcome has already been decided. | <p>The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and associated statutory guidance, set out the process to be followed in relation to making prescribed alterations to schools, such as a change in age range to remove nursery provision.</p> <p>The process involves publication of a statutory notice setting out the proposal; a statutory representation period, during which those affected can make their views known. Following the representation period, the LA has responsibility for determining the proposal. Decisions must be made within two months of the end of the representation period, or they must be referred to the Schools Adjudicator.</p> <p>Once determined, the proposer must implement a proposal in the form that it was approved, taking into account any modifications made by the decision-maker.</p> <p>This proposal was published on 18 April 2017, setting out arrangements for those affected by the proposal to make their views known. The closing date for receipt of comments was 16 May 2017.</p> <p>The Council's Cabinet is requested to determine the proposal at its meeting on 28 June 2017.</p> |

| RESPONDENTS | COMMENT | RESPONSE |
|--------------------|---|---|
| | <p>When did informal consultation take place and with whom?</p> | <p>Prior to the publication of a proposal, there is a strong expectation that interested parties will be consulted, in developing the proposal prior to publication, taking into account all relevant considerations.</p> <p>The school has carried out informal consultation with the staff and families that would be affected by this proposal.</p> <p>Discussions with parents of "rising 2s" and younger children have also indicated that few were considering Nursery provision. Most preferred to use full time private settings or keep their child/ren at home and use Children's Centre sessions.</p> |
| | <p>Children have settled well into nursery and have formed strong emotional attachments</p> <p>Routine is important and the changes planned will have a detrimental impact on our children. Has the impact been considered at any time during this process?</p> <p>If we are forced to seek alternative provision we may not be able to use local childminding services. Have you considered the wider impact of this decision on families and those who support families?</p> <p>Has consideration been given to families of children in Foundation stage 1 who have siblings at the school?</p> | <p>Governors accept and appreciate the parental concerns around changes in routine, and the friends and attachments that the children have made.</p> <p>Although there will be changes if the proposal is approved, young children are extremely resilient and there will be similar routines in other settings, especially school settings, to develop school readiness.</p> <p>Whilst these may not be equidistant from local childminders that some families are currently using, there is capacity in other local settings.</p> <p>One family with a sibling has approached the Head and discussed this issue; they accept that a financially unviable nursery will divert funds from other areas, and do not want their older child's education compromised.</p> |

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| RESPONDENTS | COMMENT | RESPONSE |
|-------------|--|--|
| | | Should the proposal be approved, the school will work with all families affected to support enhanced transition to new settings, if this is the option which they choose to make. |
| | <p>We cannot express enough our happiness at the level of education, care and guidance (our daughter) receives from Mrs Lowe and her staff.</p> <p>My son attended the nursery, and progressed so well, I would really like my daughter to go there too.</p> | Governors welcome the positive comments regarding the nursery provision that were received throughout the consultation. |
| | We find the decision to seek closure of the foundation stage surprising considering that 9 children were given places in January. Was this considered when a decision to seek closure was made? | As the data indicated a significant decrease in F1 entry numbers in September 2017, in the Autumn of 2016 school contacted local families with children classed as "Rising 3s." Of the 23 contacted, 10 expressed an interest in a January intake and 9 children were placed. This was a genuine attempt to see if the school could increase the numbers, but has caused disruption and upset for which governors apologise; the last thing they wish to do is cause distress to these children. |
| | <p>The numbers quoted in the consultation document were inaccurate.</p> <p>There are 9 children currently attending and a further 9 or 10 have expressed interest for September.</p> | <p>There are currently 15*, children whose parents have expressed interest in a place from September- this number is greater than the number quoted in the original documentation as since initial consultation more parents have come forward.</p> <p>*This includes the 9 children who formed the January intake.</p> |
| | Why have staff redundancy notices been issued when the final decision has not yet been made? | In order to comply with statutory notice periods, redundancy notices have to be issued in a timely manner to effect a change from 1st September. If the |

| RESPONDENTS | COMMENT | RESPONSE |
|--|---|---|
| | | <p>notices hadn't been issued at this stage and the closure went ahead from September, the school would have been left with an overstaffing situation.</p> <p>As is the case with any redundancy, the notices can be withdrawn at any point prior to the proposed date of redundancy, in this case 31st August.</p> <p>Should the proposed closure not go ahead, the redundancy notices will be withdrawn.</p> |
| | <p>Has consideration been given to the detrimental impact this decision could have on pupil numbers?</p> | <p>Despite the declining position in the Nursery for the last 3 years, the school has been consistently oversubscribed at Reception, with appeals occurring for each of these years. This trend is currently on-going for September (2017-18) as there have been over 60 applicants for 30 places. From September 2017, existing data shows that school currently expects to have 30 children in each class from F2 (Reception) to Y6. Pupil forecasts are set to sustain this level of demand.</p> <p>Whilst Governors are not aware where all children attend pre-school, they have ascertained that some of these children's parents work full time, and therefore require more than the 15 hours for 39 weeks per year that school is able to offer. It is also possible that some parents choose to keep their child/ren at home until they reach statutory school age</p> |
| <p>Parent of Y2 child and prospective nursery child.</p> | <p>Recent discussions in the media regarding school funding and the squeeze on school budgets is highlighted perfectly I believe by</p> | <p>Lower pupil numbers in the Nursery class has a negative impact on funding as Nursery classes are</p> |

| RESPONDENTS | COMMENT | RESPONSE |
|--------------------|--|---|
| | <p>the situation at our school. I was made aware that 3 members of staff have already been put on notice for redundancy, and the school has already had to close its After School Club.</p> <p>I have spoken personally to the Headteacher and fully appreciate that low numbers in the nursery class over a long period of time may have a negative impact on funding and the school budget. As a parent of a child currently in Y2..., I absolutely understand the need to focus funding where it is most useful and beneficial.</p> | <p>funded on a 'per pupil' basis rather than according to how many places they offer. Younger children require a higher staff: pupil ratio and the current data shows Nursery numbers are expected to be very low. Governors are convinced by this data that there will be insufficient funding to maintain the Nursery class. The Governing Body must set a balanced budget, and the school budget does not include any formula funding that will allow it to subsidise the nursery provision. Governors therefore believe that the Nursery class is no longer financially viable.</p> |
| | <p>I strongly urge the Council's Cabinet to ensure all possible alternatives be fully investigated and discussed, before a decision is made.</p> | <p>Governors understand the importance of Early Years education, and the vital role that the whole of EYFS plays in school readiness; to this end they consulted with other local schools and private providers to ascertain what capacity they would have to offer places to those parents who did express an interest in staying at Ribble Drive. At the time of this consultation, there was sufficient capacity to take in the 9 children who formed the January intake.</p> |
| | <p>Private provision on the same site has a negative impact on the attractiveness of the school nursery.</p> | <p>Governors are well aware that a school Nursery, staffed by a teacher, can provide more than many private Nurseries in terms of school readiness, however Ribble Drive can only operate for 39 weeks per year. Whilst the school has had some children who have attended the school Nursery in the morning and then moved into "Toddlers", this has been the exception rather than the rule.</p> |

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Ribble Drive Primary School
Whitefield
Manchester
M45 8TD



APPENDIX TWO

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Information regarding the proposal to close the Nursery Provision at Ribble Drive with effect from September 2017

Informal Consultation:

This was verbal and took place both prior and following the January intake:

- **Schools:**

As rolls have been steadily decreasing since the onset of 2 year old funding, other local schools were consulted: Whitefield Community Primary, Mersey Drive and All Saints all confirmed that they had surplus places and were not expecting to be at full capacity in September 2017. St Michaels had few surplus places but expected some places in September 2017. Unsworth do not have a school Nursery as they have a Private provider on site, open for much longer periods-as do we.

- **Staff:**

Staff were consulted: they suggested a January intake to try to significantly increase the intake, which was explored.

- **Parents**

From the 23 eligible families approached about the January intake, 10 responded but only 9 took up the offer. 11 families did not intend to use Nursery provision at Ribble Drive or elsewhere

- Families with pre-nursery age children attending the Whitefield Hub were also approached: most of them were not interested/did not see the relevance as their children were still too young; many would prefer to keep their children at home, or those returning to full-time work preferred to use private providers: some expressed an interest, but in St Michaels or St Bernadettes, as they wanted a Catholic placement.
- Families already attending the school were spoken to, informally, both on the playground and in school, to gauge response: again, most with babies didn't see the relevance of the question. Only 2 with 2 year olds felt they would use the Nursery facility.
- **At the Formal stage**, the Head was approached, both on the yard and in school about the proposal: those parents were disappointed but understood the reasons why and were able to see the bigger picture.
- A meeting was held in school with one family. This was attended by the Head, the Chair of Governors and a local Councillor.

- After a turbulent period of staffing which has lasted some years, the school finally has a settled staff with excellent Teaching Assistants and Higher Level Teacher Assistants and Special Support Assistant(1:1 with named children) support throughout. This has led to a marked increase in all outcomes: in KS2 results have improved by up to 28%, Phonics Screening by 20% to 93%. This is due to settled staffing and well planned and carefully targeted interventions delivered by experienced and skilled support staff.
- If this proposal is not approved, the reduced budget will mean that school still has to make redundancies. Due to the criteria for the redundancy of support staff, this is likely to be the same staff, but the process would have to begin again. This is both cruel, and undermines staff morale. It would also mean that following redundancies other support staff would have to be redeployed from the areas in which they are having a marked impact on children's outcomes and life chances.
- It is understood that many of the current F1 children who would use the Nursery Class if the proposal is overturned have obtained places at alternative settings.
- All figures quoted in the previous report were accurate at the time it was written, and we have had no other families contacting school since then to add their children's names or to express an interest. With a 52 place Nursery, we have run well under capacity for a number of years and, particularly in light of the current budget reductions, school can no longer afford to absorb the shortfall.



NOTICE OF KEY DECISION



MEETING: **CABINET
OVERVIEW & SCRUTINY COMMITTEE**

DATE: **26 JULY 2017
7 SEPTEMBER 2017**

SUBJECT: **CORPORATE FINANCIAL MONITORING REPORT –
APRIL 2017 TO JUNE 2017**

REPORT FROM: **CABINET MEMBER FOR FINANCE AND HOUSING**

CONTACT OFFICER: **STEVE KENYON, INTERIM EXECUTIVE DIRECTOR
OF RESOURCES & REGULATION**

TYPE OF DECISION: **FOR INFORMATION**

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: The report informs Members of the Council's financial position for the period April 2017 to June 2017 and projects the estimated outturn at the end of 2017/18.

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

OPTIONS & RECOMMENDED OPTION Members are asked to note the financial position of the Council as at 30 June 2017.

IMPLICATIONS:

Corporate Aims/Policy Framework:

Do the proposals accord with Policy Framework? Yes.

Statement by the s151 Officer:

The report has been prepared in accordance with all relevant Codes of Practice. There may be risks arising from remedial action taken to address the budget position; these will be identified by Directors at joint SLT / Cabinet meetings. Additionally, a series of measures was drawn up in 2016/17 to address the extremely difficult financial

situation facing the Council. These will continue into 2017/18 and are detailed in par. 3.6 on page 4 of this report.

Statement by Interim Executive Director of Resources & Regulation:

Successful budget monitoring provides early warning of potential major overspends or underspends against budgets which Members need to be aware of.

This report draws attention to the fact that, based on the most prudent of forecasts, several budget hotspots exist which will need remedial action.

Members and officers will be examining these areas in more detail at the council wide Star Chamber meeting.

Equality/Diversity implications: No

Considered by Monitoring Officer: Budget monitoring falls within the appropriate statutory duties and powers and is a requirement of the Council’s Financial Regulations to which Financial Regulation B: Financial Planning 4.3. (Budget Monitoring and Control) relates. The report has been prepared in accordance with all relevant Codes of Practice.

Are there any legal implications? Yes

Wards Affected: All

Scrutiny Interest: Overview & Scrutiny Committee

TRACKING/PROCESS

EXECUTIVE DIRECTOR: Steve Kenyon

| Chief Executive/ Strategic Leadership Team | Cabinet | Overview & Scrutiny Committee | Council | Ward Members | Partners |
|---|-----------------|-------------------------------------|---------|-----------------|----------|
| 17/07/17 | 26/07/17 | 07/09/17 | | | |

1.0 INTRODUCTION

- 1.1 This report informs Members of the forecast outturn for 2017/18 based upon current spend for the period 1 April 2017 to 30 June 2017 in respect of the revenue budget, capital budget and the Housing Revenue Account.
- 1.2 Projections are based on current trends, information, and professional judgement from service managers and finance staff.
- 1.3 The revenue budget projections highlight the fact that budget pressures exist in some key areas and it will be necessary to continue to examine options for improving the situation further.

2.0 BUDGET MONITORING PROCESSES

- 2.1 Reports will be presented quarterly to facilitate close monitoring of spend and implementation of action plans during the year.
- 2.2 Reports are also presented to the Strategic Leadership Team on a monthly basis and detailed monitoring information will also be discussed at joint SLT / Cabinet meetings during the year.
- 2.3 It is intended that improvements will continue to be made to the budget monitoring process, building on the significant developments implemented over the past few years.

3.0 SUMMARY OF REVENUE BUDGET POSITION

- 3.1 The table below outlines the annual budget and forecast outturn based upon known factors and the professional views of service managers as at month 3:

| Department | Budget £000 | Forecast £000 | Variance £000 |
|----------------------------------|------------------------|--------------------------|--------------------------|
| Communities & Wellbeing | 78,059 | 79,863 | +1,804 |
| Resources & Regulation | (1,252) | (133) | +1,119 |
| Children, Young People & Culture | 30,203 | 33,346 | +3,143 |
| Non Service Specific | 28,320 | 25,905 | (2,415) |
| TOTAL | 135,330 | 138,981 | +3,651 |

- 3.2 The projected overspend of £3.651m represents approximately 2.70% of the total net budget of £135.330m.
- 3.3 An overview of the reasons for this variance is outlined in the table overleaf; more detailed analysis is provided in section 4 of the report.

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| Month 3 Variance | Children Young People & Culture | Communities & Wellbeing | Resources & Regulation | Non Service Specific | TOTAL |
|---|---------------------------------|-------------------------|------------------------|----------------------|----------------|
| Reason | £'000 | £'000 | £'000 | £'000 | £'000 |
| Demand Pressures | 2,116 | 4,304 | 0 | 713 | 7,133 |
| Delayed Achievement of Cuts Options | 743 | 1,586 | 0 | 0 | 2,329 |
| Non-Achievement of Cuts Options | 409 | 0 | 52 | 0 | 461 |
| Income Shortfall | 0 | 89 | 1,252 | 0 | 1,341 |
| Planned use of one-off funding | 0 | (3,847) | 0 | 0 | (3,847) |
| Continued Impact of 10 Control Measures | (100) | 0 | (185) | 0 | (285) |
| Other | (25) | (328) | 0 | (3,128) | (3,481) |
| TOTAL | 3,143 | 1,804 | 1,119 | (2,415) | 3,651 |

- 3.4 Members need to be aware that financial reporting involves an element of judgement, and this particularly applies to the treatment of budget pressures. Often an area of overspending identified at this point in the year will be resolved before the end of the year following appropriate remedial action.
- 3.5 However it is felt appropriate to alert Members to potential problems at this stage so that they can monitor the situation and take ownership of the necessary remedial action and this is the basis on which the report is written.
- 3.6 Due to the extremely difficult financial situation that the Council faced in 2016/17 the Senior Leadership Team agreed and drew up an action plan with some immediate additional spending controls over & above usual controls. These will continue in 2017/18.

These include:

1. Recruitment freeze on staff and new agency placements (exceptions to be signed off by SLT);
2. Release of all existing casual / agency staff (exceptions to be signed off by SLT);
3. Cease overtime / additional hours (exceptions to be signed off by SLT);
4. Enter into no new training commitments, and review existing arrangements (exceptions to be signed off by SLT);
5. Re-launch Work Life Balance options around reduced hours / purchase of leave;

6. Cease spend on discretionary budgets; stationery, office equipment etc;
7. Cease spend on IT / Communications (exceptions to be signed off by SLT);
8. Any spend greater than £250 to be signed off by Executive Director;
9. Any new contractual commitments greater than £5,000 (lifetime value of contract) to be signed off by SLT;
10. Consider "in year" budget options – e.g. previously unidentified efficiencies, review of non-key services.

3.7 These were communicated to staff in 2016/17 and compliance with these will continue to be monitored throughout the year. It is expected that these actions will not only help to reduce the financial burden facing the Council within the current year but also for the coming years.

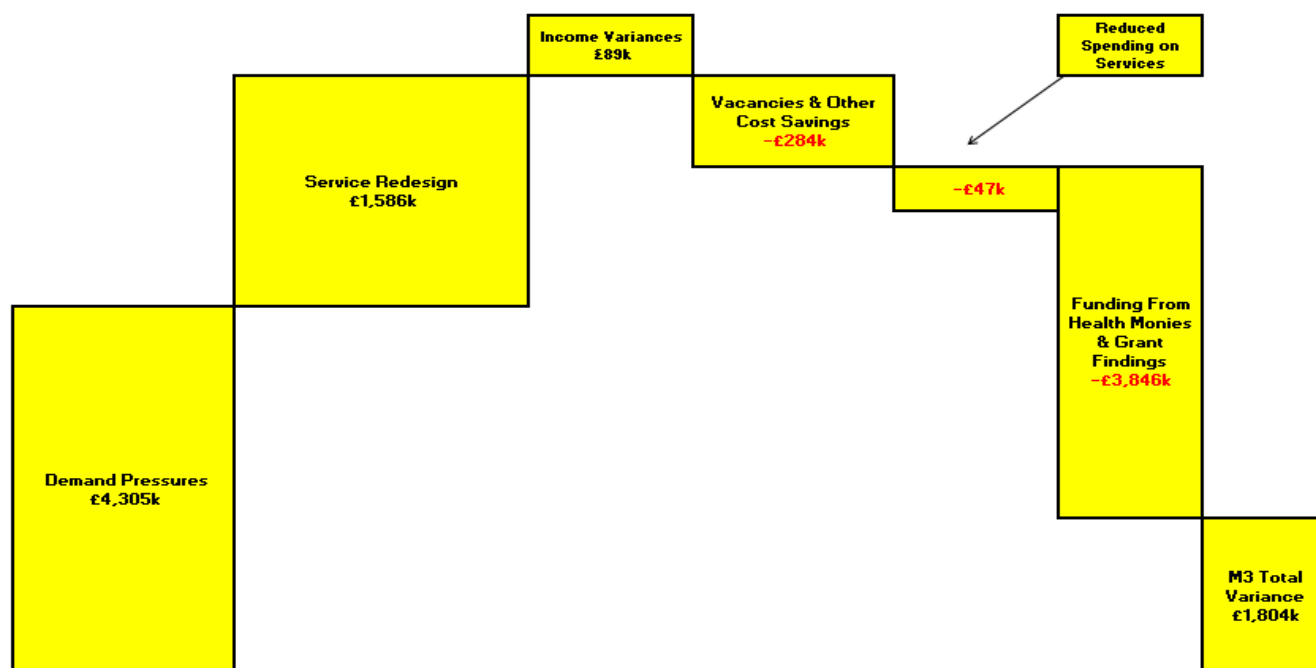
3.8 In addition to these measures, Executive Directors have been tasked with preparing "turnaround" plans as a matter of urgency for their Departments, to ensure that levels of expenditure are controlled and sustainable going forward.

4.0 SERVICE SPECIFIC FINANCIAL MONITORING

4.1 COMMUNITIES AND WELLBEING

4.1.1 The current projected overspend for Communities and Wellbeing is **£1.804m.**

4.1.2 Reasons for major variations are illustrated in the chart below;



4.1.3 Further details by service area are outlined below, along with remedial action being taken.

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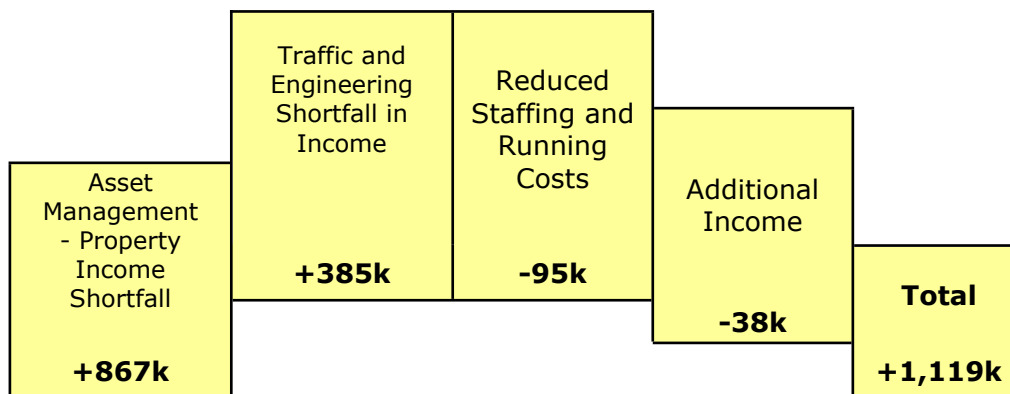
| Theme | Variance £'000 | Reason | Action Being Taken |
|--|-------------------|--|---|
| Demand Pressures | +4,305 | <p>Care in the Community budgets - £3,924k.</p> <p>(Reason: Pressure largely around Domiciliary Care, Residential Care and Self Directed Support Budgets).</p> <p>Falcon & Griffin Care Home - £46k (Reason: Staffing Budget Pressure).</p> <p>Persona Contract - £235k (Reason: Actual activity is greater than contract value).</p> <p>Assessment & Care Management - £100k (Reason: Staffing Cost Pressures).</p> | <p>Pressure is largely offset by £3,846m of Improved Better Care Funding. In addition, all existing high & medium cost care packages are kept under regular review.</p> <p>This pressure is currently unavoidable but any opportunity to use offsetting underspends will be employed if possible.</p> <p>The expectation is that this pressure will be managed downwards during 2017/18.</p> <p>Underspends within the wider Adult Social Care Operations Service will be used to partly offset this pressure.</p> |
| Service redesign (Note: A number of Budgets have yet to achieve cuts target against specific schemes, as a consequence this is partly/wholly the reason for the overspends) | +1,586 | <p>Reablement - £212k (Reason: Savings that remain unachieved).</p> <p>Civics - £100k (Reason: Income Shortfall).</p> <p>Beverage and Cafe Service - £65k (Reason: Income Shortfall).</p> <p>Environment - £200k (Reason: Savings target still to be identified).</p> <p>Leisure - £434k (Reason: Delay in achieving savings).</p> <p>Domestic refuse collection - £575k (Reason: Delay with achieving savings).</p> | <p>The deficit position largely relates to an unachieved element of the adult social care operations service savings target. An action plan is being developed to allocate and achieve the remaining 2017/18 saving target.</p> <p>Ongoing service review as well as new initiatives to support income generation.</p> <p>The Beverage service is being reviewed in line with the Civic review.</p> <p>Action plan being developed to allocate and achieve the 2017/18 saving target.</p> <p>The service is currently under review. Action plans are being developed to identify options to achieve saving target.</p> <p>The service is currently under review. Action plans are being developed to identify options to achieve saving target.</p> |
| Income variances | +89 | <p>Housing Choices - £11k (Reason: Income Shortfall).</p> <p>Grounds Maintenance - £10k (Reason: Income shortfall due</p> | <p>Reviewing options to reduce expenditure activity.</p> <p>Reviewing options to reduce expenditure activity.</p> |

| Theme | Variance £'000 | Reason | Action Being Taken |
|---|-------------------|--|--|
| | | to direct schools/brokerage schools leaving the service). Trade Waste - £68k (Reason: Income Shortfall). | Options under review to increase councils share of the trade waste market. The service is profitable but has a challenging income target. |
| Vacancies and Other Staff Cost Savings | -284 | Older People Fieldwork (-£48k) (Reason: Staffing Vacancies). Quality Assurance & Service Development (-£26k) (Reason: Staffing Vacancies). Assessment & Care Management (-£190k). ACS Transport - (-£20k) (Reason: Staffing Vacancies). | Underspend being used to offset pressures within other areas of ASC Operations. Underspend may be used to offset pressure within other areas of CWB budgets. Underspend being used to offset pressures within other areas of ASC Operations. Underspend may be used to offset pressure within other areas of CWB budgets. |
| Reduced Spending on Services | -47 | ASC Care Link - (-£11k) (Reason: Reduced expenditure on Bury Employment Support Team). Carers Grant - (-£36k) (Reason: Reduction in grants paid out). | Underspend may be used to offset pressure within other areas of CWB budgets. Underspend may be used to offset pressure within other areas of CWB budgets. |
| Funding from Health Monies & Grant Funding | -3,846 | Funding to Support the demand pressures of the Care in the Community budgets - (-£3,846k). | This funding is being used to support the pressures within the Care in the Community budget and consists of a £3.576m one-off Enhanced Better Care Fund grant and a £0.270m recurrent Improved Better Care Fund grant. |

4.2 RESOURCES AND REGULATION

4.2.1 The Resources & Regulation Department is forecasting an overall overspend of **£1.119m.**

4.2.2 Reasons for major variations are illustrated in the chart overleaf;



4.2.3 Reasons for major variations are illustrated in the table below;

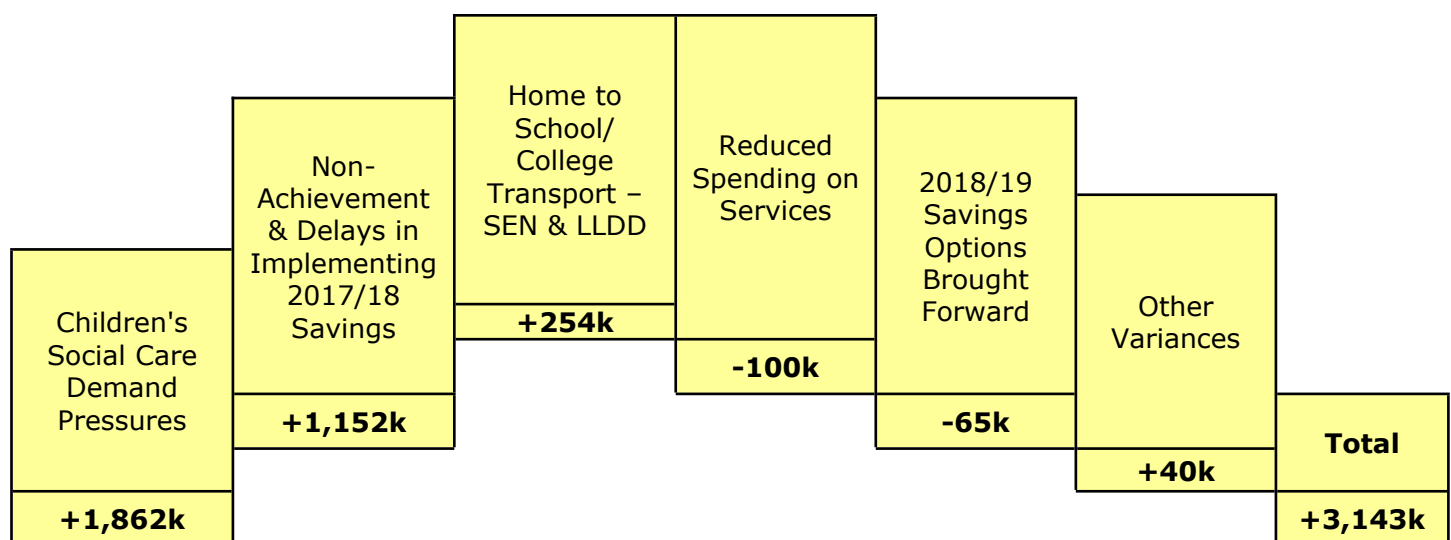
| Activity | Variance £'000 | Reason | Action Being Taken |
|-------------------|-------------------|--|---|
| Property Services | +867 | Shortfall in income due to low level of rents that can be charged in the current economic climate. | <p>The Council has introduced two important strategies which will address the instability in property income.</p> <p>Through implementing the Estates Strategy the Council will identify high risk and underperforming investment assets and these will be disposed of. Initial tranche of properties identified.</p> <p>The Investment Acquisition Strategy will see the Council utilise existing capital currently invested in low return investments and receipts received from disposals. Four properties already acquired – expected to produce £415,000 p.a. in new income.</p> |

| | | | |
|------------------------------------|------|--|--|
| Traffic & Engineering | +385 | Estimated shortfalls in income relating to on- and off-street parking and parking fines (+£145k), Greater Manchester Road Activities Permit Scheme (GMRAPS) (+£80k), coring (+89k), bus lane enforcement (+£99) less savings on discretionary spend (-£28k). | Monitor income levels, and adjust expenditure where possible. GMRAPS scheme to be examined further. |
| Reduced Staffing and Running Costs | -95 | Vacant posts not filled and tightening of controllable expenditure across the department. Salaries savings in Finance & Efficiency, HR and Stores. | To be used to assist in reducing the estimated overspend within the department in 2017/18 and part included within the 2018/19 cuts. |
| Additional Income | -38 | Achieved from additional work within Trading Standards. | To be used to assist in reducing the estimated overspend within the department. |

4.3 CHILDREN’S, YOUNG PEOPLE AND CULTURE

4.3.1 The overall Children’s, Young People & Culture budget is currently projecting an overspend of **£3.143m**.

4.3.2 Reasons for major variations are illustrated in the chart below;



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4.3.3 Further details of the major variations are provided in the table below:

| Activity | Variance £'000 | Reason | Action Being Taken |
|--|-------------------|--|--|
| Children's Social Care Demand Pressures - £1,862,000 (on-going) | | | |
| Leaving Care | +505 | Spending on housing and further education of 19+ year old students who have left our care. | This budget is forecast to overspend significantly on housing as the service continues to support a number of young people in high cost placements who were previously accommodated within the Children's Agency Budget. |
| Safeguarding | +340 | Increased costs. | The forecast overspend is due to the requirements of the Ofsted Action Plan, coupled with a significant increase in external legal fees, mainly due to an increase in cases. |
| Children's Agency | +1,017 | Continuing increased demand. | Fieldwork placements remain volatile, including a high cost fieldwork residential placement of approx £8,000 per week. The forecast has increased in the month due to 2 new IFA's and 1 new residential placement. |
| Non-achievement and delays in Implementing Savings - £1,152,000 | | | |
| Arts | +143 | On-going savings shortfall. | An income budget was added to this budget in 2013 prior to the transfer to CYP&C. This large income budget has not been achieved since its introduction and no alternative saving is feasible. |
| Libraries | +143 | Savings shortfall. | Delays in agreeing the plans for the future of the Library service will lead to the savings target not being met in 2017/18. |
| Children's Agency | +600 | Savings shortfall. | Delays in the Adolescent Support Unit becoming fully operational had a consequential knock-on effect on the Children's Agency budget as more expensive residential provision is still necessary to meet the needs of a number of young people in high cost placements. Alternative arrangements for the housing of the unit are actively being explored. |

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| | | | |
|--|------|------------------------------|--|
| Statutory & Regulatory | +266 | Savings shortfall. | <p>At the beginning of 2016, it became apparent that the financial problems within the Dedicated Schools Grant meant that the 2016/17 savings option "External Funding Optimization" amounting to £900,000 would not be completely achieved.</p> <p>The shortfall in the required budget savings was treated as a generic budget saving and distributed amongst the Department.</p> <p>Although almost $\frac{3}{4}$ of the 2016/17 savings target has been met, it has not been feasible to identify alternative provision for the remainder mainly due to the demand pressures as shown above that CYP&C is currently encountering.</p> |
| Home to School/College Transport (SEND & LLDD) - £254,000 (on-going) | | | |
| Home to School Transport – SEND (Special Educational Needs & Disabilities) | +204 | Continuing increased demand. | The overspending is due to increases in demand for Transport for SEND pupils that have continually occurred during recent years. |
| Home to College Transport – LLDD (Post-16 Learners with Learning Difficulties & Disabilities) | +50 | Continuing increased demand. | The forecast overspending is in line with previous years' levels. |
| Reduced Spending on Services – (£100,000) | | | |
| Family Support | -100 | | This forecast reflects the current level of support for children with disabilities, the underspending occurring through elements of Direct Payments being funded through the High Needs Block of the Dedicated Schools Grant. |

| 2018/19 Savings Options brought forward – (£65,000) | | | |
|--|------------|--|---|
| Pension payments to former teachers and lecturers | -65 | | Declining numbers of former employees eligible to be members of the Teachers Pension Scheme. These enhanced lifetime pension benefits above the standard scheme were mainly awarded prior to April 1993 as a means of reducing the number of staff employed in schools and FE colleges. NB. This underspending is in addition to the 2017/18 savings requirement of £100,000. |
| Other | +39 | | |

4.4 NON-SERVICE SPECIFIC

4.4.1 There is a forecast net underspend of **£2.415m**. This relates primarily to the Council’s Treasury Management activity (see Section 8.0, page 16 for further details), an increase in investment income, and reduced need in provisions of £2.5m.

5.0 CAPITAL BUDGET

5.1 Capital Programme

5.1.1 The revised estimated budget for the Capital Programme 2017/18 at the end of June is shown in the table below:

| 2017/18 | £m |
|---|---------------|
| Original Capital Programme | 20.281 |
| Approved Slippage from 2016/17 | 28.253 |
| In year adjustments and contributions | 2.111 |
| Revised Capital Allocation at Quarter 1 | 50.645 |
| Estimated re-profiled projects into 2018/19 | (10.834) |
| Revised working budget for Year at Qtr 1 | 39.811 |

5.1.2 The expenditure and funding profile for the Capital Programme together with a detailed breakdown of the Original Approved Programme, the Revised Estimate, Forecast Outturn, Actual Spend up to end of Month 3, and the estimated under/over-spend of the capital programme for 2017/18 is shown in Appendix A.

5.1.3 Members should note that given the complexity and size of some of the larger schemes currently in the Council’s Capital Programme the information received from budget holders can vary significantly from one quarterly report to the next and should be read in this context.

5.1.4 At the end of Quarter 1, a total of £10.834m of the 2017/18 budget has been identified for re-profiling into 2018/19. Most of this amount is attributed to Children Services Projects where the schemes are funded mainly by grants from Department of Education to a total of £7.257m. The remainder is attributable to Housing Development Schemes namely Haworth Close Extra Care scheme to a total of £3.496m and an amount of £0.080m for Environmental Crime projects.

5.2 Expenditure

5.2.1 The Forecast Outturn as at Month 3 is indicated to be £39.640m and Budget Managers have reported, after consideration being given to very early stages of development for a number of schemes in the programme, that they expect to spend up to this amount by 31 March 2018.

5.2.2 The actual expenditure after accruals, realised by the end of Month 3 totals £3.364m.

5.2.3 The main areas to record expenditure for the first quarter are:

- | | |
|--|---------|
| • Housing Development schemes | £0.534m |
| • Children's, Young People and Culture | £0.549m |
| • Older People | £0.620m |
| • Highways Schemes | £0.312m |
| • Housing Public Sector | £0.963m |

5.3. Variances

5.3.1 Appendix A provides details of variances for each scheme based on latest available information received from budget managers and at Month 3 it shows a projected underspend for the Programme of £0.172m. This amount is not material in relation to the size of the programme and it is expected to reduce as schemes progress details are finalised. The schemes that are forecasted to overspend are monitored and analysed by budget managers. Remedial action if required will be taken as soon as the risk is assessed and deemed to negatively affect the programme and its outcomes.

5.3.2 Brief reasons for all variances are provided in Appendix A attached with this report.

5.4 Funding

5.4.1 The funding profile included in Appendix A shows the resources available to cover the capital programme during 2017/18.

5.4.2 The principal source of funding for Capital schemes approved for the 2017/18 programme is made of external resources together with resources unspent and carried forward from previous years. The Council and Cabinet have also approved new allocations for the year towards Highways Improvement works (as part of a three year programme) and tackling Environmental Crime projects to a value of £3.6m, funded by Council's own resources through capital receipts and borrowing.

5.4.3 The position of the capital receipts and borrowing as at the end of Month 3 is reported below. The figures in the table show the total funding requirement for the revised estimated capital programme inclusive of potential slippage into 2018/19 and the expected resources to be supported by the Council as at the end of Quarter 1 of the year.

| 2017/18 Use of Council Resources for Capital Investment | £m |
|--|---------------|
| Revised Capital Programme allocation for the year | 39.811 |
| Use of external funding and contributions | (27.830) |
| Balance of programme relying on Council resources | 11.981 |
| Use of Capital receipts and earmarked reserves | 2.442 |
| Use of Prudential Borrowing (2017/18 approved schemes) | 4.386 |
| Use of Prudential Borrowing (2016/17 schemes brought forward) | 5.153 |
| Total Council Resources used to support the Capital Budget for Year | 11.981 |

5.5 Capital Programme Monitoring

5.5.1 The programme will be monitored closely during the year by CPMG and Management Accountancy with an aim to deliver schemes on cost and time with minimum slippage into 2018/19.

6.0 HOUSING REVENUE ACCOUNT

6.1 The Housing Revenue Account (HRA) relates to the operation of the Council's housing stock and can be viewed as a landlord account. It is required by statute to be accounted for separately within the General Fund and is therefore effectively ring-fenced.

6.2 The latest estimates show a projected surplus (working balance carried forward) of £1.020m at the end of 2017/18. The projected outturn shows a working balance carried forward of £1.409m. See Appendix B.

6.3 There are a number of variations that contribute to the projected outturn position however there is only one area where the variance exceeds 10% and £50k.

- Revenue contributions to capital – the reduction reflects additional contributions made to fund works in 2016/17.

6.4 The main impacts on the HRA year-end balance are normally **void levels**, the **level of rent arrears** and the **level of Right to Buy sales**.

Voids:

The rent loss due to voids for April to June was on average 1.36% which is better than the 1.6% void target level set in the original budget. If this performance was to continue for the rest of the year there would be an increase in rental income of £71k over the original budget; the projections of rental income in Appendix B have been calculated on this basis.

Six Town Housing continue to review the voids processes and the various factors affecting demand.

Arrears:

The rent arrears at the end of June totalled £1.348m, an increase of 9% since the end of March. Of the total arrears £0.541m relates to former tenants and £0.807m relates to current tenants. Approximately £0.228m of current tenant arrears are in cases where either the under occupancy charge applies or the tenants are in receipt of Universal Credit rather than Housing Benefit.

The Council is required to make a provision for potential bad debts. The contribution for the year is calculated with reference to the type of arrear, the amount outstanding on each individual case and the balance remaining in the provision following write off of debts.

Based on the performance to the end of June, projected for the full year, this provision would require an additional contribution of £0.315m to be made.

The 2017/18 HRA estimates allow for additional contributions to the provision totalling £0.477m, £0.179m for uncollectable debts and £0.298m to reflect the potential impact that welfare benefit changes could have on the level of rent arrears. Therefore there is a potential underspend of £0.162m. The projected outturn has not been amended to reflect this as rent arrears are volatile and the impact of increased numbers of Universal Credit cases coupled with further benefit changes is ongoing.

Right to Buy Sales:

From April 2012 the maximum Right to Buy discount increased from £26,000 to £75,000.

This has resulted in an increase in the number of applications and ultimately sales. There were 47 sales in 2015/16 and this increased to 55 sales last year.

The forecast for 2017/18 was set at 70, this being an increase of 16 on the level of sales assumed for Bury in the Government's self-financing valuation.

From July 2014 the maximum Right to Buy discount increased to £77,000 and the maximum percentage discount on houses increased from 60% to 70% (in line with the discounts allowed on flats). The maximum discount now stands at £78,600.

From 26th May 2015 the qualifying period for Right to Buy was reduced from 5 years to 3 years.

The number of sales has a direct effect on the resources available to the HRA – the average full year rent loss for each dwelling sold is around £3,800.

There have been 14 sales in the period April to June. This is a reduction of 2 compared to the same period last year however the number of applications currently proceeding is higher therefore the forecast has not been revised at this stage.

- 6.5 The Welfare Reform and Work Act requires a 1% reduction in social housing rents for 4 years from 2016/17 which has a significant impact on future HRA resources; the impact of this and other changes contained in the Housing and Planning Act are being assessed as information becomes available.

7.0 PRUDENTIAL INDICATOR MONITORING

- 7.1 It is a statutory duty for the Council to determine and keep under review the "Affordable Borrowing Limits". The authority's approved Prudential Indicators (affordability limits) for 2017/18 is outlined in the approved Treasury Management Strategy Statement.
- 7.2 The authority continues to monitor the Prudential Indicators on a quarterly basis and Appendix C shows the original estimates for 2017/18 (approved by Council on 22 February 2017) with the revised projections as at 30 June 2017. The variances can be seen in the Appendix together with explanatory notes. The Prudential Indicators were not breached during the first three months of 2017/18.

8.0 TREASURY MANAGEMENT

8.1 Investments:

- 8.1.1 At the 30th June 2017 the Council's investments totalled £26.1m and comprised:-

| Type of Investment | £ M |
|--|-------------|
| Call Investments (Cash equivalents) | 24.2 |
| Fixed Investments (Short term investments) | 2.0 |
| Total | 26.2 |

- 8.1.2 All investments were made in line with Capita's suggested credit worthiness matrices and the approved limits within the Annual Investment Strategy were not breached during the first quarter of 2017/18.
- 8.1.3 The Council has earned the following return on investments:
Quarter 1 0.24%
- 8.1.4 This figure is higher than Sector's suggested budgeted investment earnings rate for returns on investments, placed for periods up to three months in 2017/18, of 0.20%.

8.2 Borrowing:

- 8.2.1 External borrowing of £2m was undertaken in the quarter to 30th June 2017. A short term temporary loan was taken over 364 days to take advantage of low interest rates. The loan was required to replace 3 loans, which matured in the quarter.
- 8.2.2 At 30th June 2017 the Council's debts totalled £191.511 m and comprised:-

| | 30 June 2016 | | |
|--------------------------------|--------------|----------------|--------------|
| | Principal | | Avg. Rate |
| | £000 | £000 | |
| Fixed rate funding | | | |
| PWLB Bury | 131,453 | | |
| PWLB Airport | 1,614 | | |
| Market Bury | 50,500 | 183,567 | |
| Variable rate funding | | | |
| PWLB Bury | 0 | | |
| Market Bury | 0 | 0 | |
| Temporary Loans / Bonds | 5 | 5 | |
| Total Debt | | 183,572 | 3.96% |

8.2.3 The overall strategy for 2017/18 is to finance capital expenditure by running down cash/investment balances and taking shorter term borrowing rather than more expensive longer term loans. With the reduction of cash balances the level of short term investments will fall. Given that investment returns are likely to remain low for the financial year 2017/18, then savings will be made by running down investments and taking shorter term loans rather than more expensive long term borrowing.

8.2.4 It is anticipated that further borrowing will be undertaken during this financial year.

9.0 MINIMUM LEVEL OF BALANCES

9.1 The actual position on the General Fund balance is shown in the following table:

| | £m |
|--|---------------|
| General Fund Balance 31 March 2017 per Accounts | 8.393 |
| Less : Minimum balances to be retained in 2017/18 | -4.250 |
| Less : Forecast overspend at Month 3 | -3.651 |
| Forecast Available Balances at 31 March 2018 | +0.492 |

9.2 Based on the information contained in this report, on the risk assessments that have been made at both corporate and strategic level, on the outturn position for 2017/18 and using information currently to hand on the likely achievement of cuts options, there is no reason at present to take the minimum level of balances above the existing level of £4.250m.

9.3 In light of the above assessment it is recommended that the minimum level of balances be retained at **£4.250m**.

9.4 Members are advised that using available balances to fund ongoing expenditure would be a breach of the Council's Golden Rules. Likewise, Members are advised that the Authority faces significant funding reductions in the future, and balances are likely to be required to fund one-off costs of service transformation.

10.0 EQUALITY AND DIVERSITY

10.1 There are no specific equality and diversity implications.

11.0 FUTURE ACTIONS

11.1 Budget monitoring reports will continue to be presented to the Strategic Leadership Team on a monthly basis and on a quarterly basis to the Cabinet, Overview & Scrutiny Committee, and Audit Committee.

Councillor Eamonn O'Brien, Cabinet Member for Finance and Housing

List of Background Papers:-

Finance Working Papers, 2017/18 held by the Interim Executive Director of Resources & Regulation.

Contact Details:- Steve Kenyon, Interim Executive Director of Resources & Regulation, Tel. 0161 253 6922, E-mail: S.Kenyon@bury.gov.uk

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Bury MBC: Capital Budget Monitoring Statement
Month 3 - 2017/18

APPENDIX A

| | | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
|--|---|---------------------------|---------------|--------------|-----------------------------------|----------------------------|---|--------------------------|-------------------------|--|
| | | 2017/18 Original Approved | Slippage | Adjustments | Revised Estimate Before Reprofile | Reprofiled to Future Years | Revised Estimate After Reprofile Col.4- Col.5 | Forecast Outturn 2017/18 | 2017/18 Month 03 Actual | Month 3 Variance / (Underspend) or Overspend |
| | | £000's | £000's | £000's | £000's | £000's | £000's | £000's | £000's | £000's |
| Children, Young People & Culture | Support Services -Council Capital Programme | | 51 | | 51 | - | 51 | 61 | 74 | 9 |
| Children, Young People & Culture | DFES - Devolved Formula | 500 | 764 | (39) | 1,225 | (1,061) | 164 | 164 | 42 | - |
| Children, Young People & Culture | NDS Modernisation | 1,637 | 8,919 | 1,884 | 12,440 | (5,943) | 6,497 | 6,492 | 432 | (6) |
| Children, Young People & Culture | Access Initiative | | 8 | | 8 | - | 8 | 8 | - | - |
| Children, Young People & Culture | Targetted Capital Funds | | 76 | | 76 | (73) | 3 | - | - | (3) |
| Children, Young People & Culture | Upgrade and remodel Radcliffe Hall | | - | | - | - | - | - | - | - |
| Children, Young People & Culture | Children Centres | | 7 | | 7 | (7) | - | - | - | - |
| Children, Young People & Culture | Free School Meal Capital Grant | | 22 | | 22 | | 22 | 22 | - | - |
| Children, Young People & Culture | Early Education Fund | | 215 | | 215 | (161) | 54 | 54 | - | - |
| Children, Young People & Culture | Protecting Play Fields | | 13 | | 13 | (13) | - | - | - | - |
| Communities & Wellbeing | Contaminated Land | - | 21 | 0 | 22 | - | 22 | 21 | - | (0) |
| Communities & Wellbeing | Air Quality | - | 9 | - | 9 | - | 9 | 9 | - | - |
| Communities & Wellbeing | Heat Network In Bury TC | | 54 | | 54 | | 54 | 54 | - | - |
| Communities & Wellbeing | Environmental Crime | 100 | | | 100 | (80) | 20 | 20 | - | - |
| Communities & Wellbeing | Parks | | | 102 | 102 | | 102 | 102 | 5 | - |
| Communities & Wellbeing | Play Areas | - | 21 | | 21 | | 21 | 21 | - | - |
| Communities & Wellbeing | Demolition of Radcliffe Pool | | 44 | | 44 | | 44 | 44 | 12 | - |
| Communities & Wellbeing | Learning Disabilities | - | 3 | - | 3 | - | 3 | - | 2 | (3) |
| Communities & Wellbeing | Improving Info.Management | - | 7 | | 7 | - | 7 | 86 | 5 | 80 |
| Communities & Wellbeing | Older People | | 483 | | 483 | - | 483 | 703 | 620 | 220 |
| Communities & Wellbeing | Social Care Single Capital Pot | 455 | 26 | 177 | 657 | | 657 | 357 | - | (300) |
| Communities & Wellbeing | Empty Property Strategy | - | 610 | - | 610 | - | 610 | 610 | - | - |
| Communities & Wellbeing | Housing development - Urban Renewal | - | 8,800 | | 8,800 | (3,496) | 5,303 | 5,373 | 534 | 70 |
| Communities & Wellbeing | Disabled Facilities Grant | 968 | 172 | (40) | 1,100 | | 1,100 | 1,096 | 67 | (4) |
| Communities & Wellbeing | Waste Management | - | 53 | | 53 | - | 53 | - | - | (53) |
| Resources & Regulation | Street Lighting LED Invest to Save | 1,046 | 1,079 | | 2,125 | | 2,125 | 2,125 | 48 | - |
| Resources & Regulation | Traffic Management Schemes | - | 318 | | 318 | | 318 | 318 | 141 | - |
| Resources & Regulation | Prestwich Town Centre | - | 1,761 | | 1,761 | | 1,761 | 1,761 | 89 | - |
| Resources & Regulation | Planned Maintenance | 5,322 | 3,170 | | 8,492 | | 8,492 | 8,492 | 22 | - |
| Resources & Regulation | Bridges | - | 320 | | 320 | | 320 | 320 | 12 | - |
| Resources & Regulation | Traffic Calming and Improvement | 188 | 590 | | 778 | | 778 | 737 | | (41) |
| Resources & Regulation | Planning Environmental Projects | 4 | 411 | | 415 | | 415 | - | 2 | (415) |
| Resources & Regulation | Development Group Projects | - | 83 | | 83 | | 83 | | 17 | (83) |
| Resources & Regulation | Corporate ICT Projects | 71 | - | | 71 | | 71 | 71 | - | - |
| Resources & Regulation | Corporate Property Initiatives | | 191 | | 191 | | 191 | 191 | 65 | (0) |
| Resources & Regulation | Radcliffe Market Redevelopment | | (100) | | (100) | | (100) | - | | 100 |
| Resources & Regulation | Tile Street Refuse Removal | | 10 | | 10 | | 10 | 10 | | - |
| Resources & Regulation | Seedfield | | | | - | | - | 5 | 5 | 5 |
| Resources & Regulation | Radcliffe TC Redevelopment | | | | - | | - | 15 | 15 | 15 |
| Resources & Regulation | 12 Tithebarn Street | | 43 | | 43 | | 43 | 42 | | (1) |
| Resources & Regulation | Haworth Close LD Centre Demolition | | | | - | | - | 16 | 16 | 16 |
| Resources & Regulation | Q Park Airspace Development | | | 27 | 27 | | 27 | 27 | 25 | - |
| Resources & Regulation | East Lancs Paper Mill master planning | | | | - | | - | 31 | 31 | 31 |
| Resources & Regulation | Chamberhall Development | | | | - | | - | | 25 | - |
| Resources & Regulation | Property Management / Sale of Assets | | | | - | | - | | 95 | - |
| Housing Public Sector | Housing programme Major works (HR) | 9,991 | | | 9,991 | | 9,991 | 10,182 | 963 | 192 |
| Total Bury Council controlled programme | | 20,281 | 28,253 | 2,111 | 50,645 | (10,834) | 39,811 | 39,640 | 3,364 | (172) |

Funding position:

| | | | | | | | |
|--------------------------------------|---------------|---------------|--------------|---------------|-----------------|---------------|---------------|
| Capital Receipts | 100 | 337 | 102 | 539 | (80) | 459 | 527 |
| Reserve / Earmarked Capital Receipts | 71 | 1,885 | 27 | 1,983 | - | 1,983 | 1,983 |
| General Fund Revenue | - | 44 | - | 44 | | 44 | 44 |
| Housing Revenue Account | 9,991 | - | 0 | 9,991 | | 9,991 | 9,799 |
| Capital Grants/Contributions | 5,733 | 17,337 | 1,982 | 25,052 | (7,257) | 17,795 | 17,747 |
| HRA/MRA Schemes | - | - | - | - | | - | - |
| Supported Borrowing | | | | | | | |
| Unsupported Borrowing | 4,386 | 8,650 | | 13,036 | (3,496) | 9,540 | 9,540 |
| | 20,281 | 28,253 | 2,111 | 50,645 | (10,834) | 39,811 | 39,640 |

Key for budget monitoring reports

Projected Overspend (or Income Shortfall)

| | | |
|--|--|-------------------------------------|
| | a major problem with the budget | more than 10% and above £50,000 |
| | a significant problem with the budget | more than 10% but less than £50,000 |
| | expenditure/income in line with budget | |
| | a significant projected underspend (or income surplus) | more than 10% but less than £50,000 |
| | a major projected underspend (or income surplus) | more than 10% and above £50,000 |

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HOUSING REVENUE ACCOUNT

Appendix B

April 2017 - June 2017

| | 2017/18 Original Estimate £ | 2017/18 Latest Estimate £ | 2017/18 Projected Outturn £ | 2017/18 Variation Over/(Under) £ |
|---|--------------------------------------|------------------------------------|--------------------------------------|---|
| INCOME | | | | |
| Dwelling rents | 29,342,200 | 29,342,200 | 29,389,600 | (47,400) |
| Non-dwelling rents | 204,800 | 204,800 | 204,800 | 0 |
| Heating charges | 48,700 | 48,700 | 48,700 | 0 |
| Other charges for services and facilities | 896,100 | 896,100 | 916,100 | (20,000) |
| Contributions towards expenditure | 40,600 | 40,600 | 42,700 | (2,100) |
| Total Income | 30,532,400 | 30,532,400 | 30,601,900 | (69,500) |
| EXPENDITURE | | | | |
| Repairs and Maintenance | 0 | 0 | 0 | 0 |
| General Management | 822,700 | 822,700 | 822,675 | (25) |
| Special Services | 833,800 | 833,800 | 830,100 | (3,700) |
| Rents, rates, taxes and other charges | 98,000 | 98,000 | 98,000 | 0 |
| Increase in provision for bad debts - uncollectable debt | 178,800 | 178,800 | 178,700 | (100) |
| Increase in provision for bad debts - impact of Benefit I | 298,200 | 298,200 | 298,000 | (200) |
| Cost of Capital Charge | 4,432,600 | 4,432,600 | 4,432,600 | 0 |
| Depreciation/Impairment of fixed assets - council dwel | 7,926,900 | 7,926,900 | 7,926,900 | 0 |
| Depreciation of fixed assets - other assets | 42,400 | 42,400 | 42,391 | (9) |
| Debt Management Expenses | 40,600 | 40,600 | 40,600 | 0 |
| Contribution to/(from) Business Plan Headroom Reserv | 470,400 | 470,400 | 470,400 | 0 |
| Total Expenditure | 15,144,400 | 15,144,400 | 15,140,366 | (4,034) |
| Net cost of services | (15,388,000) | (15,388,000) | (15,461,534) | (73,534) |
| Amortised premia / discounts | (11,400) | (11,400) | (11,400) | 0 |
| Interest receivable - on balances | (52,300) | (52,300) | (52,300) | 0 |
| Interest receivable - on loans (mortgages) | (500) | (500) | (455) | 45 |
| Net operating expenditure | (15,452,200) | (15,452,200) | (15,525,690) | (73,490) |
| Appropriations | | | | |
| Appropriation relevant to Impairment | 0 | 0 | 0 | 0 |
| Revenue contributions to capital | 2,063,600 | 2,063,600 | 1,747,600 | (316,000) |
| (Surplus) / Deficit before ALMO/SHU payments | (13,388,600) | (13,388,600) | (13,778,090) | (389,490) |
| Payments to Six Town Housing / Transfers re Strategic Housing Unit excluded from above | | | | |
| Six Town Housing Management Fee | 13,058,600 | 13,058,600 | 13,058,600 | 0 |
| Contribution to SHU Costs | 320,000 | 320,000 | 320,000 | 0 |
| Total | 13,378,600 | 13,378,600 | 13,378,600 | 0 |
| (Surplus) / Deficit after ALMO/SHU payments | (10,000) | (10,000) | (399,490) | (389,490) |
| Working balance brought forward | (1,010,000) | (1,010,000) | (1,010,000) | 0 |
| Working balance carried forward | (1,020,000) | (1,020,000) | (1,409,490) | (389,490) |

key for budget monitoring reports**Projected Overspend (or Income Shortfall) of**

| | |
|--|--|
| | a major problem with the budget - more than 10% and above 50K |
| | a significant problem with the budget - more than 10% but less than 50K |
| | expenditure/income on line with budget |
| | a significant projected underspend (or income surplus) - more than 10% but under 50K |
| | a major projected underspend (or income surplus) - more than 10% and above 50K |

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The table below shows the prudential indicators as derived from the Treasury Management Strategy Report for 2017/18 and the Original Budget for 2017/18 as approved at Council in February 2017. The Original Budget for 2017/18 is compared with the Forecast Outturn for 2017/18 as at 30th June 2017.

| CAPITAL EXPENDITURE | Original Budget 2017/18 | Forecast Outturn at 30 June 2017 | Variance | Notes |
|--|--------------------------------|---|-----------------|--------------|
| | £'000 | £'000 | | |
| Estimate of Capital Expenditure | | | | |
| Non-HRA | 6,691 | 29,457 | 340.29% | |
| HRA existing expenditure | 9,991 | 10,182 | | |
| TOTAL | 16,681 | 39,640 | | 1 |
| Estimate of Capital Financing Requirement (CFR) | | | | |
| Non-HRA | 116,218 | 137,942 | 18.69% | |
| HRA existing expenditure | 40,530 | 40,531 | | |
| HRA reform settlement | 78,253 | 78,253 | | 2 |
| | 235,001 | 256,725 | | 3 |

| AFFORDABILITY | Original Budget 2017/18 | Forecast Outturn at 30 June 2017 | Variance | Notes |
|--|--------------------------------|---|-----------------|--------------|
| | £'000 | £'000 | | |
| Estimate of incremental impact of capital investment decisions | | | | |
| Increase in council tax (band D, per annum) | -£1.10 | £3.68 | | 4 |
| Increase in housing rent per week | £0.00 | £0.00 | | 5 |
| Ratio of Financing Costs to net revenue stream | | | | |
| Non-HRA | 3.03% | 3.12% | 2.66% | 6 |
| HRA | 14.14% | 14.47% | 2.32% | 6 |
| Net External Borrowing only to support the CFR in Medium Term | £'000 | £'000 | | |
| Net External borrowing over medium term | 192,509 | 192,509 | | 7 |
| Total CFR over Medium Term | 235,001 | 256,726 | | 7 |
| Net External Borrowing < Total CFR | TRUE | TRUE | | |

| EXTERNAL DEBT | Original Budget 2017/18 | Forecast Outturn at 30 June 2017 | Variance | Notes |
|-----------------------------------|--------------------------------|---|-----------------|--------------|
| | £'000 | £'000 | | |
| Authorised limit of external debt | | | | |
| Borrowing | 190,700 | 212,400 | | |
| Other long term liabilities | 5,000 | 5,000 | | |
| HRA reform settlement | 79,300 | 79,300 | | |
| TOTAL | 275,000 | 296,700 | 7.89% | 8 |
| Operational boundary | | | | |
| Borrowing | 155,700 | 177,400 | | |
| Other long term liabilities | 5,000 | 5,000 | | |
| HRA reform settlement | 79,300 | 79,300 | | |
| TOTAL | 240,000 | 261,700 | 9.04% | 8 |

| TREASURY MANAGEMENT | Original Budget 2017/18 | Forecast Outturn at 30 June 2017 | Variance | Notes |
|---|--------------------------------|---|-----------------|--------------|
| Upper limit for fixed interest rate exposure Net principal re fixed rate borrowing / investments | 115% | 116% | 0.72% | 9 |
| Upper limit for variable rate exposure Net principal re variable rate borrowing / investments | -15% | -16% | 5.55% | 9 |
| Upper limit for total principal sums invested for > 364 days | £10 m | £10 m | | 10 |
| Maturity structure of fixed rate borrowing at 30 September 2016 | Upper/lower limit | Actual | | |
| Under 12 months | 40% - 0% | 2.39% | | |
| 12 months and within 24 months | 35% - 0% | 8.36% | | |
| 24 months and within 5 years | 40% - 0% | 8.11% | | |
| 5 years and within 10 years | 50% - 0% | 14.97% | | |
| 10 years and above | 90% - 30% | 66.18% | | |

Notes to the Prudential Indicators:

1. The original budget shows the approved Capital Programme expenditure of £16,681,000. The forecast outturn of £39,640,000 is higher than budget because of slippage from 2016/17.
2. Following the Government announcement to reform the system of financing Council housing, the Authority had to pay the Department for Communities and Local Government £78.253m on the 28th March 2012. The Council financed this expenditure by PWLB loans.
3. Capital Financing Requirement relates to all capital expenditure – i.e. it includes relevant capital expenditure incurred in previous years. The Capital financing requirement reflects the authority’s underlying need to borrow.
4. The finance costs related to the increases in capital expenditure impact upon Council tax. The increase in Council Tax reflects the level of borrowing to be taken in 2017/18 to finance current and previous years’ capital expenditure.
5. There is no direct impact of capital expenditure on housing rents as the housing rent is set according to Government formula.
6. The ratios for financing costs to net revenue stream for both General Fund and HRA have remained relatively stable.
7. To ensure that borrowing is only for a capital purpose and therefore show that the authority is being prudent this indicator compares the level of borrowing and capital financing requirement (CFR) over the medium term. The level of borrowing will always be below the CFR.
8. The authorised limit and operational boundary are consistent with the authority’s plans for capital expenditure and financing. The authorised limit is the maximum amount that the authority can borrow.

9. The variable and fixed limits together look at the whole portfolio and will therefore together always show 100% exposure. Variable interest rate limit can be positive or negative as investments under 364 days are classed as variable and are credit balances which are offset against debit variable loans. The smaller the balance of investments, the more likely the variable limit will be positive as the variable loan debit balance will be higher than the credit investment balance offset against it.

10. Principal sums invested for periods longer than 364 days have been set at £10 million. The investment balance is estimated to be cash flow driven, however if the opportunity arises that surplus investment balances are available then advantage will be taken of favourable rates.

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REPORT FOR DECISION



| | |
|---------------------------------------|---|
| DECISION MAKER: | CABINET |
| DATE: | 26 July 2017 |
| SUBJECT: | BURY LOCAL PLAN – RESPONSES TO REGULATION 18 NOTIFICATION AND KEY ISSUES AND POLICY FRAMEWORK REPORT |
| REPORT FROM: | CABINET MEMBER – FINANCE AND HOUSING |
| CONTACT OFFICER: | DAVID WIGGINS – UNIT MANAGER: DEVELOPMENT PLANNING |
| TYPE OF DECISION: | <i>CABINET (KEY DECISION)</i> |
| FREEDOM OF INFORMATION/STATUS: | This paper is within the public domain |
| SUMMARY: | <p>Together with the Greater Manchester Spatial Framework (GMSF), the Local Plan will form a key part of Bury's wider development plan. Whilst the GMSF will deal with strategic, sub-regional planning matters, the Local Plan will ultimately provide a range of locally-specific policies, designations and site allocations.</p> <p>Under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, stakeholders were notified of the intention to prepare a new Local Plan and comments were invited on what the Local Plan ought to contain over a six-week period from 6 March to 17 April 2017.</p> <p>Comments received have been taken into account in the subsequent preparation of the Key Issues and Policy Framework report. However, many of the comments received suggested specific policy wording which will be considered as part of the next, more detailed stage (i.e. draft Local Plan).</p> <p>The Key Issues and Policy Framework report is an important early stage in the preparation of Bury's Local Plan. It is a high-level document that identifies the key issues facing the Borough, sets out a Vision and a Policy Framework to give broad guidance to the future direction of the Local Plan.</p> |

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| | <p>Members are being asked to note the main themes of comments received under the Regulation 18 consultation and approve the Local Plan Key Issues and Policy Framework report for an eight-week period of consultation in order to establish stakeholder views on its content. The responses to this consultation will subsequently help to inform the development of a draft Local Plan.</p> |
| <p>OPTIONS</p> | <p>Option 1 (Recommended option)</p> <p>That Members note the main themes of the responses to the invite of comments under Regulation 18 on what the Local Plan should contain.</p> <p>That Members approve the Local Plan Key Issues and Policy Framework report together with the proposed consultation measures outlined in this report.</p> <p>Option 2</p> <p>That Members seek revisions to the proposed content of the Local Plan Key Issues and Policy Framework Report prior to consultation and/or Members seek revisions to the proposed measures for undertaking consultation - Members to specify the nature of any revisions to be sought.</p> <p>Reasons</p> <p>The Key Issues and Policy Framework report is an important early stage in the production of Bury's Local Plan and it is necessary to ensure that all interested parties have an opportunity to play a part at this early stage of the process. The preparation of and consultation on the key issues and the proposed policy framework will help to inform the future broad direction of the Local Plan.</p> |
| <p>IMPLICATIONS:</p> | |
| <p>Corporate Aims/Policy Framework:</p> | <p>Do the proposals accord with the Policy Framework? Yes</p> <p>The existing Bury Unitary Development Plan forms part of the Council's Policy Framework (being one of the statutory plans listed under Article 4 of the Council's Constitution) and will ultimately be replaced by a new Bury Local Plan that is to be produced under the arrangements of the Planning and Compulsory Purchase Act 2004(as amended)</p> |

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| | and statutory instruments and guidance resulting there from. |
| Statement by the S151 Officer: Financial Implications and Risk Considerations: | The work associated with the preparation of Bury’s Local Plan will require significant commitment of staff resources in the Strategic Planning and Economic Development team and there are likely to be costs associated with the production of documents and progress of the statutory procedures to adoption. These costs will be met from existing resources. |
| Statement by Executive Director of Resources: | There is a requirement for each Local Planning Authority to produce a Local Plan for its area. Members are requested to approve the Key Issues and Policy Framework Report as an important early step in the preparation of a Local Plan, making use of existing resources, to replace the existing Bury UDP and its associated documents. |
| Equality/Diversity implications: | No An initial screening has been undertaken (see attached assessment) and as there were no negative impacts identified for affected groups, there is no requirement to proceed to a Full Impact Assessment. |
| Considered by Monitoring Officer: | Yes The Bury Local Plan will replace the current arrangements. All local plans must be prepared in accordance with statutory processes. This decision relates only to whether the Council should consult on the Key Issues report. Carrying out early consultation such as this ensures that legal requirements are being met, that a robust plan is being prepared, that all interested parties have an opportunity to make their views known and that the Council is able to consider these in the preparation of the Local Plan. Any subsequent Local Plan will have to be approved by the Council as part of the Policy Framework (unless there is a legislative change). There are no other legal concerns at this point, but if the proposal is approved, further detailed input will be required from the Council Solicitor in due course. |

| | |
|---------------------------|-----|
| Wards Affected: | All |
| Scrutiny Interest: | |

TRACKING/PROCESS

INTERIM DIRECTOR: STEVE KENYON – RES & REG

| Chief Executive/ Strategic Leadership Team | Cabinet Member/Chair | Ward Members | Partners |
|--|-------------------------|--------------|----------|
| 26 June 2017 | | | |
| Scrutiny Committee | Cabinet/Committee | Council | |
| | | | |

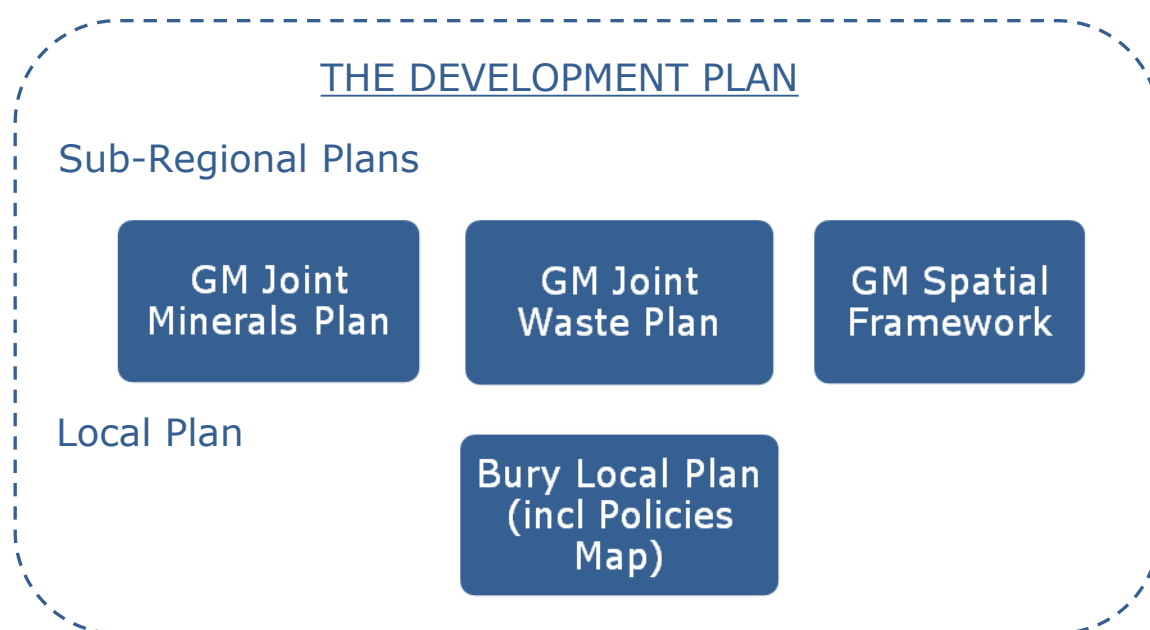
1.0 BACKGROUND

- 1.1 Under the Town and Country Planning (Local Planning) (England) Regulations 2012, all local authorities are required to produce a Local Plan.
- 1.2 A Local Plan is a document containing planning policies that will be used as the basis for determining planning applications. It will also identify sites where development should be built as well as areas where development should be restricted or controlled.
- 1.3 At Council on 1 February 2017, a Motion was agreed that the Leader would immediately instruct officers to begin work on a new Local Plan for Bury to replace the existing Unitary Development Plan (UDP).
- 1.4 This work has now commenced and, under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulation 2012, notice was given that the Council was proposing to prepare a new Local Plan and to invite comments on what the Local Plan ought to contain. This invite extended over a six-week period that ran from 6 March to 17 April 2017.
- 1.5 Following on from the Regulation 18 notification and taking into account comments received, further progress has been made with the development of background evidence and the preparation of a Key Issues and Policy Framework Report – a key early stage in the preparation of the Local Plan.
- 1.6 Bury’s Local Plan has to be drawn up within the context of national planning policies. The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and it provides the framework within which more detailed Local Plans are produced.
- 1.7 Bury’s emerging Local Plan will sit alongside a range of other planning documents that will collectively make up Bury’s overall statutory Development Plan. The term ‘Development Plan’ is used to describe all

statutory planning documents relevant to a Borough and there clearly needs to be consistency between these.

- 1.8 As illustrated in Figure 1, Bury's Development Plan will include three documents that will cover the whole of Greater Manchester (10 districts, including Bury). Two of these documents are already adopted - the Minerals and Waste Plans. The third GM plan is the Greater Manchester Spatial Framework (GMSF) which primarily seeks to address strategic issues around housing and employment. Consultation recently took place on a draft GMSF.
- 1.9 Sitting below these plans, will be the Bury Local Plan. The Bury Local Plan will only need to address the issues that are not covered in the three joint GM plans. **Strategic issues, such as those connected to needs for housing and employment and whether or not Green Belt boundaries should be amended to accommodate these needs are issues that are currently being dealt with through the GMSF and will not be considered through Bury's Local Plan.**
- 1.10 In the absence of these strategic sub-regional plans, the Local Plan would need to deal with these wider issues.

Figure 1 – Bury's Development Plan



2.0 ISSUES

Regulation 18 Notification

- 2.1 The notification of the intention to prepare a new Local Plan and the invite of comments on what the Local Plan ought to contain ran for a six-week period from 6 March to 17 April 2017. This was advertised extensively, namely by:

- Directly notifying in excess of 2,500 stakeholders from the consultation database;
- Issuing Press Notices in the Bury Times, Radcliffe Times and the Prestwich and Whitefield Guide;
- Uploading information onto the Council's web site, including an 'In Focus' article on the home page;
- Making information available at the Town Hall, Knowsley Place and libraries; and
- Advertising on TV screens in Council buildings.

2.2 In response, 99 comments were received raising a number of points. A Regulation 18 Consultation Statement has been produced outlining all the comments received. A number of these were in relation to the draft Greater Manchester Spatial Framework (GMSF) and others were of a fairly detailed nature that will be more easily considered in moving onto a draft Local Plan.

2.3 In summary, the main themes of the comments made during the Regulation 18 consultation were:

- The need for revised local housing and employment land requirement figures;
- The need to adopt a 'brownfield land first' approach and protect all Green Belt sites;
- The need to identify additional, deliverable sites to maintain a five year supply;
- The need to ensure that accessible recreation areas and greenspaces are included within new developments;
- The need to increase the provision of social infrastructure (schools, doctors, hospitals, dentists, community centres) to service the requirements of the existing residents and in advance of any new development;
- The need to consider the risk of flooding to new properties and existing properties who maybe subject to flood risk as a result of new development;
- The need to afford greater protection and enhancement to the natural environment;
- The need to improve air quality;
- The need to protect all land designated as Open Land in the UDP and the need to protect all greenfield sites;
- The need to protect the Borough's heritage assets;
- The need to improve the physical infrastructure throughout the Borough, in advance of any new development taking place;
- The need to maximise the use of sustainable and active modes of transport, reducing the need to travel;
- The Local Plan should specify all infrastructure requirements must be in place before any development takes place and establish the approach to the delivery of the required infrastructure;
- A number of sites were suggested for future re-development. In addition, a number of sites were suggested for future protection from new development.

Key Issues and Policy Framework

- 1.5 The Key Issues and Policy Framework report represents an important early stage in the preparation of Bury's new Local Plan. It sets out the Key Issues that the Local Plan will need to address. Some of these issues will be common to most areas, whilst others are more specific to Bury. The issues have been drawn out of a series of Topic Papers covering each of the themes set out in paragraph 1.7 of this report which provide more detailed background evidence and which will also be subject to consultation alongside the Issues and Policy Framework report.
- 1.6 In order to address the identified issues, the report also sets out a Vision and a Policy Framework indicating the proposed scope and broad direction of Local Plan policies. It should be noted that this early stage of the Local Plan process is only flagging up potential policy areas and the need for potential new sites to address certain issues. Further details of what these will look like will be consulted on in the next stage of the plan (i.e. the draft Local Plan).
- 1.7 The Issues and Policy Framework are structured around a number of key themes, which are likely to form the basis for the different chapters in the emerging draft Local Plan. The key themes are:
- Housing;
 - Economy and Employment;
 - Town Centres and Main Town Centre Uses;
 - Health and Wellbeing;
 - Energy and Physical Infrastructure;
 - Flood Risk;
 - Natural Environment;
 - Open Land;
 - Built Environment;
 - Transport; and
 - Community Facilities.

Next Steps

- 2.4 Following consultation on this Key Issues and Policy Framework report, we will give thorough consideration to all comments made. Where appropriate, we will use comments to inform the development of a draft Local Plan.
- 2.5 Following further consultation on a draft Local Plan, we will produce a Publication version that will be subject to further consultation before the Plan is formally submitted to the Secretary of State for Examination. There will be a public examination of the plan before an independent, Government-appointed Inspector makes recommendations. If found sound, the plan will subsequently be adopted as Bury's statutory Local Plan.

3.0 CONCLUSION

- 3.1 Members are requested to note the key themes of the comments raised in relation to what stakeholders think the Local Plan ought to contain and to

approve the Local Plan Key Issues and Policy Framework report for an eight-week period of consultation starting on Monday 7 August 2017 and ending on Monday 2 October 2017.

List of Background Papers:

- Bury Local Plan Key Issues and Policy Framework Report (August 2017)

Contact Details:

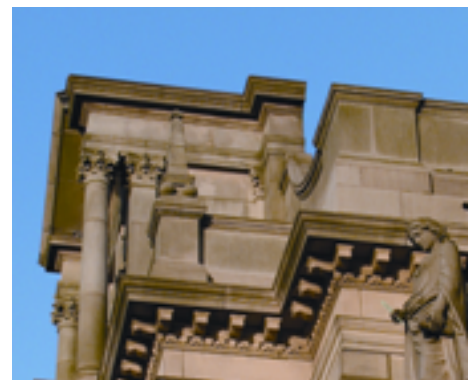
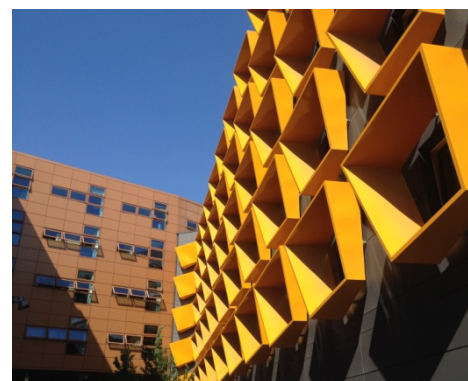
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Bury Local Plan

Key Issues and Policy Framework



The new Bury Local Plan will set out a long-term framework to guide and control future growth and development and help to shape what the Borough will look like in the future. The Plan will comprise a series of planning policies against which future development proposals will be considered and it will also allocate sites for various types of development as well as identifying areas where development will be restricted. This report sets out the key issues and the proposed policy approach for the Plan and represents a key early stage in its preparation.

These are exciting times for Bury. As an integral part of Greater Manchester, Bury has a key role to play in supporting the conurbation's role as the key driver in the delivery of the Northern Powerhouse and in securing the economic growth that is central to the recent Devolution Agreement for Greater Manchester.

The ten Greater Manchester districts have agreed to prepare the Greater Manchester Spatial Framework which, once adopted, will set out a strategic planning framework for Greater Manchester. In addition to this sub-regional plan, there is a need for a Local Plan to provide more detailed policies to address more localised issues. Both documents will be statutory plans and will need to be consistent with one another.

The GMSF will provide the strategic basis for development up to 2035 including:

- The amount of employment land and new homes that will be needed;
- The strategic locations for this development;
- The infrastructure required to support development (including transport investment and public services); and
- The areas of land that will be protected from development.

Despite its recent success stories, Bury still faces some difficult challenges. At the forefront of these is the need for continued regeneration in the areas where we have pockets of deprivation, primarily in East Bury and Inner Radcliffe. We are also striving to attract good quality jobs, ensure sufficient provision of good quality affordable homes and introduce measures which will enable us to address climate change in a positive manner. We are also eager to prioritise the redevelopment of previously-developed brownfield sites.



Together we will seek to build on the existing qualities and strengths of each community to truly realise our ambitions to make

Bury a great place and I look forward to your comments on this report which highlights the key issues that we think Bury is facing, a proposed Vision for the Borough and broad framework as to how the Local Plan can seek to address these.

Councillor Eamonn O'Brien
Cabinet Member for Finance and Housing

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What is a Local Plan?

- 1.1 A Local Plan is a document containing planning policies that will be used as the basis for determining planning applications. It will also identify sites where development should be built as well as areas where development should be restricted or controlled.
- 1.2 Bury's Local Plan has to be drawn up within the context of national planning policies. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and it provides the framework within which more detailed Local Plans are produced.
- 1.3 Likewise, Bury's Local Plan will need to reflect plans and strategies at the Greater Manchester level. This includes the joint plans on Minerals and Waste and also the emerging Greater Manchester Spatial Framework (GMSF).
- 1.4 It is important to recognise that, in developing Bury's Local Plan, we are not starting with a 'blank canvas'. Many of the policies contained in Bury's current Unitary Development Plan are still relevant and will be taken forward in the new Local Plan. This will include many of the areas that are currently protected from development.

Why do we need a Local Plan for Bury?

- 1.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 requires all local authorities to produce a Local Plan and national planning policy states that these should be kept up-to-date. The current statutory plan for Bury is the Unitary Development Plan (UDP) which was adopted in 1997, so many of its policies need updated.
- 1.6 In addition to the statutory requirements, it is important to get an updated Local Plan in place to manage future growth and development within the Borough. An up-to-date Local Plan is also important to clearly identify areas of land within the Borough that will be protected from development.
- 1.7 The GMSF will do some of this by identifying strategic areas for residential and employment development. However, it will not include locally-specific planning policies or identify non-strategic sites for residential or employment development. Nor will it identify land that will need to be identified for other

forms of development / protection within the urban area, such as retail or local parks.

- 1.8 Therefore, in addition to the strategic GMSF plan, it is equally important to get an up-to-date Local Plan in place to allow the Council to manage growth and direct development to preferred locations. It will also allow the Council to update local policies that can extract planning gain from new developments, including updated affordable housing and recreation requirement policies.

About this Report

- 1.9 This report sets out the Key Issues that the Local Plan will need to address. Some of these issues will be common to most areas, whilst others are more specific to Bury.
- 1.10 In order to address the identified issues, the report also sets out a policy framework indicating the proposed scope and broad direction of Local Plan policies, whether this be through new/updated policy or the identification of sites. It should be noted that this early stage of the Local Plan process is only flagging up potential policy areas and the need for potential new sites to address certain issues. Further details of what these will look like will be consulted on in the next stage of the plan (i.e. the draft Local Plan).
- 1.11 The Issues and Policy Framework are structured around a number of key themes, which are likely to form the basis for the different chapters in the emerging draft Local Plan. Topic Papers are available on the Council's web site at www.bury.gov.uk/localplan for each of these themes, providing much more detail and evidence around the key issues and these are also the subject of this consultation. The key themes are:
- Housing;
 - Economy and Employment;
 - Town Centres and Main Town Centre Uses;
 - Health and Wellbeing;
 - Energy and Physical Infrastructure;
 - Flood Risk;
 - Natural Environment;
 - Open Land;
 - Built Environment;
 - Transport; and
 - Community Facilities.
- 1.12 **Some of the evidence contained within the Topic Papers has been drawn from evidence that has been developed to support the draft Greater Manchester Spatial Framework (GMSF). Any subsequent**

amendments to the GMSF and/or its supporting evidence, will be reflected in the evidence supporting Bury's Local Plan.

Call for Sites

- 1.13 In addition to setting out the broad issues that will need to be addressed in the Local Plan, the Council is also undertaking a Call for Sites exercise, as required in national planning policy. The purpose of the Call for Sites is to try and identify land that is suitable for a range of developments and/or for protection. In particular, the Council is keen to **gather local evidence on any brownfield sites that it may not be aware of that could be used for development** (in preference to releasing greenfield land).
- 1.14 A 'Call for Sites' exercise has already been undertaken on a similar basis across Greater Manchester, as part of the GMSF. However, this was focussed entirely on potential housing and employment land.
- 1.15 The local Call for Sites is more extensive and, whilst we are seeking potential new housing and employment sites, we are also seeking views on sites that are felt to be suitable for other types of development, such as retail or leisure. Similarly, we are inviting suggestions in terms of sites that you feel should be protected from development.
- 1.16 However, it is important to note that the GMSF will cover strategic sites that involve proposed amendments to the boundary of the Greater Manchester Green Belt. **Consequently, any comments relating to these sites cannot be dealt with through the Local Plan and should instead be made in response to future consultation on the GMSF.**

Commenting on the Key Issues and Policy Framework

- 1.17 Comments are invited on the Key Issues and Policy Framework outlined, along with any comments relating to the Topic Papers. The period for making comments is from **Monday 7 August 2017 to Monday 2 October 2017**.
- 1.18 The consultation process is seeking to determine whether:
- the Key Issues are the right issues that the Local Plan should be seeking to address?;
 - there are any omissions from the Key Issues or amendments needed?;
 - the Vision is an appropriate reflection of how the Borough should be in 2035?;
 - and
 - the proposed Policy Framework is appropriate?

- 1.19 **We are keen to promote the submission of comments electronically** and would encourage anyone with appropriate facilities to make their responses in this way. An electronic version of the official comment form can be found on our web site at www.bury.gov.uk/localplan. This form is in 'Word' format and you can type in your response and return it as an e-mail attachment to planning.policy@bury.gov.uk. Alternatively, completed comment forms can be returned by post to the following address by no later than **17:00 on Monday 2 October 2017**:

**Development Plans Unit
Strategic Planning and Economic Development
Department for Resources and Regulation
3 Knowsley Place
Duke Street
Bury BL9 0EJ**

- 1.20 You may also wish to accompany your representation with a request to be notified when:
- The Local Plan is submitted to the Secretary of State for independent examination;
 - The Inspector's recommendations following the examination are published; and
 - The Local Plan is formally adopted.
- 1.21 **If you have access to email and wish to be kept informed of progress on the Bury Local Plan, please help the Council to save money by emailing us at planning.policy@bury.gov.uk . In doing so, we can retain your address and contact you via email at future stages.**

Next Steps

- 1.22 Following consultation on this Key Issues and Policy Framework report, we will give thorough consideration to all comments made. Where appropriate, we will use comments to inform the development of a draft Local Plan.
- 1.23 Following further consultation on a draft Local Plan, we will produce a Publication version that will be subject to further consultation before the Plan is formally submitted to the Secretary of State for Examination. There will be a public examination of the plan before an independent, Government-appointed Inspector makes recommendations. If found sound, the plan will subsequently be adopted as Bury's statutory Local Plan.

Bury's Local Plan in Context 2

- 2.1 It is important to set out where Bury's emerging Local Plan will sit alongside a range of other planning documents that will collectively make up Bury's overall statutory Development Plan. The term 'Development Plan' is used to describe all statutory planning documents relevant to a Borough and there clearly needs to be consistency between these.
- 2.2 As illustrated in Figure 1, Bury's Development Plan will include three documents that will cover the whole of Greater Manchester (10 districts, including Bury). Two of these documents are already adopted - the Minerals and Waste Plans. As the names suggest, these set out the policy framework and sites relating to issues around Minerals and Waste. The third GM plan is the Greater Manchester Spatial Framework (GMSF) which principally seeks to address strategic issues around housing and employment. Consultation recently took place on a draft GMSF.
- 2.3 Sitting below these plans, will be the Bury Local Plan. The Bury Local Plan will only need to address the issues that are not covered in the three joint GM plans. It should be noted that if the three GM Plans did not exist, then the Bury Local Plan would need to cover the strategic issues covered by or proposed by these plans (e.g. the Bury Local Plan would need to deal with strategic housing issues).

Figure 1 – Bury's Development Plan



Emerging GMSF

- 2.4 Alongside the other nine districts in Greater Manchester, Bury Council has been involved in the preparation of the GMSF and consultation on a draft GMSF ended in January 2017.
- 2.5 This attracted a significant number of responses (25,000). At this time, it is not clear how these responses and other factors such as changes to national planning policy will impact on the timescales or eventual content of the GMSF. As such, the Key Issues and Policy Framework set out in this report are subject to change as the process moves forward. Likewise, much of the evidence and discussion set out in the themed Topic Papers will evolve as new information / policy direction evolves.
- 2.6 Figure 2 sets out the scope of the draft GMSF. **It is important to note that these matters will be dealt with through the GMSF process and are not matters to be considered through the Local Plan.** If this position changes, then the Local Plan will be amended accordingly. Further information on the GMSF can be found at www.greatermanchester-ca.gov.uk/GMSF.

Figure 2 – Scope of the GMSF

- Identify the amount of new development that will come forward across the 10 districts, in terms of housing, offices, and industry and warehousing;
- Support the delivery of key infrastructure, such as transport and utilities;
- Allocate sites for employment and housing outside of the urban area; and
- Define a new Green Belt boundary for Greater Manchester.

- 2.7 In effect, what this means is that any release of Green Belt land in Bury to meet development needs will be done through the strategic GMSF process rather than the Bury Local Plan. Appendix 1 provides an overview of the key matters that will be addressed by the GMSF and those that will be address through the Local Plan.

Emerging Bury Local Plan

- 2.8 Whereas the GMSF deals with strategic planning matters that are of significance at the Greater Manchester level, Bury's Local Plan will, within the context of the GMSF, guide and manage future growth and development (such as housing, offices, industry, warehousing and retail) at the local level.
- 2.9 It will contain local planning policies that, together with the policies and proposals contained within the Greater Manchester plans, will be used as the basis for determining planning applications. It will also identify sites where

development should take place as well as areas where development should be restricted or controlled. These local, non-strategic allocations and other designations will be identified on an accompanying Policies Map.

- 2.10 The NPPF specifies that Local Plans should be drawn up over an appropriate time scale, preferably a 15-year time horizon and it is intended that Bury's Local Plan is aligned with the proposed timeframe of the GMSF.

Local Plan Preparation and Timescales

- 2.11 In March 2017, we commenced early engagement with key stakeholders and local communities by issuing a notice of our intention to commence work on a new Local Plan for Bury and seeking comments on what the Plan ought to contain. Comments received at that stage have been fully considered in drawing up this Key Issues and Policy Framework Report which is the first key stage in the preparation of a new Local Plan for Bury. Figure 3 sets out the preparation process for the Local Plan as well as the intended timescales (please note that the progress of Bury's Local Plan through the various stages will be programmed alongside the GMSF timetable to allow for consistency).

Figure 3 - The Local Plan Timetable

| Stage | Process | Timescale |
|-------|---|-----------------------|
| 1 | <ul style="list-style-type: none"> Notification of intention to prepare a new Local Plan Request for comments on what the Local Plan ought to contain | March - April 2017 |
| 2 | <ul style="list-style-type: none"> Consultation on key issues, vision and policy framework Call for Sites | August - October 2017 |
| 3 | <ul style="list-style-type: none"> Consultation on Draft Plan (policies and site allocations) | Early 2018 |
| 4 | <ul style="list-style-type: none"> Consult on 'Publication Plan' (intended final policies and site allocations) | Spring/Summer 2018 |
| 5 | <ul style="list-style-type: none"> Submit Local Plan to the Secretary of State for examination | Winter 2018 |
| 6 | <ul style="list-style-type: none"> Public Examination to consider draft plan and unresolved objections | Spring 2019 |
| 7 | <ul style="list-style-type: none"> Adopt Local Plan (together with any agreed amendments to it) | Autumn/Winter 2019 |

Other Supporting Documents

- 2.12 A number of other documents will accompany the Local Plan and GMSF work, namely:
- The **Statement of Community Involvement** – which sets out how the Council will engage with the community during the preparation of development plans and when processing planning applications;
 - The **Local Development Scheme** – which sets out the proposed programme and timescales for the production of Bury’s Local Plan;
 - The **Authority’s Monitoring Report** – which provides information about developments within the Borough, key issues affecting the Borough and progress that has been made in producing the new Local Plan; and
 - **Supplementary Planning Documents** – which will provide more detailed guidance on the interpretation and implementation of Local Plan policies.

Evidence Base

- 2.13 In support of the Local Plan we have developed, and will continue to develop, a comprehensive evidence base to support the approach being taken. This evidence base includes work undertaken to support the Greater Manchester Spatial Framework, Topic Papers and other strategies, plans and studies.
- 2.14 Alongside the progression of the Local Plan, we will continue to develop the evidence base that sits behind and informs it.

Integrated Appraisal

- 2.15 The Local Plan will be subject to an Integrated Appraisal (IA) at several key stages as it progresses. The IA will consider the requirements and scope of:
- Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA);
 - Equalities Impact Assessment (EqIA);
 - Health Impact Assessment (HIA).
- 2.16 The SA/SEA, EqIA and HIA use similar assessment steps. Broadly speaking these include screening (i.e. deciding if the assessment is needed); setting the baseline context; identifying where there are impacts on defined relevant topic areas (e.g. biodiversity, the determinants of health, or the impact on certain groups of people in society); understanding impacts of what is being assessed and making recommendations for mitigation where necessary.
- 2.17 In addition to meeting the requirements of the above assessments in one IA, a Habitat Regulations Assessment (HRA) will be prepared separately by the Greater Manchester Ecology Unit (GMEU).

- 2.18 This Key Issues and Policy Framework report represents part of the process of evidence gathering and engagement and, as part of this initial stage in the preparation of the Local Plan, the Council consulted on an IA Scoping Report in June/July 2016 which set out the scope for the IA and a framework against which the Local Plan will be appraised as it progresses to the draft stage.

The Vision for Bury's Local Plan 3

- 3.1 It is important to set out a broad vision for the emerging Local Plan in order to give an overarching steer for new policies.
- 3.2 As a Council, we have developed a corporate vision, purpose and values for between 2015 and 2020. The vision, purpose and values supports Team Bury's priorities for:
- A stronger economy;
 - A stronger, safer community; and
 - Health and wellbeing.
- 3.3 The strategic outcomes for the Council's vision, purpose and values to:
- Reduce poverty and its effects;
 - Support our most vulnerable residents; and
 - Make Bury a better place to live.
- 3.4 We have developed 6 corporate priorities for 2015 to 2020 and these are as follows:
- Drive forward, through effective marketing and information, proactive engagement with the people of Bury to take ownership of their own health and wellbeing;
 - Continue to develop business friendly policies to attract inward investment and new jobs so that Bury retains its position as a premier destination for retail, leisure, tourism and culture;
 - Ensure new and affordable housing is developed to support growth in the Bury and Greater Manchester economy;
 - Build on the culture of efficiency and effectiveness through new, progressive and integrated partnership working models to drive forward the Council's and Greater Manchester Public Service growth and reform agenda;
 - Ensure staff have the right skills to embrace significant organisational change, through embedding a culture of ownership, empowerment and decision making at all levels of the organisation; and
 - Work toward reducing reliance on government funding by developing new models of delivery that are affordable, add value and based on need.
- 3.5 Clearly, the Local Plan can have an influence over several of these corporate priorities and it is important that there is synergy between the Council's future priorities and the broad direction of the Local Plan.
- 3.6 The Council's proposed Vision has been developed to help direct the approach taken in the Local Plan taking into account the priorities of Team Bury and the strategic outcomes and strategic priorities of the Council.

THE PROPOSED VISION FOR BURY'S LOCAL PLAN

"BY 2035 THE BOROUGH WILL HAVE EMBRACED SUSTAINABLE GROWTH IN A MANAGED WAY AND BECOME A WELL CONNECTED PLACE WITH:

- A STRONG AND COMPETITIVE LOCAL ECONOMY;*
- A STRONG, VIBRANT AND HEALTHY COMMUNITY; AND*
- A HIGH QUALITY NATURAL AND BUILT ENVIRONMENT."*

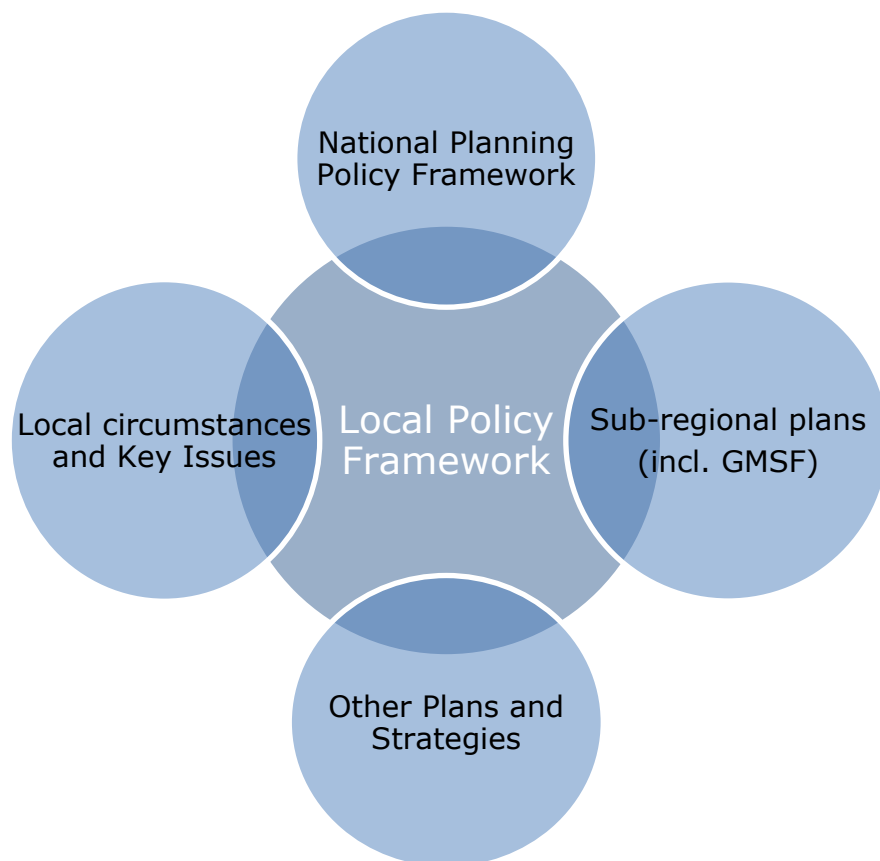
Key Consultation Question

Q1. Do you feel that the proposed Vision for the Borough is an appropriate reflection of how the Borough should be by 2035?

Issues and Policy Framework 4

- 4.1 This chapter sets out what are considered to be the key issues, problems and challenges that the Local Plan can influence. The issues have largely emerged taking into account national and emerging sub-regional planning policies, other relevant plans and strategies and the local circumstances described within the local profiles described within each of the supporting Topic Papers. The chapter also sets out the intended framework for the scope of planning policies that the Local Plan could seek to include in order to address the key issues. Figure 4 reflects the process by which we have arrived at the proposed policy.

Figure 4 – Arriving at the Policy Framework



- 4.2 As part of the consultation on this document, the Council is keen to hear your views as to whether the identified issues are broadly correct or whether you feel that there are other issues that need to be considered. Likewise, the Council is also seeking views on whether the proposed scope and direction of Local Plan policies would be sufficient to address the Borough's issues.

| HOUSING | |
|--|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> A requirement to plan to meet the housing needs of a growing population. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> Allocating suitable sites for residential use (in addition to any strategic allocations coming through the GMSF). |
| <ul style="list-style-type: none"> There are pockets of vacant and derelict land across the Borough. | <ul style="list-style-type: none"> Re-allocating suitable vacant land currently allocated for other uses for residential purposes, where appropriate. Encouraging the re-use of vacant land and derelict buildings. |
| <ul style="list-style-type: none"> There is a national and emerging sub-regional policy framework that seeks to ensure the efficient use of land. | <ul style="list-style-type: none"> Implementing appropriate density requirements, helping to ensure that developments maximise the use of available land and reduce the amount of land required to meet needs. Promoting higher density development in the most sustainable locations, including in town centres and key transport nodes. |
| <ul style="list-style-type: none"> There is a demand for a range of house types, sizes and tenures across all sections of the community. | <ul style="list-style-type: none"> Ensuring that the right mix of house types, sizes and tenures are provided to meet local housing needs. |
| <ul style="list-style-type: none"> There is a lack of affordable housing available to meet needs, with house prices continuing to increase faster than incomes. | <ul style="list-style-type: none"> Delivering an appropriate level of affordable housing as part of new housing developments. Allocating specific sites for affordable housing developments. |

Key Consultation Question

Q2. Are there any other key issues relating to housing that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| ECONOMY AND EMPLOYMENT | |
|--|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ A requirement to plan for the future needs of industry, warehousing and office development. | <ul style="list-style-type: none"> ▪ Allocating high quality and attractive sites for office, industrial and warehousing uses – including sites for advanced manufacturing and logistics (in addition to any strategic allocations coming through the GMSF). |
| <ul style="list-style-type: none"> ▪ Opportunities to capitalise on growth sectors such as advanced manufacturing, science, digital, creative industries and logistics but a vulnerability to a decline in manufacturing employment and public sector cuts. | |
| <ul style="list-style-type: none"> ▪ A relatively low ratio of jobs per working age population within the Borough. | |
| <ul style="list-style-type: none"> ▪ Low quality and low paid employment opportunities within the Borough leading to many well educated residents working in higher-skilled and better-paid jobs working outside of the Borough. | |
| <ul style="list-style-type: none"> ▪ An inadequate existing supply of employment land that is largely unattractive to the market. | |
| <ul style="list-style-type: none"> ▪ Significant pressures to redevelop existing employment land and premises. | <ul style="list-style-type: none"> ▪ Retaining and consolidate suitable existing employment sites and areas where there is a reasonable prospect of these continuing to be used for employment purposes. ▪ Designating Employment Generating Areas. |

Key Consultation Question

Q3. Are there any other key issues relating to the economy and employment that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| TOWN CENTRES AND MAIN TOWN CENTRE USES | |
|---|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ A requirement to assess and plan to meet the need for main town centre uses in full. | <ul style="list-style-type: none"> ▪ Allocating sites for main town centre uses if needed. |
| <ul style="list-style-type: none"> ▪ Varying levels of vitality and viability within the Borough’s town centres with the most significant problems in Radcliffe and Prestwich. | <ul style="list-style-type: none"> ▪ Maintaining and enhancing the vitality and viability of the Borough’s hierarchy of centres by ensuring that proposals for main town centre uses are in an appropriate location and that proposals for retail, leisure and office development are not of a scale that would cause significant adverse impacts. ▪ Identifying boundaries for town and district centres and the location of local and neighbourhood centres. ▪ Designating Primary and Secondary Shopping Frontages and Areas within town and district shopping centres and control the types of uses within them. ▪ Ensuring that the scale of new retail development is consistent with levels of expenditure capacity for each of the Borough’s town centre catchment areas. |
| <ul style="list-style-type: none"> ▪ The leisure offer of town centres will be increasingly important. ▪ Bury’s tourism sector makes a significant contribution to the wider local economy. | <ul style="list-style-type: none"> ▪ Safeguarding existing and promoting new tourism and cultural development in appropriate locations. |

| | |
|--|---|
| <ul style="list-style-type: none">▪ The need to attract and retain a talented workforce. | <ul style="list-style-type: none">▪ Promoting the introduction of cultural and 'lifestyle' amenities within town centres. |
|--|---|

Key Consultation Question

Q4. Are there any other key issues relating to town centres and main town centre uses that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| HEALTH AND WELLBEING | |
|---|--|
| Key Issues | Policy Framework |
| | It is proposed that the Local Plan will help to address the key issues and achieve the Vision by: |
| <ul style="list-style-type: none"> Lower life expectancy, health and educational attainment particularly in East Bury and Radcliffe. | <ul style="list-style-type: none"> Supporting development that will have a positive impact on the Borough's most deprived areas. |
| <ul style="list-style-type: none"> Pockets of deprivation in East Bury, Inner Radcliffe, Besses and Rainsough. | |
| <ul style="list-style-type: none"> The impact of climate change on health. | <ul style="list-style-type: none"> Promote measures to minimise the cause of climate change and its effects on health. |
| <ul style="list-style-type: none"> Obesity in children and adults in Bury is at significant levels and is rising. | <ul style="list-style-type: none"> Promoting health and wellbeing within the Borough's communities. Controlling the development of hot food takeaways. Promoting active travel. |
| <ul style="list-style-type: none"> Levels of physical inactivity are sizable and there is a need to increase opportunities to travel by walking and cycling. | |
| <ul style="list-style-type: none"> Bury is a high ranking area in England for numbers of fast food outlets per head of population. | |
| <ul style="list-style-type: none"> There are deficiencies in quantity, quality and accessibility for all types of open space across the Borough. New residential development places pressure on existing recreational facilities. | <ul style="list-style-type: none"> Designating and protecting existing open space, sport and recreation facilities and allocate sites for improved recreation provision. Requiring the provision of open space, sport and recreation facilities in conjunction with new housing development. |
| <ul style="list-style-type: none"> Air quality is poor in some locations with nitrogen dioxide | <ul style="list-style-type: none"> Encouraging more sustainable modes of travel and reducing the |

| | |
|---|--|
| <p>levels exceeding acceptable standards on sections of our major roads and motorways.</p> | <p>need to travel by car.</p> <ul style="list-style-type: none"> ▪ Seeking to prevent both new and existing development from contributing to or being adversely affected by unacceptable levels of pollution either individually or cumulatively with other existing or proposed developments. ▪ Requiring proposals for new development in AQMA to provide details of the potential impacts on local air quality and identify measures to mitigate these impacts. |
| <ul style="list-style-type: none"> ▪ The existence of other potential pollution sources and threats to health. | <ul style="list-style-type: none"> ▪ Ensuring that new development will not result in the contamination of land or land stability concerns and, where appropriate, requiring a developer to take steps to remediate existing contaminated land and/or land stability issues. |

Key Consultation Question

Q5. Are there any other key issues relating to health and wellbeing that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| ENERGY AND PHYSICAL INFRASTRUCTURE | |
|--|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ A requirement for the Local Plan to consider the potential for renewable and low carbon energy generation. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> ▪ Establishing an approach towards potential proposals for renewable and low carbon energy generation. |
| <ul style="list-style-type: none"> ▪ Potential shale deposits within the Borough. | <ul style="list-style-type: none"> ▪ Establishing an approach towards potential proposals for fracking. |
| <ul style="list-style-type: none"> ▪ Some areas of the Borough have relatively poor access to superfast broadband services. | <ul style="list-style-type: none"> ▪ Supporting the expansion of electronic communications networks, including telecommunications and high speed broadband whilst aiming to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum. |
| <ul style="list-style-type: none"> ▪ Inadequate capacity within utility infrastructure. | <ul style="list-style-type: none"> ▪ Ensuring that developers make provision for, or contributes towards, the costs of infrastructure that is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. |
| <ul style="list-style-type: none"> ▪ European legislation and Government targets require a range of waste management facilities. | <ul style="list-style-type: none"> ▪ Ensuring that waste is managed in a sustainable way. |

Key Consultation Question

Q7. Are there any other key issues relating to energy and physical infrastructure that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| FLOOD RISK | |
|--|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ Significant areas of the Borough are at risk of river and surface water flooding. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> ▪ Ensuring that new development is not subject to unacceptable levels of risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall. |
| <ul style="list-style-type: none"> ▪ Insufficient capacity in the sewer and drainage network to accommodate increasing amounts of surface water | <ul style="list-style-type: none"> ▪ Ensuring that new development proposals minimise surface water run-off and, where possible, seek to reduce it. |
| <ul style="list-style-type: none"> ▪ Land is required for new flood defences, natural flood management measures and flood water storage | <ul style="list-style-type: none"> ▪ Identifying opportunities for additional flood defences and natural flood management. ▪ Increasing, where possible, flood water storage capacity, designed to improve water quality, wildlife and habitat conservation, recreation and carbon storage. |

Key Consultation Question

Q6. Are there any other key issues relating to flood risk that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| NATURAL ENVIRONMENT | |
|--|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> The Borough's landscape character is important and varies significantly between the north, central and southern areas. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> Ensuring that new development respects the character of its surroundings. |
| <ul style="list-style-type: none"> A requirement to plan for a steady and adequate supply of aggregates. | <ul style="list-style-type: none"> Ensuring the sustainable management of the Borough's mineral resources. |
| <ul style="list-style-type: none"> The Borough has a varied range of geological and ecological assets. | <ul style="list-style-type: none"> Designating key assets and ensuring that new development does not have an adverse impact on the natural environment and, where opportunities arise, makes a contribution towards its enhancement. Designating and seeking to protect and enhance the Borough's network of multi-functional Green Infrastructure and to support proposals to improve the connectivity and quality of the network. |
| <ul style="list-style-type: none"> A requirement to protect, enhance and restore water bodies. | <ul style="list-style-type: none"> Ensuring that new development does not have an adverse impact on natural water resources and, where opportunities arise, makes a contribution towards their enhancement . |

Key Consultation Question

Q8. Are there any other key issues relating to the natural environment that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| OPEN LAND | |
|---|--|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> The GMSF will deal with the identification of a Green Belt boundary across Greater Manchester and the Local Plan will deal with local and more detailed Green Belt matters. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> Setting out the approach towards new development in the Green Belt*. <p><i>* Policy would apply to the Green Belt as defined in the Greater Manchester Spatial Framework.</i></p> |
| <ul style="list-style-type: none"> There is no longer a justification for Other Protected Open Land. | <ul style="list-style-type: none"> Removing Other Protected Open Land designations. |
| <ul style="list-style-type: none"> The River Valleys and West Pennine Moors designations are in need of review. | <ul style="list-style-type: none"> Identifying a network of multi-functional Green Infrastructure and setting out the approach towards new development within the network. |

Key Consultation Question

Q9. Are there any other key issues relating to open land that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| BUILT ENVIRONMENT | |
|---|---|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ The Borough contains a varied range of heritage assets. | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> ▪ Preserving the Borough’s heritage assets. ▪ Designating Conservation Areas. |
| <ul style="list-style-type: none"> ▪ The Borough has a diverse character and townscape. | <ul style="list-style-type: none"> ▪ Ensuring that new development does not adversely affect the Borough’s built heritage assets, character and townscape. |
| <ul style="list-style-type: none"> ▪ Poor design and layout can create unattractive, lifeless, dangerous and unsustainable places. | <ul style="list-style-type: none"> ▪ Ensuring that all new development incorporates high standards of urban design, including the incorporation of sustainable design and construction techniques that reduce carbon emissions from buildings. |

Key Consultation Question

Q10. Are there any other key issues relating to the built environment that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| TRANSPORT | |
|---|--|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ Traffic congestion at peak periods is largely focused on main routes in and around town centres (particularly Bury town centre) and key motorway junctions and is largely caused by extensive use of the private car. | <ul style="list-style-type: none"> ▪ Seeking to ensure that development and transport planning are co-ordinated to improve accessibility, reduce the need to travel by car and increase public transport use, cycling and walking and promote the use of and infrastructure for low and ultra low emissions vehicles. |
| <ul style="list-style-type: none"> ▪ Road traffic is a major source of carbon emissions and is the most significant cause of poor air quality where sections of our major roads and motorways have levels of nitrogen dioxide that exceed minimum acceptable. | |
| <ul style="list-style-type: none"> ▪ The Bury line has seen significant growth in Metrolink usage and has become an important commuting asset, particularly for those travelling to work in Manchester City Centre. However, services on the Bury line are subject to over-crowding during peak periods. | |
| <ul style="list-style-type: none"> ▪ An increase in the use of low and ultra low emissions vehicles. | |
| <ul style="list-style-type: none"> ▪ Bury Interchange is considered to be poorly configured and suffers from a poor environment that does not reflect its status as the Borough’s key transport hub. | |
| <ul style="list-style-type: none"> ▪ Identifying proposals to encourage more sustainable travel, such as cycle routes and improvements to public transport facilities and park and ride facilities. | |

| | |
|--|---|
| <ul style="list-style-type: none"> ▪ Park and Ride Facilities at Radcliffe and Whitefield are at capacity and, given the amount of Metrolink usage, the park and ride facilities at Bury Interchange and Prestwich station are considered to be inadequate. | |
| <ul style="list-style-type: none"> ▪ Ramsbottom suffers from a lack of car/coach parking provision, particularly given the attractiveness of the town as a tourist destination. | <ul style="list-style-type: none"> ▪ Considering opportunities to identify a site or sites for additional parking provision in or around Ramsbottom town centre. |

Key Consultation Question

Q11. Are there any other key issues relating to transport that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| COMMUNITY FACILITIES | |
|--|--|
| Key Issues | Policy Framework |
| <ul style="list-style-type: none"> ▪ Growth and development places additional pressure on social and community infrastructure | <p>It is proposed that the Local Plan will help to address the key issues and achieve the Vision by:</p> <ul style="list-style-type: none"> ▪ Requiring developers of new housing to make provision for social and community infrastructure, where necessary. |
| <ul style="list-style-type: none"> ▪ Many community facilities are in poor condition and in need of investment. | <ul style="list-style-type: none"> ▪ Safeguarding and improving community facilities, where needed. |

Key Consultation Question

Q12. Are there any other key issues relating to community facilities that you feel the Local Plan should be seeking to address and do you think that the proposed scope and direction of Local Plan policies is appropriate?

| Key Matters | GMSF Role | Local Plan Role |
|---|---|---|
| Housing | | |
| Identifying the target for level of housing needed. | Establish the statutory housing target. | |
| Meeting the housing target. | Allocate any Green Belt land required to meet housing target (strategic sites). | Allocate non-Green Belt sites to help meet target, including suitable brownfield sites. |
| Mix of house types and sizes. | Identify broad level of needs. | Locally-specific policies to meet local housing needs (mix of different sizes, types and tenures). |
| Affordable housing. | Strategic policy identifying need. | Locally-specific policy setting out requirements for new developments. |
| Economy and Employment | | |
| Identifying floorspace requirements for offices and industry and warehousing. | Establish floorspace requirements for offices and for industry and warehousing. | |
| Meeting the floorspace requirements for offices and for industry and warehousing. | Allocate any Green Belt land required to meet floorspace requirements and to strengthen and rebalance the sub-regional economy (strategic sites). | Allocate non-Green Belt sites to help to meet the floorspace requirements, including office sites in and around Bury town centre. |
| Improving the quality of employment opportunities. | Allocate any Green Belt land that has the characteristics to attract high quality employment opportunities. | Allocate non- Green Belt sites that have the characteristics to attract high quality employment opportunities. |
| Existing employment land | Strategic policy recognising | Locally-specific policies and |

| Key Matters | GMSF Role | Local Plan Role |
|---|---|---|
| and premises | that existing industrial and warehousing sites play a vital role in providing business and employment opportunities. | designations setting out the approach to existing employment land and premises in the Borough. |
| Town Centres and Main Town Centre Uses | | |
| Identify needs for main town centre uses | | Locally-specific policy setting out needs for main town centre uses in the Borough. |
| Meeting needs for main town centre uses | | If required, allocate sites for main town centre uses in the Borough's town centres. |
| Maintaining and enhancing the vitality and viability of centres | Strategic policy identifying Bury town centre as a main town centre within Greater Manchester. | Locally-specific policy relating to the scale and location of main town centre uses. |
| Supporting tourism | Strategic policy supporting the expansion of Greater Manchester's visitor attractions and identifying Bury town centre as a key location for tourism and leisure development. | Locally-specific policy relating to new tourism and cultural development in appropriate locations and allocate sites, if necessary. |
| Health and Wellbeing | | |
| Addressing deprivation | Strategic policy relating to social inclusion. | Locally-specific policy relating to addressing deprivation in the Borough. |
| Impact of climate change on health | Strategic policy relating to resilience. | Locally-specific policy relating to health. |
| Tackling obesity and physical inactivity | Strategic policy relating to health. | Locally-specific policies relating to health, active travel and open space, sport and recreation. |

| Key Matters | GMSF Role | Local Plan Role |
|---|--|--|
| Improving air quality | Strategic policy relating to air quality. | Locally-specific policy relating to improving air quality in the Borough. |
| Addressing other threats to health | | Locally-specific policy relating to contaminated and unstable land. |
| Energy and Physical Infrastructure | | |
| Renewable and low carbon energy generation | Strategic policy relating to carbon emissions. | |
| Potential shale deposits | | Locally-specific policy relating to potential fracking proposals. |
| Access to superfast broadband | Strategic policy relating to infrastructure. | Locally-specific policy relating to electronic communications. |
| Utility infrastructure | Strategic policy relating to infrastructure. | |
| Waste management | Waste matters dealt with in the GM Joint Waste Plan. | |
| Flood Risk | | |
| River and surface water flooding | Strategic policy relating to flood risk and water quality. | Locally-specific policies relating to flood risk. |
| Insufficient capacity in the sewer and drainage network | Strategic policy relating to flood risk and water quality. | Locally-specific policy relating to surface water management. |
| Flood mitigation | Strategic policy relating to flood risk and water quality. | Locally-specific policies relating to flood risk and surface water management. |
| Natural Environment | | |

| | | |
|----------------------------------|--|--|
| Landscape character | | Locally-specific policy relating to landscape character. |
| Minerals resources | Minerals matters covered by the GM Joint Minerals Plan. | |
| Geological and ecological assets | Strategic policy relating to nature conservation. | Locally-specific policy relating to nature conservation. |
| Green Infrastructure | Strategic policy relating to green infrastructure. | Locally-specific policy relating to green infrastructure. |
| Improving water quality | Strategic policy relating to flood risk and water quality. | Locally-specific policy relating to nature conservation. |
| Open Land | | |
| Green Belt | Identify a Green Belt boundary for Greater Manchester. | Locally-specific policy setting out the approach to new development in the Green Belt. |
| Built Environment | | |
| Heritage assets | Strategic policy relating to heritage. | Locally-specific policy relating to the conservation of the Borough's heritage assets. |
| Character and townscape | Strategic policy relating to heritage. | Locally-specific policy relating to the design of new development. |
| Urban design | Strategic policy relating to design. | Locally-specific policy relating to the design of new development. |
| Transport | | |
| Traffic congestion | Strategic policies relating to carbon emissions and air quality. | Locally-specific policy setting out the transport requirements in new development. |

| | | |
|--|--|---|
| Carbon emissions from road transport | Strategic policies relating to carbon emissions and air quality. | Locally-specific policy setting out the transport requirements in new development. |
| Metrolink capacity | Proposed public transport infrastructure requirements in association with Strategic Allocations. | Locally-specific policy setting out the transport requirements in new development. |
| Bury Interchange | | Potential allocation for improved public transport provision at Bury Interchange. |
| Park and ride facilities | Proposed park and ride provision in association with Strategic Allocations. | Locally-specific policy setting out the transport requirements in new development. |
| Parking provision in Ramsbottom town centre | | Potential allocation of land for new parking provision to support Ramsbottom town centre. |
| Increased use of low and ultra low emissions vehicles. | | Locally-specific policy setting out transport requirements in new development. |
| Community Facilities | | |
| Pressures on social and community infrastructure | Strategic policies relating to education, skills and knowledge; health and social inclusion. | Locally-specific policy relating to the provision of community facilities. |
| Poor quality community facilities | | Locally-specific policy relating to safeguarding and improving community facilities. |

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Equality Analysis Form

The following questions will document the effect of your service or proposed policy, procedure, working practice, strategy or decision (hereafter referred to as 'policy') on equality, and demonstrate that you have paid due regard to the Public Sector Equality Duty.

1. RESPONSIBILITY

| | | |
|--|---|--|
| Department | Resources and Regulation | |
| Service | Strategic Planning and Economic Development | |
| Proposed policy | Bury Local Plan – Issues and Policy Framework | |
| Date | 1 June 2017 | |
| Officer responsible for the 'policy' and for completing the equality analysis | Name | David Wiggins |
| | Post Title | Unit Manager: Development Planning |
| | Contact Number | 0161 253 5282 |
| | Signature |  |
| | Date | 1 June 2017 |
| Equality officer consulted | Name | |
| | Post Title | |
| | Contact Number | |
| | Signature | |
| | Date | |

2. AIMS

| | |
|--|---|
| What is the purpose of the policy/service and what is it intended to achieve? | The purpose of the Local Plan will be to guide the future use and development of land in the Borough up to 2035. |
| Who are the main stakeholders? | The main stakeholders involved in the Local Plan are local residents, developers, land owners, businesses, planning and development consultants, infrastructure providers, interest groups and representative bodies. |

3. ESTABLISHING RELEVANCE TO EQUALITY

3a. Using the drop down lists below, please advise whether the policy/service has either a positive or negative effect on any groups of people with protected equality characteristics. If you answer yes to any question, please also explain why and how that group of people will be affected.

| Protected equality characteristic | Positive effect (Yes/No) | Negative effect (Yes/No) | Explanation |
|--|---------------------------------|---------------------------------|---|
| Race | No | No | The Local Plan is likely to include a policy designed to ensure that the needs of gypsies, travellers and travelling showpeople are met. |
| Disability | No | No | The Local Plan is likely to include policies for ensuring that the needs of people with mobility difficulties are taken into account in determining proposals for new development as well as ensuring that provision is made for housing for people with special needs. |
| Gender | No | No | |
| Gender reassignment | No | No | |
| Age | No | No | The Local Plan is likely to include a policy designed to ensure that provision is made for housing for people with special needs, including the elderly. |
| Sexual orientation | No | No | |
| Religion or belief | No | No | |
| Caring responsibilities | No | No | |
| Pregnancy or maternity | No | No | |
| Marriage or civil partnership | No | No | |

3b. Using the drop down lists below, please advise whether or not our policy/service has relevance to the Public Sector Equality Duty. If you answer yes to any question, please explain why.

| General Public Sector Equality Duties | Relevance (Yes/No) | Reason for the relevance |
|---|--------------------|---|
| Need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 | No | |
| Need to advance equality of opportunity between people who share a protected characteristic and those who do not (eg. by removing or minimising disadvantages or meeting needs) | Yes | The Local Plan is likely to include policies that are specifically designed to make provision for special needs housing, including housing for the elderly as well as meeting the needs of gypsies, travellers and travelling showpeople. |
| Need to foster good relations between people who share a protected characteristic and those who do not (eg. by tackling prejudice or promoting understanding) | No | |

If you answered 'YES' to any of the questions in 3a and 3b

Go straight to Question 4

If you answered 'NO' to all of the questions in 3a and 3b

Go to Question 3c and do not answer questions 4-6

3c. If you have answered 'No' to all the questions in 3a and 3b please explain why you feel that your policy/service has no relevance to equality.

4. EQUALITY INFORMATION AND ENGAGEMENT

4a. For a service plan, please list what equality information you currently have available, **OR** for a new/changed policy or practice please list what equality information you considered and engagement you have carried out in relation to it.

Please provide a link if the information is published on the web and advise when it was last updated?

(NB. Equality information can be both qualitative and quantitative. It includes knowledge of service users, satisfaction rates, compliments and complaints, the results of surveys or other engagement activities and should be broken down by equality characteristics where relevant.)

| Details of the equality information or engagement | Internet link if published | Date last updated |
|---|-----------------------------------|--------------------------|
| The evidence supporting the Local Plan is subject to regular and on-going monitoring to ensure that the policy framework is appropriate and relevant. | | On-going |
| The Local Plan will be subject to numerous consultation exercises throughout its preparation and stakeholders will have the opportunity for continued engagement until the Plan is adopted. | | On-going |

4b. Are there any information gaps, and if so how do you plan to tackle them?

| |
|----|
| No |
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5. CONCLUSIONS OF THE EQUALITY ANALYSIS

| | |
|---|--|
| <p>What will the likely overall effect of your policy/service plan be on equality?</p> | <p>Positive</p> |
| <p>If you identified any negative effects (see questions 3a) or discrimination what measures have you put in place to remove or mitigate them?</p> | <p>N/A</p> |
| <p>Have you identified any further ways that you can advance equality of opportunity and/or foster good relations? If so, please give details.</p> | <p>No</p> |
| <p>What steps do you intend to take now in respect of the implementation of your policy/service plan?</p> | <p>Once adopted, the policies within the Local Plan will be used to determine planning applications for new development.</p> |

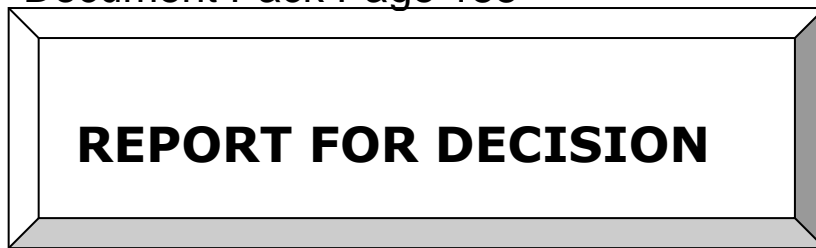
6. MONITORING AND REVIEW

If you intend to proceed with your policy/service plan, please detail what monitoring arrangements (if appropriate) you will put in place to monitor the ongoing effects. Please also state when the policy/service plan will be reviewed.

The Local Plan will be continually monitored in order to determine the effectiveness of its policies.

COPIES OF THIS EQUALITY ANALYSIS FORM SHOULD BE ATTACHED TO ANY REPORTS/SERVICE PLANS AND ALSO SENT TO THE EQUALITY INBOX (equality@bury.gov.uk) FOR PUBLICATION.

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| DECISION OF: | Cabinet |
| DATE: | 26 July 2017 |
| SUBJECT: | Community Asset Transfer Policy |
| REPORT FROM: | Leader of the Council |
| CONTACT OFFICER: | Alex Holland Head of Property & Asset Management |
| TYPE OF DECISION: | EXECUTIVE (KEY DECISION) |
| FREEDOM OF INFORMATION/STATUS: | Public Domain |
| SUMMARY: | The policy provides a structure to objectively consider transfers of Council owned property assets to the Community to support continued delivery of services. |
| OPTIONS & RECOMMENDED OPTION | <p>Cabinet is requested to:</p> <ol style="list-style-type: none"> 1. Approve the Asset Transfer Policy, which is described within the report and contained within Appendix 1. 2. Approve the delegation of decisions over applications for Community Asset Transfer to the Chief Executive, the Executive Director of Resource and Regulation and the Head of Property and Asset Management, in consultation with the Leader of the Council and the relevant portfolio holder. |
| IMPLICATIONS: | |
| Corporate Aims/Policy Framework: | Do the proposals accord with the Policy Framework? Yes |
| Statement by the S151 Officer: Financial Implications and Risk Considerations: | Community Asset transfer can result in alternative benefit or value to the community in return for transferring Council property |

| | |
|--|---|
| | assets at less than best consideration. |
| Health and Safety Implications | Risks and mitigations to be identified and agreed for each transfer considered. |
| Statement by Executive Director of Resources (including Health and Safety Implications) | This proposal supports the Council's wider ambitions to give communities greater control, influence and input into their areas. |
| Equality/Diversity implications: | The adoption of a Community Asset Transfer Policy that objectively considers applications against key tests will help to ensure there is a consistent and transparent approach. |
| Considered by Monitoring Officer: | Legal advice has been sought in preparing this policy. Legal advice and support will also be sought when considering the grant of a community asset transfer. |
| Wards Affected: | All wards |
| Scrutiny Interest: | Internal Scrutiny |

TRACKING/PROCESS

DIRECTOR:

| Chief Executive/ Strategic Leadership Team | Cabinet Member/Chair | Ward Members | Partners |
|--|-------------------------|--------------|----------|
| 12 th June 2017 | ✓ | | |
| Scrutiny Committee | Cabinet/Committee | Council | |
| | ✓ | | |

1.0 PURPOSE OF THE REPORT

- 1.1 To set out a Community Asset Transfer Policy for the Council.
- 1.2 The key aims of the policy are to:
 - Support voluntary and community organisation contributions to Bury neighbourhoods
 - Provide a fair and transparent framework for community asset transfer of Council owned property assets (land and buildings).
 - Help the Council to achieve savings in its costs of managing property.
 - Support continued delivery of services through transfer to voluntary and community organisations, where this is appropriate.
- 1.3 A Community Asset Transfer is at the discretion of the Council. It is not a part of community organisations' stator right to nominate assets for inclusion in the Council's register of Assets of Community Value, nor the Right to Bid to provide services.

2.0 BACKGROUND

- 2.1 The Council recognises the positive contributions that voluntary and community groups make to their neighbourhoods. The purpose of this policy is to facilitate and support communities to access Council property assets for this purpose, while protecting the Council's financial integrity, fiduciary duty and wider accountabilities, such as Health and Safety.
- 2.2 Community Asset transfer provides an option for property assets and services challenged as a result of cuts to funding.
- 2.3 The Council has committed itself to engage with communities through neighbourhood working to improve the environment, promote early intervention and prevention and promote self care. Putting in place a Community Asset Transfer Policy is an active management step to support the people of Bury to reduce their reliance on government funding.
- 2.4 The extent of Community Asset Transfer can range from unrestricted freehold sale at full market value, where the community group is offered first refusal to purchase, through to short term leases where the Council retains liabilities, responsibilities and costs.
- 2.5 Community asset transfer usually involves a sale or lease of Council, or other publicly owned property assets, at less than full market value as a means to further local social, economic and / or environmental objectives.

3.0 SUMMARY OF KEY MATTERS

- 3.1 Community Asset Transfer can be used as a facilitator of social, environmental and community regeneration.
- 3.2 The transfer of assets to voluntary and community organisations' can strengthen confidence and ties with neighbourhoods and can sometimes enable new investment to be attracted.

- 3.3 A Community Asset transfer policy endorses this approach and provides a structure to consider the potential continuation of services or activities that would otherwise be at risk due to financial pressures, e.g. by reducing or removing property running costs.
- 3.4 Community Asset Transfer has potential to give communities greater control, influence and input into their areas by building a sense of belonging, raise aspirations, increase skills and expertise and facilitate delivery of services.
- 3.5 A Community Asset Transfer Policy is complimentary to the Council's aspirations and plans for its localities and neighbourhood working.
- 3.6 Community Asset Transfer is not a 'property only' matter. It is an important approach to long term community support for the priorities of the Borough.
- 3.7 Bury Council already has a track record of supporting communities when and how it can and has a history of promoting self management agreements relating to of sports and allotment facilities.
- 3.8 A Community Asset Policy will serve to inform and guide the Councils support through its management of property assets. It also provides a structure for objectively considering applications, case by case, according to their own merits.

4.0 COMMUNITY ASSET TRANSFER POLICY

- 4.1 The proposed Asset Transfer Policy is included within Appendix 1 to this report.
- 4.2 An option to consider transfer of a property asset to the community can be prompted either by the Council identifying a property asset that it decides is surplus to its needs, or by a community or voluntary organisation approaching the Council.
- 4.3 The long term viability and benefits of each proposal for Community Asset Transfer will be evaluated against other options, e.g. disposal by way of open market sale, commercial lease, or alternative Council use.
- 4.4 The purpose of the policy is not to generate capital receipts, rather to recognise and support the contribution that community and voluntary organisations bring to neighbourhoods. The business case for an asset transfer must be demonstrated by the applicant to the satisfaction of the Strategic Leadership Team and Cabinet in monetary and sustainability terms.
- 4.5 Whoever makes the first approach, the applicant for Community Asset Transfer will be responsible for making the case for the transfer. The Council will assist where it can and will endeavour to take a fair, consistent and transparent approach to considering the case and responding.
- 4.6 Each Community Asset Transfer application will be considered on its own merits. The policy provides a structure to help voluntary and community organisations to develop its options and for the Council to respond to them.
- 4.7 It is useful to consider objective key tests of 'the organisation', 'the property' and of 'value for money' in advance of a Community Asset Transfer.

4.8 The Organisation Test: (to be demonstrated by the applicant)

- i. It is a legally constituted community group, charity, or not for profit organisation, with articles of association that define roles and responsibilities of company directors, trustees etc.
- ii. It understands and is willing and able to take legal responsibility of the property asset transferred, e.g. health and safety, running costs, maintenance and improvement plans.
- iii. It has identified risks (including health and safety) and has agreed and put in place mitigating actions.
- iv. It has understanding of costs, financial standing and an identified and adequate budget to meet its roles and responsibilities.
- v. There is sufficient alignment between the applicant and the Council's objectives and plans.
- vi. It has defined and working governance arrangements.
- vii. Its funding sources are reliable.
- viii. It is able to demonstrate a track record in its relevant area of expertise, where this is considered to be a prerequisite, or to have made a satisfactorily strong case of the organisation's competence where a track record does not already exist.
- ix. It has, or has access to, appropriate skills and capacity to safely deliver the services and to manage the property in the long term.
- x. It has a service level agreement with the Council, where appropriate.

4.9 The Property Test:

- i. There is no foreseeable Council need for the property and it has been declared surplus as a result.
- ii. There are no legal or property title impediments to the asset transfer.
- iii. Property value has been determined by the Council's Property and Asset Management Service for consideration in the Value for Money test.

4.10 The Value for Money Test:

- i. If the property and organisation tests are passed, the applicant will be requested to submit a business case setting out further details about its proposal. This should include a financial forecast and a risk register.
- ii. If the property asset transfer is to be at less than best consideration, the community organisation must demonstrate objectively the benefit or value of their proposals in monetary terms, e.g. achievement, promotion or improvement of the economic, social or environmental wellbeing of the whole or any part of the area or direct savings such as protecting the value of Council assets in the long term.
- iii. Under EU law, governments and public bodies may not distort competition through their provision of state aid that puts commercial enterprises at a disadvantage. Applications for Community Asset transfers must be able to stand scrutiny of any question of State Aid.
- iv. The Council is under no obligation to transfer property assets to the community and decision are taken with knowledge of alternative disposal options.

5.0 BASIS OF THE PROPERTY ASSET TRANSFER

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5.1 The individual circumstances of the application will determine the basis of property asset transfer. This will need to consider the following main items:

5.2 Property interest to be transferred

The basis of community asset transfer consistent with the level of transferred risk or cost retained or passed on by the Council. This can range from a;

- a. Short term lease, e.g. 5 years (with or without security of tenure).
- b. Short term followed by a further or a series of short term leases.
- c. Short term followed by longer term leases with mutual break clauses.
- d. Longer term lease, e.g. 6 to 99 years – with mutual break clauses.
- e. Lease or leases followed by transfer of the freehold.
- f. Freehold.

Self management agreements may also be considered, but these do not legally constitute as asset transfer and are more aligned to a service contract.

5.3 Subletting

Sub letting of assets by Community groups to commercial organisations may be acceptable if the income generated is key to the long term sustainability of the community asset transfer. However, the use would be subject to the Council's prior approval.

5.4 Use Restriction and claw back

Controls on future use should be considered to ensure that private 'profit' is not generated on the back of the transfer.

5.5 Indemnities on transfer

Where Community asset transfer rights and responsibilities are passed to the community organisation, risks to be identified and mitigations put in place, including risks of organisations failing to fulfil responsibilities. Such groups may be required to take out and maintain suitable indemnity insurance.

5.6 Other Material considerations for asset transfer

- Parties to the transaction
- Price / consideration
- Treatment of costs (legal and asset management, administration etc).

5.7 Ongoing Management

Where an Asset Transfer has been agreed based on a business case that commits to agreed 'outcomes' monitoring and enforcement agreements to be put in place.

6.0 PROCESS FOR COMMUNITY ASSET TRANSFER

6.1 The policy for Community Asset Transfer will be provided to interested groups. When community interest is to be considered as an alternative to service closure or outright open market sale, the application, preparation and consideration of business case and period allowed for completion will be time bound. The time periods allowed to be agreed at the beginning.

6.2 Applications for Community Asset transfer should be directed first to the Asset Management Team within the Department for Resource and Regulations Department. Where the community interest aligns with the objectives of a particular Council service objective, representatives of that service will be

asked to work with the community organisation to identify and develop the business case. Where appropriate they will also work with them after the asset transfer.

- 6.3 Applications for Community Asset Transfer will also be considered by representatives of Legal Services and Finance.
- 6.4 Decisions over applications for asset transfer are proposed be delegated to the Chief Executive, the Executive Director of Resource and Regulation and the Head of Property and Asset Management, in consultation with the Leader of the Council and the relevant portfolio holder.

List of Background Papers:-

Community Asset Transfer Policy, as contained within Appendix 1

Contact Details:-

Clinton Judge
Corporate Asset Manager

Tel: 0161 253 5308
Email: c.judge@bury.gov.uk

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Bury Council Community Asset Transfer Policy

Contents

- 1.0** Purpose of community asset transfer
- 2.0** The local context
- 3.0** Summary of key matters
- 4.0** Assessing applications for community asset transfer
- 5.0** Basis of Property Asset Transfer
- 6.0** Community Asset Transfer Process

Annex 1 Expression of Interest Questionnaire

Prepared 6th July 2017

1.0 BACKGROUND

- 1.1 This Policy, agreed by Bury Council Cabinet on the 26TH July 2017, provides a structure to objectively consider transfers of Council owned property assets to the community to support continued delivery of services.
- 1.2 A Community Asset Transfer is at the discretion of the Council. It is not the same as a community organisations right to nominate assets for inclusion in the Councils register of Assets of Community Value that is a statutory mechanism for providing protection from development.
- 1.3 The key aims of the policy are to:
 - Support voluntary and community organisation contributions to Bury neighbourhoods
 - Provide a fair and transparent framework to consider requests for community asset transfer of Council owned property assets (land and buildings).
 - Help the Council to achieve savings in its costs; and to
 - Support continued delivery of services through transfer to voluntary and community organisations, where this is appropriate.

2.0 THE LOCAL CONTEXT

- 2.1 Bury Council recognises the positive contributions that voluntary and community groups make to their neighbourhoods. The purpose of this policy is to facilitate and support communities to access Council property for this purpose while protecting the Council's financial integrity, fiduciary duty and wider accountabilities, such as Health and Safety.
- 2.2 Community Asset transfer provides an option for property assets and services challenged as a result of cuts to funding.
- 2.3 Bury Council has committed itself to engage with communities through Neighbourhood working to improve the environment, promote early intervention and prevention and promote self care. Putting in place a Community Asset Transfer Policy is an active management step by Bury Council to support local people to reduce their reliance on public funding.
- 2.4 Community Asset Transfer can range from unrestricted freehold sale at full market value, where the Community group is offered first refusal, rather than to offer for sale on the open market, through to short term leases where the Council retains liabilities, responsibilities and costs.
- 2.5 Community asset transfer involves a sale or lease of Council, or other publicly owned property assets, potentially at less than full market value in exchange for and as a means for the community to achieve local social, economic and / or environmental objectives.
- 2.6 The Council is under no obligation to transfer assets to Community organisations.

3.0 SUMMARY OF KEY MATTERS

- 3.1 Community Asset Transfer can be used as a facilitator of social, environmental and community regeneration.
- 3.2 The transfer of assets to voluntary and community organisations' can help to strengthen confidence and ties with neighbourhoods and can sometimes enable new investment to be attracted.
- 3.3 A Community Asset transfer policy endorses and provides a structure to consider the potential continuation of services or activities, through transfer to a community organisation that would otherwise be at risk due to financial pressures, e.g. by lowering ongoing staffing, building maintenance and other related costs to the Council.
- 3.4 Community Asset Transfer has potential to give communities greater control, influence and input into their areas. It can help to build a sense of belonging, raise aspirations, increase skills and expertise and facilitate delivery of services.
- 3.5 A Community Asset Transfer Policy is complimentary to Bury Council's aspirations and plans for its localities and neighbourhoods.
- 3.6 Community Asset Transfer is not a 'property only' matter. It is an important approach to long term community support for the priorities of the Borough.
- 3.7 Bury Council already has a track record of supporting Communities when and how it can as well as a good track record of promoting self management of sports and allotment facilities (that do not transfer a property interest). A Community Asset Policy will serve to inform and guide the Councils support through its management of property assets.
- 3.8 This Community Asset transfer policy is intended as a guide for objectively considering applications, case by case, according to their own merits.

4.0 ASSESSING APPLICATIONS FOR COMMUNITY ASSET TRANSFER

- 4.1 An option to consider transfer of a property asset to the Community can be prompted either by the Council identifying a property asset that it decides is surplus to its needs and it offers for Community Asset Transfer or by a Community or voluntary organisation approach to the Council.
- 4.2 The long term viability and benefits of each proposal for Community Asset Transfer will be evaluated against options available for the Council, e.g. disposal by open market sale, commercial lease or alternative Council use.
- 4.3 The purpose of the policy is not to generate capital receipts, rather to recognise and support the contribution that community and voluntary organisations bring to neighbourhoods demonstrated as a business case.
- 4.4 The business case for an asset transfer must be demonstrated by the applicant to the satisfaction of the Strategic Leadership Team and Cabinet of the Council in monetary and sustainability terms.
- 4.5 Whoever makes the first approach, the applicant for Community Asset Transfer will be responsible for making the case. The Council will assist where it can and use its best endeavours to take a fair, consistent and transparent approach to considering the case and responding.

Templates for a community organisation application, objective tests and a template for business case are included as an annex to this policy.
- 4.6 Objective tests of 'the organisation', 'the property' and of 'value for money' will be considered in advance of a Community Asset Transfer.

5.0 OBJECTIVE TESTS FOR COMMUNITY ASSET TRANSFER

5.1 Community Asset Transfer is at the discretion of the Council. To help it to consider an application objective 'tests' have been agreed. The tests are summarised as follows:

5.2 **The Organisation Test:** (to be demonstrated by the applicant)

- i. It is a legally constituted community group, charity, or not for profit organisation, with articles of association that define roles and responsibilities of company directors, trustees etc.
- ii. It understands and is willing and able to take legal responsibility of the property asset transferred, e.g. health and safety, running costs, maintenance and improvement plans.
- iii. It has identified risks (including health and safety) and has agreed and put in place mitigating actions.
- iv. It has understanding of costs, financial standing and an identified and adequate budget to meet its roles and responsibilities.
- v. There is sufficient alignment between the applicant and the Council's objectives and plans.
- vi. It has defined and working governance arrangements.
- vii. Its funding sources are reliable. It demonstrates a track record, where considered to be a prerequisite, or a satisfactorily strong case of competence where a track record does not already exist.
- viii. It has, or has access to, appropriate skills and capacity to safely deliver the services and to manage the property in the long term.
- ix. It has a service level agreement with the Council, where appropriate.

5.3 **The Property Test:**

- i. There is no foreseeable Council need for the property and it has been declared surplus as a result.
- ii. There are no legal or property title impediments to the transfer.
- iii. Property value determined by the Council's Property and Asset Management Service for consideration in the Value for Money test.

5.4 **The Value for Money Test:**

- i. If the property and organisation tests are passed, the applicant will be requested to submit a business case setting out further details about its proposal. This should include a financial forecast and a risk register.
- ii. If the property asset transfer is to be at less than best consideration, the community organisation must demonstrate objectively the benefit or value of their proposals in monetary terms, e.g. achievement, promotion or improvement of the economic, social or environmental wellbeing of the whole or any part of the area or direct savings such as protecting the value of Council assets in the long term.
- iii. Under EU law, governments and public bodies may not distort competition through their provision of state aid that puts commercial enterprises at a disadvantage. Applications for Community Asset transfers must be able to stand scrutiny of any question of State Aid.

- iv. The Council is under no obligation to transfer property assets to the community and decision are taken with knowledge of alternative options.

6.0 BASIS OF THE PROPERTY ASSET TRANSFER

6.1 The basis of community asset transfer will be consistent with individual circumstances of the application taking into account levels of transferred risk, cost retained or passed on and agreed outcomes. This will include:

- i. Property interest to be transferred, this can range from;
 - a. Short term lease, e.g. 5 years (with or without security of tenure).
 - b. Short term followed by a further or a series of short term leases.
 - c. Short term followed by longer term leases with mutual break clauses.
 - d. Longer term lease, e.g. 6 to 99 years – with mutual break clauses.
 - e. Lease or leases followed by transfer of the freehold.
 - f. Freehold.Self management agreements may also be considered but they do not constitute as asset transfer and are more aligned to a service contract.
- ii. Subletting

Sub letting of assets to commercial organisations may be acceptable if the income generated is key to long term sustainability of the community asset transfer. However, use would be subject to prior approval of the Council under terms of the transfer by way of a lease.
- iii. Use Restriction and claw back

Controls on use to be considered and determined based on the business case and any discount allowed at the time of the asset transfer. This is to ensure private 'profit' is not generated from the transfer.
- iv. Indemnities on transfer

Where rights and responsibilities are passed to the community organisation, risks to be identified and mitigations put in place, including risks of organisations failing to fulfil responsibilities. Groups may be required to take out and maintain suitable indemnity insurance.
- v. Other Material considerations for asset transfer
 - Parties to the transaction
 - Price / consideration
 - Treatment of costs (legal and asset management, administration, consents and variations etc).
 - Responsibilities for repair and maintenance (the transfer will ideally include a schedule of condition).
 - Responsibilities for health and safety and insurance.
 - Agreement and accountability for uses and outcomes (probably documented in a service level agreement).
- vi. Legal transfer and documentation

Occupation of and rights to the property asset will not be possible before the transfer by way of lease or sale has been completed.
- vii. Ongoing Management

Where Asset Transfer is agreed based on a business case that commits to agreed 'outcomes' monitoring and enforcement arrangements to be put in place.

7.0 COMMUNITY ASSET TRANSFER PROCESS

- 7.1 This policy for Community Asset Transfer will be provided to interested groups when community interest is to be considered as an alternative to service closure or outright open market sale. Consideration of business case and period allowed for completion will be time bound.
- 7.2 Process for Community Asset Transfer
- i) Applications for Community Asset transfer to be directed first to the Asset Management Team within the Department for Resource and Regulations Department.
 - ii) At the time that the Council invites interest or on receipt of an approach by a community organisation the time periods for considering the application to be agreed.
 - ii) Where the community interest aligns with the objectives of a particular Council service objective, representatives of that service will be asked to work with the community organisation to identify and develop the business case.
 - iii) Where agreed as appropriate a departmental Council service will work with the Community organisation after the Property asset transfer.
 - iv) Applications for Community Asset Transfer, along with business case will be considered by a panel comprising representatives of the property and asset management, legal, finance and services that align with community group plans.
 - v) The normal route for decisions will be through a Delegated Powers decision notice to be agreed by the Leader of the Council, the relevant portfolio holder, the Chief Executive, Executive Director of Resource and Regulation and the Head of Property and Asset Management.
 - vi) Community Asst Transfer will be recorded as a property transaction and along with any agreed responsibilities for long term monitoring.

8.0 POST TRANSFER ACTIONS

- 8.1 Every transfer will be subject to review, generally annually, to measure success. It will review the sustainability of the transfer and check if the terms of the transfer, including the service level agreement (where agreed as part of the transfer) is being fulfilled.

Contact Details:-

Clinton Judge

Corporate Asset Manager

Tel: 0161 253 5308

Email: c.judge@bury.gov.uk

Bury Council Community Asset Transfer

EXPRESSION OF INTEREST QUESTIONNAIRE

Please provide the name and address of the property asset of interest:

Building / site name:

Address:

Postcode:

Organisation submitting the application:

Organisation name:

Is your organisation a branch or part of a larger organisation?

Yes

No

If yes, please provide details:

Organisation name:

Address:

Postcode:

Who is the main contact for this application?

Title: Name:

Position in organisation:

Postal address:

Address:

Postcode:

e-mail address:

Telephone and mobile phone numbers:

Bury Council has agreed its policy for Community Asset Transfer based on satisfying key tests of 'the organisation' the 'property' and 'Value for Money'. Applicants for Community Asset Transfer are asked to provide responses to help with consideration of the tests.

I confirm that I and the organisation's Managing Group have read the Community Asset Transfer Policy and understand the responsibilities and duties of our organisation.

Yes No

Does your organisation have a governing document (Constitution, Articles and Memorandum of Understanding, etc)?

Yes (please attach a copy with your application) No

Does your organisation hold an Annual General Meeting (AGM) or similar governance meeting?

Yes No

If yes, please provide the date of the last meeting:

| Date | Month | Year |
|------|-------|------|
| | | |

Does your organisation produce annual reports or returns for Companies House, the Charity Commission or other governing bodies?

Yes (Please attach a copy with your application) No

Please give details of your organisations management structure; how it is managed – please provide names, roles and responsibilities (if you have an organisation structure diagram please attach a copy with your application):

Does your organisation employ staff or is it run by volunteers?

Employs staff (Please provide details of your staffing structure)

Run by volunteers

Please confirm the overall numbers of people involved with running your organisation / delivering its activities:

Please confirm how many people currently use your organisations services / activities (this should be clients / users not number of visitors):

Has your organisation got an audited or independently checked set of accounts for the last financial year?

Yes (Please attach a copy with your application) No

Does your organisation have a bank account in its own name for which it receives bank statements?

Yes (Please attach a copy of the latest) No

Does your organisation currently own or have a lease on an asset; or has it previously owned or had a lease on an asset?

Yes (Please give details below) No

One of the responsibilities attached to managing an asset is ensuring you have the right insurance cover in place. Does your organisation currently have any insurance policies in place?

Yes No

Has your organisation ever been refused insurance cover?

Yes (Please provide details of when and why) No

As part of Bury Councils Community Asset Transfer application process if the property and organisation tests set out are satisfied, the applicant will be required to submit a business case setting out further details about its proposals. This will be used to help with satisfying the value for money test.

Key considerations of the business case are set out. Preparation and consideration of the business case as well as period allowed for completion of the Community Asset Transfer will be time bound.

How long will you need for preparation of the business case?

(see Business Case Guidance below)

Undertaking

I certify that the information supplied in this Application Form is accurate to the best of my knowledge and that I am authorised by the governing body of the organisation to submit this Application Form on its behalf (please supply a copy of the minute or minutes from the managing body meeting where this authority was granted or a letter confirming this).

I understand it is a criminal offence to knowingly make a false statement, to give or offer any gift or consideration whatsoever as an inducement or reward to any Council Officer, partner or representative and that any such action will empower the Council to cancel this application for the transfer of the asset.

Signed:

Print Name:

Position within the organisation:

Date:

.....

Application to be returned to:

Bury Council
Property and Asset Management Service
3 Knowsley Place
Duke Street
Bury BL9 0EJ

FAO Clinton Judge, Corporate Asst Manager

Tel: 0161 253 5308

Email: c.judge@bury.gov.uk

Business Case Guidance

The Business Case needs to be a concise but robust document and as a minimum it will cover / contain the following key areas:

- A cash flow forecast and budget detailing financial viability and sustainability of your organisation. To demonstrate ability to manage the asset and any resulting costs.
- Risk register and mitigations to include financial, statutory and health and safety considerations.
- Where the property asset is to be transferred at less than best consideration (as assessed by the Councils Valuation Officer) the benefit or value of the proposals to be demonstrated in monetary terms, e.g. achievement, promotion or improvement or the economic, social or environmental wellbeing of the whole or any part of the area or direct savings such as protecting the value of Council assets the long term.
- A statement of the aims and objectives of the organisation.
- Description of the organisations client / users, i.e. its target group.
- An executive summary of why the proposed asset is needed, i.e. what difference it will make.
- Details of what activities, services, events and uses the asset will be required for, and how they will be delivered: please identify any new / additional activities / services that will be delivered.
- Which Council objectives will be delivered against and outcomes as a result of the Community Asset Transfer?
- A community need statement outlining the community need and any community benefits from managing the asset – the how, who, how many and how measured. Including details of stakeholders and evidence of community involvement and consultation.
- What improvements, both physical and cosmetic will be made to the asset – including indicative costs and how paid for?
- The capacity of the Community organisation to manage the asset:
 - Expertise and skills of the Board / Managing Group.

- Experience / history of the organisation in managing assets and delivering activities, services, managing health and safety requirements and projects.
- Arrangements for ongoing business planning.
- Arrangements to be put in place to ensure effective management of the asset and compliance with relevant statutory regulation.
- Succession Planning – how your organisation will replace people on its Board / Managing Group over time to ensure the right skills and knowledge is maintained.

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| REPORT FOR DECISION |
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| Agenda Item | |
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|---------------------------------------|--|
| DECISION OF: | CABINET |
| DATE: | 26 JULY 2017 |
| SUBJECT: | PARRENTHORN HIGH SCHOOL PROPOSAL TO ENLARGE THE SCHOOL PREMISES |
| REPORT FROM: | CABINET MEMBER FOR CHILDREN AND FAMILIES - COUNCILLOR SHARON BRIGGS |
| CONTACT OFFICER: | PAUL COOKE STRATEGIC LEAD (SCHOOLS, ACADEMIES AND COLLEGES) |
| TYPE OF DECISION: | EXECUTIVE (KEY DECISION) |
| FREEDOM OF INFORMATION/STATUS: | OPEN |
| SUMMARY: | <p>The Local Authority is under a statutory duty to ensure the sufficiency of school places in their area in order to meet the demand for places from within the resident population.</p> <p>In Bury, the demand for secondary school places has steadily increased in recent years. With demand forecast to continue, the numbers seeking a secondary school place are now close to available capacity. Demographic patterns mean that this demand pressure is more acute in the South of the Borough.</p> <p>Modelling of future demand suggests that the most appropriate school in which to create additional capacity is Parrenthorn High School.</p> <p>The Local Authority has therefore published and consulted upon a statutory proposal to enlarge the</p> |

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| | <p>premises of Parrenthorn High School in order to support an increase in its Published Admission Number from 168 to 210 with effect from September 2018.</p> <p>In accordance with the Education and Inspections Act 2006 (as amended by the Education Act 2011), and associated School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the Local Authority has responsibility for determining the proposal.</p> |
| <p>OPTIONS & RECOMMENDED OPTION</p> | <p>Cabinet is requested to determine the proposal as published.</p> |
| <p>IMPLICATIONS:</p> | |
| <p>Corporate Aims/Policy Framework:</p> | <p>Do the proposals accord with the Policy Framework? Yes No</p> |
| <p>Statement by the S151 Officer: Financial Implications and Risk Considerations:</p> | <p>Cost of capital works will be fully funded through Basic Need Capital Grant</p> <p>Revenue costs will have to be funded within the school's budget allocation</p> |
| <p>Health and Safety Implications</p> | |
| <p>Statement by Executive Director of Resources</p> | <p>There are no wider resource requirements</p> |
| <p>Equality/Diversity implications:</p> | <p>Yes No (see paragraph below)</p> |
| <p>Considered by Monitoring Officer:</p> | <p>The proposals are in line with the need to meet pupil demand and comply with the Council's statutory duty. The process followed for enlarging the school, including the consultation, is in accordance with the relevant legislation and the associated statutory guidance, which the Council must have regard to.</p> |
| <p>Wards Affected:</p> | <p>Holyrood</p> |
| <p>Scrutiny Interest:</p> | |

TRACKING/PROCESS

DIRECTOR:

| Chief Executive/ Strategic Leadership Team | Cabinet Member/Chair | Ward Members | Partners |
|--|-------------------------|--------------|----------|
| | | | |
| Scrutiny Committee | Cabinet/Committee | Council | |
| | | | |

1.0 BACKGROUND

- 1.1 The Local Authority is under a statutory duty to ensure the sufficiency of school places in their area in order to meet the demand for places from within the resident population.
- 1.2 The LA receives Basic Need Grant Funding which is specifically allocated for the development of new pupil places.
- 1.3 In Bury, the demand for school places has steadily increased in recent years, initially placing demands on primary schools, and more recently on secondary schools. With demand forecast to continue, the numbers seeking a secondary school place are now close to available capacity. Demographic patterns mean that this demand pressure is more acute in the South of the Borough.
- 1.4 Modelling of future demand suggests that the most appropriate school in which to create additional capacity is Parrenthorn High School.
- 1.5 Parrenthorn High School, with a current Published Admission Number of 168, is one of the smallest secondary schools in Bury, but is one of the most heavily oversubscribed. For the September 2017 intake there were 287 1st preference applications.
- 1.6 The average secondary school in Bury has a capacity of approximately 1,000 compared with 840 at Parrenthorn.
- 1.7 It is therefore proposed to increase the capacity of the school to 1,050 through an increase in the PAN to 210 with effect from September 2018. In order to ensure that the necessary accommodation is available for use in 2018, construction of new facilities will need to begin in Summer 2017.
- 1.8 A review of the existing building has identified the shortfall in accommodation necessary to increase capacity from the current notional 6 form of entry (900 pupils) to 7 form of entry (1050 pupils).
- 1.9 In order to achieve the requirements, it is proposed that a new dedicated two storey science block will be constructed adjacent to the main school buildings, in order to relocate existing science laboratories, prep room and ICT rooms,

thereby enabling a number of general teaching spaces to be created. This new block will be accessed via new corridors from the existing main school corridors with additional external access/egress.

- 1.10 The work will be funded using the Basic Need Grant which is specifically allocated for the development of new pupil places, and for which provision is made within the Council's agreed capital programme.
- 1.11 The LA must balance the overall demand for school places with the level of oversubscription at individual schools to ensure that, whilst there is sufficient capacity to meet demand that this isn't provided at the expense of other schools. It is not anticipated that the proposed increase at Parrenthorn would have a negative impact upon the pupil numbers in any other Bury school.

2.0 Process

- 2.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and associated statutory guidance, set out the process to be followed in relation to changes to school organisation, and the factors that must be considered by decision makers.
- 2.2 In respect of changes involving a Community school, such as enlargement of school premises, the LA it is both the proposer and the decision maker of the proposal.
- 2.3 Upon publication of a statutory notice setting out the proposal, representations can be made to the LA by any person within a four week period.
- 2.4 The statutory guidance states that the LA as decision-maker will need to be satisfied that the appropriate, fair and open consultation has been carried out, and that the proposer has given full consideration to all the responses received.
- 2.5 The decision-maker must consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school.
- 2.6 Thereafter, it is for the LA to consider the proposal and to determine if it should be approved. If it is unable to do so, the LA must refer the proposal to the Schools Adjudicator for decision.

3.0 Consultation

- 3.1 The proposal was published on 8 June 2017, setting out arrangements for those affected by the proposal to make their views known. The closing date for receipt of comments was 7 July 2017.
- 3.2 The LA received four objections to the proposal from senior leaders at a neighbouring secondary school and a secondary academy. Respondents expressed concerns that an increase in capacity at Parrenthorn High School would be detrimental to pupil numbers at their respective establishments. Queries were also raised with regards to capital investment.

- 3.3 A summary of the representations received in response to the consultation, and responses to the issues raised is set out at Appendix 1.
- 3.4 Cabinet members will also have sight of all responses received.

4.0 Implications

- 4.1 The expansion of the premises will be funded using the Basic Need Grant which is specifically allocated for the development of new pupil places, and for which provision is made within the Council's agreed capital programme. Cabinet gave approval to the capital expenditure associated with the scheme at its meeting on 28 June 2017.
- 4.2 Planning approval has also been granted for the scheme.

5.0 Conclusion

- 5.1 The Local Authority is under a statutory duty to ensure the sufficiency of school places in their area in order to meet the demand for places from within the resident population.
- 5.2 In considering proposals, the Local Authority as decision maker must now decide to either reject the proposal; approve the proposal without modification; approve the proposal with modifications; or approve the proposal – with or without modification – subject to certain conditions being met.
- 5.3 The statutory process in making a prescribed alteration to a school has been followed.
- 5.4 In that respect there appears to be no reason for the Local Authority to reject the proposal.
- 5.5 Cabinet is therefore requested to approve the proposal as published.

List of Background Papers:-

Prescribed Alteration Statutory Proposal
Making 'prescribed alterations' to maintained schools - Statutory guidance for proposers and decision-makers, DfE April 2016
Guidance for Decision Makers, DfE April 2016

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APPENDIX ONE

CONSULTATION ON THE PROPOSED ENLARGEMENT OF PREMISES AT PARRENTHORN HIGH SCHOOL

SUMMARY OF ISSUES RAISED & RESPONSES

Lack of consultation regarding the proposal

Discussions between the LA and its secondary schools about how to address demand pressures began some two years ago. The LA made clear that it would work with individual schools to respond to localised demand pressures. Meetings followed with individual schools. More specifically, several discussions took place with Prestwich Arts College about demand pressures and the condition of the school building. The specific proposal in relation to Parrenthorn was the result of these discussions with individual schools, at which point it was shared more widely as part of this consultation.

In accordance with School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the proposal was published on 8 June 2017, setting out arrangements for those affected by the proposal to make their views known. The closing date for receipt of comments was 7 July 2017. The LA received four responses to the proposal which, in addition to the issue about consultation as set out above, raised the following points:

Any increase in capacity at Parrenthorn High School will be detrimental to other schools in the area

Any increase in the Admission Number of Parrenthorn will be detrimental to Castlebrook High School

Castlebrook could accommodate additional pupil numbers

An increase at Parrenthorn will create overcapacity

Several schools close to Parrenthorn, including Castlebrook, have surplus places in all year groups

The same pressures with regards to increased demand for places are equally applicable to Prestwich Arts College

In response:

The following table illustrates the current number of pupils on roll (2016/17) in the secondary schools serving the south of the borough by year group, and the number of surplus places for each of those year groups. Whilst this shows a level of surplus capacity across all year groups, specifically at Castlebrook, this figure drops significantly for the 2016 intake, as increased demand feeding through from primary schools begins to impact.

| High Schools | Admission No | Y7 | Surplus capacity | Y8 | Surplus Capacity | Y9 | Surplus Capacity | Y10 | Surplus Capacity | Y11 | Surplus Capacity | Total Surplus Capacity | Total Pupils on roll |
|-------------------------|--------------|-----|------------------|-----|------------------|-----|------------------|-----|------------------|-----|------------------|------------------------|----------------------|
| Castlebrook High School | 187 | 169 | 18 | 158 | 29 | 150 | 37 | 151 | 36 | 142 | 45 | 165 | 957 |

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| | | | | | | | | | | | | | |
|-------------------------|-----|-----|-----|-----|-----|-----|----|-----|----|-----|----|------------|-------------|
| Parrenthorn High School | 168 | 180 | -12 | 179 | -11 | 168 | 0 | 168 | 0 | 165 | 3 | -20 | 1028 |
| Phillips High School | 176 | 184 | -8 | 174 | 2 | 177 | -1 | 177 | -1 | 173 | 3 | -5 | 1061 |
| Prestwich Arts College | 172 | 177 | -5 | 176 | -4 | 173 | -1 | 169 | 3 | 156 | 16 | 9 | 1023 |

The following table illustrates, for the 2017 intake, the number of preferences, places offered, and numbers remaining on the waiting lists for schools in the south of the Borough.

| | Preferences | | | | | Allocations | Waiting List |
|------------------------------|--------------|------------|------------|------------|-----------|-------------|--------------|
| | 1st | 2nd | 3rd | 4/5th | | | |
| PRESTWICH (PAN 172) | Bury | 51 | 63 | 53 | 1 | 70 | 5 |
| | Other LAs | 103 | 63 | 41 | 16 | 104 | 28 |
| | Total | 154 | 126 | 94 | 17 | 174 | 33 |
| | | 1st | 2nd | 3rd | 4/5th | | |
| PARRENTHORN (PAN 168) | Bury | 241 | 132 | 48 | 1 | 172 | 68 |
| | Other LAs | 51 | 49 | 29 | 5 | 6 | 62 |
| | Total | 292 | 181 | 77 | 6 | 178 | 130 |
| | | 1st | 2nd | 3rd | 4/5th | | |
| PHILIPS (PAN 176) | Bury | 212 | 154 | 138 | 1 | 177 | 63 |
| | Other LAs | 6 | 12 | 14 | 3 | 3 | 12 |
| | Total | 218 | 166 | 152 | 4 | 180 | 75 |
| | | 1st | 2nd | 3rd | 4/5th | | |
| CASTLEBROOK (PAN 187) | Bury | 84 | 64 | 50 | 2 | 128 | - |
| | Other LAs | 5 | 2 | 2 | 0 | 5 | - |
| | Total | 89 | 66 | 52 | 2 | 133 | - |
| | | 1st | 2nd | 3rd | 4/5th | | |

Whilst there is clearly a low level of demand for places at Castlebrook coming so soon after its poor Ofsted outcome, and recent conversion to become an Academy, there is sufficient demand for places across the area to justify additional places. The LA would anticipate that, with the stability now provided by the Shaw Trust, that demand for places at Castlebrook will improve. There is also clear evidence of increasing demand for places from non Bury residents.

Demand for places from the resident population is increasing across the south of the borough, with insufficient capacity at year 7 to meet current and forecast needs. This does not factor in growing demand pressures in neighbouring LA's which clearly has the potential to impact, given that over 50% of the intake into Prestwich Arts College is from Manchester or Salford.

The following table illustrates forecast pupil numbers on roll at schools in the south of the Borough.

| Bury South | 11+ | 12+ | 13+ | 14+ | 15+ | TOTAL |
|-------------------|------------|------------|------------|------------|------------|--------------|
| ACTUAL 2015/16 | 701 | 683 | 675 | 647 | 654 | 3360 |

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|---------|-----|-----|-----|-----|-----|------|
| 2016/17 | 739 | 701 | 683 | 675 | 647 | 3445 |
| 2017/18 | 712 | 739 | 701 | 683 | 675 | 3510 |
| 2018/19 | 731 | 712 | 739 | 701 | 683 | 3566 |
| 2019/20 | 749 | 731 | 712 | 739 | 701 | 3632 |
| 2020/21 | 751 | 749 | 731 | 712 | 739 | 3682 |
| 2021/22 | 770 | 751 | 749 | 731 | 712 | 3713 |
| 2022/23 | 780 | 770 | 751 | 749 | 731 | 3781 |

Current intake capacity in the south of the Borough is 703, providing a total capacity of 3,515. The proposed increase in capacity at Parrenthorn will result in an intake capacity of 745, and a total capacity of 3,725. Historically, the LA pupil forecasts have proven to be very accurate.

The capacity of the new build at Castlebrook is in line with current capacity at 935, not 1,000 as suggested in the objection. The table contained within the objection shows current surplus capacity across each year group. Whilst this is not in line with the LA figures, it does reflect a lower demand for places, during a period when Castlebrook experienced a poor Ofsted judgement and converted to become an Academy.

The assertion is that additional demand could be accommodated at Castlebrook. Forecasts suggest that future demand cannot be met from within existing capacity, even with Castlebrook admitting to capacity. However, demand for individual schools is a matter of parental preference and it does assume that parents will apply for places. There is no suggestion that this will not be the case for Castlebrook.

Whilst Parrenthorn is the most heavily oversubscribed school in the south of the Borough, it continues to serve its immediate locality, the majority of places allocated being from within its catchment area, as illustrated below.

| | Places Allocated at Parrenthorn | | |
|-----------------------|--|-------------|-------------|
| Catchment Area | 2017 | 2016 | 2015 |
| Parrenthorn | 129 | 126 | 113 |
| Castlebrook | 7 | 4 | 5 |
| Philips | 11 | 7 | 15 |
| Prestwich Arts | 22 | 31 | 38 |
| Derby | 2 | 1 | 1 |
| Elton | 1 | 0 | 0 |
| XD | 6 | 12 | 7 |
| Total | 178 | 181 | 179 |

Prestwich Arts Colleges does not face the same demand pressures as Parrenthorn High School. For the 2017 September intake, there were 292 1st preference applications for Parrenthorn, and 154 1st preference applications for Prestwich Arts College (figures include late applications).

57% of applications for Prestwich Arts College are from outside of the borough. It is important to note that the LA statutory role in relation to supply of school places relates to demand from its resident population and therefore, whilst the demand for places at Prestwich Arts College from outside of the borough is a reflection of the positive parental

perception of the school, the LA should not be basing decisions on the location of additional capacity on such extra district demand.

Furthermore, DfE Guidance for Decision Makers states “The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents’ aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places. Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.”

Further points were raised in respect of capital funding:

Would it not be more prudent to split the available funding between Prestwich and Parrenthorn rather than commit the significant amount of £3m to just one school?

This is excessive expenditure by Bury Council given that Castlebrook High School will benefit from a £12m new build which will more than satisfy the number of required placements well into the next decade.

The representations made by Prestwich Arts College make extensive reference to the condition of its school building. The LA would not disagree that the school requires capital investment.

However, this proposal is about provision of additional school places, to be funded from the Basic Need capital grant, which is specifically allocated to meet the cost of providing new school places. The funding being utilised for Parrenthorn could not therefore be used specifically to improve the condition of the Prestwich Arts College building.

Castlebrook High School is scheduled to be rebuilt under the second tranche of the Priority Schools Building Programme, to be funded by the Education Funding Agency. The new school will be built at the same capacity as the current building, to accommodate 935 pupils. As set out above, the capacity at Castlebrook will be insufficient to meet future demand pressures, nor would Castlebrook represent the most appropriate school to increase capacity given the levels of oversubscription at Parrenthorn.

Additional comments in response to the objections

The LA does have a statutory duty to ensure an adequate supply of school places, and where new places are required the emphasis should be on these being provided on ‘good’ or ‘outstanding’ schools.

The LA does support schools that are not judged good or outstanding, and has every confidence that both Castlebrook High School and Prestwich Arts College will improve.

The LA would agree that it is important that all pupils benefit from being able to access a ‘good’ school place, and has every confidence in the sponsor of Castlebrook High School in securing a good or better outcome from its next inspection.

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