

AGENDA FOR

CABINET

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To: All Members of Cabinet

Councillors: R Shori (Leader and Cabinet Member for Business Engagement and Regeneration (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/Colleague

Cabinet

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

Date:	Wednesday, 18 October 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 - 6)*

Minutes of the meeting held on the 26th July are attached.

5 BUSINESS RATES DISCRETIONARY RELIEF SCHEME *(Pages 7 - 14)*

6 DRAFT LOCAL FLOOD RISK MANAGEMENT STRATEGY - APPROVAL FOR CONSULTATION PURPOSES *(Pages 15 - 84)*

7 EQUALITY UPDATE *(Pages 85 - 90)*

8 BURY TO BE AN AUTISM FRIENDLY BOROUGH *(Pages 91 - 96)*

9 NEW NEIGHBOURHOOD ENGAGEMENT FRAMEWORK - IMPLEMENTATION PLAN *(Pages 97 - 104)*

10 RISK MANAGEMENT ANNUAL REPORT *(Pages 105 - 124)*

11 TRANSPORT FOR THE NORTH - CONSENT TO THE MAKING OF THE REGULATIONS *(Pages 125 - 132)*

12 URGENT BUSINESS

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

13 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under Section 100(A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following items of business since they involve the likely disclosure of the exempt information stated.

14 APPROVAL OF CAPITAL AND OTHER MATTERS TO DELIVER A

**SMALL SCALE RESIDENTIAL SCHEME ON FORMER GARAGE SITES
OWNED BY THE COUNCIL** *(Pages 133 - 156)*

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Minutes of:	THE CABINET
Date of Meeting:	26 July 2017
Present:	Councillor R Shori (in the Chair) Councillors K S Briggs, E O'Brien, J Kelly, A Quinn and A Simpson
Also in Attendance:	Councillors M D'Albert (in the absence of Councillor T Pickstone) and J Daly
Apologies:	-
Public attendance:	13 members of the public were in attendance.

CA.103 DECLARATIONS OF INTEREST

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

Councillors A Quinn and A Simpson declared a personal interest in respect of minute number CA.08 for the reason that they serve as governors of Parrenthorn High School.

CA.104 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.

Topic: Parrenthorn High School – Proposal to Enlarge the School Premises

Question: Where has the proposal come from? Has analysis been carried out on the accuracy of the need for new school places?

Response: The Council is proposing to use Basic Need Grant Funding for the cost of new building works at the school in order to increase the Planned Admission Number (PAN). The Council has analysed data from demographic patterns within the borough and the demand for school places which has identified significant demand pressure in the south of the borough. A high demand for places exists for both primary schools and high schools and this is expected to continue to increase each year. Parrenthorn High School has received the highest number of first choice preferences of all the high schools in the south of the borough but has the lowest capacity. The increase in the PAN would take the number of places to 1050 and would not have a negative impact on other local high schools.

CA.105 MINUTES

Delegated decision:

That the minutes of the meeting held on 28 June 2017 be approved and signed by the Chair as a correct record.

CA.106 PROPOSED CLOSURE OF NURSERY PROVISION AT RIBBLE DRIVE PRIMARY SCHOOL

Cabinet 26 July 2017

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 the nursery provision at the school. This would change the age range of the school from 3-11years to 4-11years.

Cabinet had deferred making a decision on the previous report (28 June 2017) to allow further information to be provided by Ribble Drive Primary School regarding an informal consultation conducted prior to the publication of the proposal. The additional information was provided in Appendix 2 of the report submitted.

The proposal for the closure of the nursery provision at the school was published by the Council on 18 April 2017 and set out arrangements for those affected by the proposal to make their views known. The closing date for comments was 16 May 2017.

The meeting was attended by a grandparent of a child at the nursery and staff members that would be affected by a decision to close the provision.

The Chair invited members of the public present to speak on the proposal.

Mrs Hyde stated that she was not satisfied with the outcome of the meetings and emails exchanged with officers following the meeting of Cabinet on 28 June 2017 because questions had been left unanswered. Mrs Hyde maintained her belief that the process and manner with which the school had approached the proposed closure of the nursery was flawed and based on incorrect information. The informal consultation of parents carried out by the school in the playground had not included all parents and some had been left unaware of the proposal. The school had passed letters to parents on the proposal via their children on the last day of the school term in April, which had the potential that the letter may not be read, could be lost or only opened on the first day of the new term, leaving limited time to respond properly. The nursery was a community asset and provided a valuable service for local families. It was suggested that the decision to close the nursery had been made by the school in November 2016 but additional children had been taken on in January 2017. Children had settled well at the nursery and made friends only for their parents to be informed that they would need to find another nursery from September. The school had appointed new staff to work in the nursery and moved staff from the primary school and now they were being made redundant. Mrs Hyde stated that she did not feel the school had acted in an honest or open manner during the process.

The Chair thanked the members of the public for their input and directed that an officer to notify the school of the comments and issues that had been raised.

The Cabinet Member (Children and Families) explained that the role of the Cabinet was to consider the proposal made by the Governing body of the school to close the nursery. Cabinet would make a decision having been satisfied that the process within the statutory guidance had been correctly followed.

Cabinet 26 July 2017

Delegated decisions:

1. That the published proposal to close the nursery provision at Ribble Drive Primary School as determined by the school's Governing Body, with effect from 1 September 2017, be approved.
2. That the comments made and issues raised in respect of the process followed by the school be forwarded to the Headteacher of Ribble Drive Primary school.

Reasons for the decision:

Cabinet accepts that the case set out by the Governing Body in its proposal, satisfies the requirements as stated within the statutory guidance.

Other option considered and rejected:

To not make a decision and refer consideration to the Schools Adjudicator.

CA.107 CORPORATE FINANCIAL MONITORING REPORT APRIL 2017 TO JUNE 2017

The Cabinet Member (Finance and Housing) submitted a report presenting the Council's financial position for the period April 2017 to June 2017. The report included Prudential Indicators in accordance with CIPFA's Prudential Code.

Delegated decision:

That the financial position of the Council as at 30 June 2017 be noted.

Reason for the decision:

The report has been prepared in accordance with the Council's Financial Regulations relating to budget monitoring.

Other options considered and rejected:

To reject the recommendation.

CA.108 BURY LOCAL PLAN – RESPONSES TO REGULATION 18 NOTIFICATION AND KEY ISSUES AND POLICY FRAMEWORK REPORT

The Cabinet Member (Finance and Housing) submitted a report informing Cabinet of the progress on the process that has been followed to notify stakeholders of the Council's intention to prepare a new Local Plan for Bury. The process has been undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and comments have been invited on the contents of the new Local Plan. The consultation period took place from 6 March to 17 April 2017.

A copy of the Key Issues and Policy Framework document was also submitted and represents a key early stage in the preparation of Bury's Local Plan. Together with the Greater Manchester Spatial Framework (GMSF), the Local Plan will form part of Bury's wider development plan and provide a range of locally-specific policies, designations and site allocations.

Cabinet 26 July 2017

Cabinet was requested to approve a consultation on Local Plan Key Issues and Policy Framework where the comments received will be used inform the development of draft Local Plan.

Delegated decisions:

1. That the main themes of the responses from the comments received under Regulation 18 on what the Local Plan should contain be noted.
2. That approval be given to consult on the Local Plan Key Issues and Policy Framework report between 7 August 2017 to 2 October 2017.

Reason for the decision:

There is a requirement for Bury Council to produce a Local Plan for the borough. This decision allows progress to be made in the preparation of a Local Plan and ensures that all interested parties have the opportunity to be involved in the early stage of the process.

Other options considered and rejected:

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.

CA.109 COMMUNITY ASSET TRANSFER POLICY

The Leader of the Council and Cabinet Member (Economic Growth and Human Resources) submitted a report presenting a policy that will enable the Council to objectively consider transfers of Council owned property assets to the Community to support continued delivery of services.

Delegated decisions:

1. That approval be given to the Asset Transfer Policy as detailed in the report submitted.
2. That approval be given to delegate decisions over applications for Community Asset Transfer to the Interim Chief Executive, the Interim 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.

Reason for the decision:

The policy will allow the Council 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 appropriate.

Other option considered and rejected:

To reject the recommendation.

Cabinet 26 July 2017

CA.110 PARRETHORN HIGH SCHOOL – PROPOSAL TO ENLARGE THE SCHOOL PREMISES

The Cabinet Member (Member for Children and Families) submitted a report seeking approval to increase the capacity of Parrethorn High School. The demand for school places in Bury has increased over recent years and the forecast is for this to continue. Modelling of future demand has identified that pressure for secondary school places is more acute in the south of the borough. Parrethorn High School has a Published Admission Number (PAN) of 840 compared with the average Bury secondary school PAN of 1000 number. The proposal would increase the PAN of the school to 1050 from September 2018.

It is proposed that construction of additional accommodation would take place for a new dedicated two storey science block building using funding from the Basic Need Grant. The funding for this was agreed by Cabinet on 28 June 2017.

In line with the statutory process a proposal making a prescribed alteration to a school was published on 8 June 2017 and invited comments from those affected by the proposal with a closing date of 7 July 2017. Four objections were received and considered.

Delegated decision:

That approval be given to the proposal to increase the PAN of Parrethorn High School to 1050 from September 2018.

Reason for the decision:

Bury Council has a statutory duty to ensure a sufficiency of school places in their area to meet the demand for places within the resident population.

Other option considered and rejected:

To reject the recommendation.

CA.111 EXCLUSION OF PUBLIC

Delegated decision:

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

CA.112 APPROVAL OF MATTERS TO ENABLE RESIDENTIAL DEVELOPMENT OF A 10 UNIT APARTMENT SCHEME ON LAND AT CHURCH STREET WEST, RADCLIFFE (E)

The Leader and Cabinet Member (Finance and Housing) submitted a report seeking authorisation and approval in order to deliver a residential scheme comprising of 10 apartments on land at Church Street West, Radcliffe.

Cabinet 26 July 2017

Delegated decisions:

1. That approval be given to delegate authority to the Interim Executive Director of Communities and Wellbeing and the Interim Executive Director of Resources and Regulation, in consultation with the Cabinet Member (Finance and Housing) to enter into a Development Agreement with the Development Company involved.
2. That approval be given to spend £250,000 of accumulated Affordable Housing commuted sums (received in lieu of affordable housing provision on larger housing development sites) to part fund the scheme.
3. That approval be given to the Council to apply to the Homes and Communities Agency to transfer £390,000 grant from Six Town Housing to the Council and approval for the Council to enter into an agreement with the Homes and Communities Agency, under Affordable Homes Programme 2015-2018 for this funding.
4. That approval be given to capital of up to an estimated £673,690 to be funded through loan via HRA borrowing.

Reason for the decision:

The scheme will deal with a long standing empty building in private ownership bringing about significant positive regeneration outcomes in addition to housing outcomes and bring considerable government funding into the borough.

Other option considered and rejected:

To reject the recommendation.

COUNCILLOR R SHORI
Chair

(Note: The meeting started at 6.00pm and ended at 7.05pm.)

REPORT FOR INFORMATION

REPORT TO:	CABINET
DATE:	18 OCTOBER 2017
SUBJECT:	BUSINESS RATES DISCRETIONARY PAYMENT SCHEME
REPORT FROM:	COUNCILLOR EAMONN O'BRIEN CABINET MEMBER FOR FINANCE AND HOUSING
CONTACT OFFICER:	STEVE KENYON , INTERIM EXECUTIVE DIRECTOR OF RESOURCES AND REGULATION
TYPE OF DECISION:	CABINET
FREEDOM OF INFORMATION/STATUS:	The report is for publication.
SUMMARY:	The report provides Members with a summary of the new Business Rates Discretionary Payments scheme which aims to help businesses which have seen recent increases in their Business Rates.
OPTIONS & RECOMMENDED OPTION	Council is asked to agree that the Scheme is introduced with effect from 1st April 2017.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	The scheme has been devised to distribute support to qualifying local businesses over a four year period.

Statement by Executive Director of Resources:	There are no wider resource implications
Equality/Diversity implications:	Business impact assessment undertaken
Considered by Monitoring Officer:	Yes JH The Council has the power to grant discretionary relief to businesses The Council must exercise its powers to give discretionary relief reasonably, fairly and consistently; and cannot apply policies which preclude the proper exercise of discretion.
Wards Affected:	All
Scrutiny Interest:	Overview & Scrutiny

TRACKING/PROCESS

DIRECTOR:

Steve Kenyon

Chief Executive/ Senior Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Yes	Yes	n/a	n/a
Scrutiny Committee	Cabinet	Council	
No	18/10/17	n/a	

1.0 BACKGROUND

- 1.1 Business Rates are based on rateable value of business property. This is the amount of yearly rental income a property could be let for on the open market, and is set by the Valuation Office Agency.
- 1.2 Rateable values were reviewed from 1 April 2017 leading to changes in the amounts of Business Rates charged.
- 1.3 In the Spring Budget in March 2017 the Government announced funding would be made available to help local councils provide financial support to businesses who had seen an increase in their Business Rates following the revaluation of rateable values.

2.0 SCOPE OF THE SCHEME

- 2.1 The scheme will run for 4 financial years: 2017-18 to 2020-21.
- 2.2 The scheme is financed by the Government, who have allocated funding for the 4 financial years. See attached document for amounts of government funding.
- 2.3 There is no scope to transfer funding between financial years. Any relief awarded above the government thresholds will have to be funded by the Council.
- 2.4 The scheme will be introduced in autumn 2017 and backdated to 1 April 2017.

3.0 QUALIFYING CRITERIA

3.1 Primary criteria:

- an increase in rateable value during the 2017 revaluation effective from 1 April 2017
- liable for occupied Business Rates charges on 31 March 2017 and 1 April 2017
- an increase in Business Rates charged between financial Years 2016-17 and 2017-18, after all other reliefs have been applied
- the increase in Business Rates between 2016-17 and 2017-18 must be £50 or greater
- the 2017 rateable value of the business property must be £100,000 or less.

3.2 Discretionary Relief is not available for certain types of Business Rates accounts. In summary these are accounts which:

- do not have a direct benefit to the local community, and include advertising signs and communication masts
- relate to public sector bodies. These include those owned by Bury Council and those relating to health and education.

3.3 Discretionary Relief is not available for properties which were empty as at 1 April 2017.

4.0 AMOUNTS OF DISCRETIONARY RELIEF

- 4.1 For the financial year 2017-18, the amount of Discretionary Relief will be 60% of the increase in the amount of Business Rates charged between 2016-17 and 2017-18.
- 4.2 For the financial years 2018-19 to 2020-21, the amount of Discretionary Relief will be a percentage of the increase in the business rates charged between the new financial year and the previous financial year. This percentage figure will be set prior to the start of each financial year.

- 4.3 In the final quarter of the financial year the amount of Discretionary Relief awarded will be reviewed. Any government funding not allocated will be awarded at the discretion of the Interim Director of Resources and Regulations and the Cabinet Member for Finance and Housing.

5.0 PROCESS

- 5.1 Eligible businesses will be identified from the Business Rates database. Discretionary Relief will be awarded automatically without the need for an application. This will:
- simplify administration to provide value for money for local residents
 - ensure as many businesses as possible benefit from the scheme.
- 5.2 Discretionary Relief will be awarded and assessed on a daily basis. The amount awarded will be recalculated if:
- the 2016 or 2017 rateable values change
 - the amount of business rates charged changes.
- 5.3 If entitlement to Discretionary Relief reduces the excess amount of relief will be withdrawn and made available to be allocated to other charge payers.
- 5.4 Discretionary Relief is intended to help businesses affected by the 2017 revaluation of rateable values. Therefore Discretionary Relief will end if:
- a charge payer stops being liable for Business Rates, due to a change of ownership or tenancy
 - a charge payer no longer occupies a business property.

6.0 CONSULTATION

The Council has a duty to consult with the Greater Manchester Combined Authority.

7.0 CONCLUSIONS

- 7.1 The Discretionary Relief scheme is targeted at small to medium sized businesses which have seen an increase in their Business Rates in 2017.
- 7.2 It is recommended that the scheme is introduced based on the proposals in section 3.
- 7.3 The scheme will be monitored closely to ensure that the government funding is used to help local businesses.

**COUNCILLOR EAMONN O'BRIEN
CABINET MEMBER FOR FINANCE AND HOUSING**

List of Background Papers:-

Business Rates Discretionary Relief scheme further information

Contact Details:-

Steve Kenyon, Interim Executive Director of Resources and Regulation: Tel 0161 253 5002:
E-mail s.kenyon@bury.gov.uk

Ian Davenport, Acting Head of Customer Support and Collections; Tel 0161 253 7087; E-mail
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Business Rates Discretionary Relief scheme

Government funding

The government will fund the scheme for 4 years as follows:

Year	Amount
2017-18	£379,693
2018-19	£184,000
2019-20	£76,000
2020-21	£11,000

Breakdown by ward

Ward	No of accounts	Amount of Discretionary Relief
Besses	22	£14,378
Church	29	£10,148
East	126	£71,938
Elton	39	£17,713
Holyrood	41	£17,787
Moorside	81	£39,320
North Manor	8	£5,458
Pilkington Park	16	£9,030
Radcliffe East	77	£46,383
Radcliffe North	18	£9,883
Radcliffe West	48	£25,896
Ramsbottom	59	£33,133
Redvales	22	£11,648
Sedgley	38	£20,003
St. Marys	32	£15,443
Tottington	18	£8,118
Unsworth	20	£13,533
	694	£369,811

Breakdown by Rateable Value

2017 Rateable Value	No of accounts	Amount of Discretionary Relief
£0 - £12,000	207	£54,954
£12,001 - £20,000	199	£75,908
£20,001 - £50,000	226	£149,772
£50,001 - £100,000	62	£89,177
	694	£369,811

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REPORT FOR DECISION



DECISION MAKER:	CABINET
DATE:	18th OCTOBER 2017
SUBJECT:	BURY LOCAL FLOOD RISK MANAGEMENT STRATEGY
REPORT FROM:	COUNCILLOR ALAN QUINN CABINET MEMBER – ENVIRONMENT
CONTACT OFFICER:	FRAN SMITH
TYPE OF DECISION:	CABINET (KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>This report seeks approval to consult the public on the draft version of a 2017 review of Bury's Local Flood Risk Management Strategy.</p> <p>As a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (LLFA), Bury Council has a statutory duty to "develop, maintain, apply and monitor" a Local Flood Risk Management Strategy for the Borough. The Strategy creates a framework for managing flood risk and is the means by which the Council, as LLFA, will discharge its duty to co-ordinate flood risk management on a day to day basis. The first Strategy was published in April 2014.</p> <p>The draft Strategy has been produced in consultation with local partners and the designated "Risk Management Authorities" under the Act within the Borough. Its focus is on flooding from surface water runoff, groundwater and smaller 'ordinary' watercourses.</p> <p>It is proposed that the final Flood Risk Management Strategy will be completed by the end of March 2018 when it will provide a framework to deliver a prioritised programme of works and initiatives to manage flood risk within the Borough.</p> <p>The draft Local Flood Risk Management Strategy is attached as an Appendix to this report.</p>

<p>OPTIONS</p>	<p>Option 1 (Recommended option)</p> <p>That Members approve the Draft Local Flood Risk Management Strategy (LFRMS), as included with this report, and authorise the proposed measures for it to be subject to a period of public consultation.</p> <p>Option 2</p> <p>That Members seek revisions to the proposed content of the draft LFRMS prior to public consultation. Members to specify the nature of any revisions to be sought.</p> <p>Reasons</p> <p>To enable the Council, as a Lead Local Flood Authority to comply with its statutory duties and responsibilities required under the Flood and Water Management Act 2010.</p>
<p>IMPLICATIONS:</p>	
<p>Corporate Aims/Policy Framework:</p>	<p>Do the proposals accord with the Policy Framework? Yes</p>
<p>Statement by the S151 Officer: Financial Implications and Risk Considerations:</p>	<p>Consultation will be undertaken within existing resources.</p> <p>Council funding to address flooding issues is extremely limited, however the Council is committed to exploring all options for securing external / partnership funding.</p>
<p>Statement by Executive Director of Resources:</p>	<p>A clear Flood Risk Management Strategy is fundamental to future development plans of the Borough</p>
<p>Equality/Diversity implications:</p>	<p>No</p> <p>An initial screening has been undertaken and as there were no negative impacts identified for affected groups, there is no requirement to proceed to a Full Impact Assessment.</p>
<p>Considered by Monitoring Officer:</p>	<p>Yes JH</p> <p>Preparation and production of a Local Flood Risk Management Strategy is a statutory duty for the Council, as a Lead Local Flood Authority, under the Flood and Water Management Act 2010. The</p>

	recommendations are to meet these statutory requirements, with details in the report as to the Strategy and process.
Wards Affected:	All
Scrutiny Interest:	

TRACKING/PROCESS

INTERIM DIRECTOR: STEVE KENYON – RES & REG

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	
	06/09/2017		

1.0 BACKGROUND

- 1.1 The Flood and Water Management Act 2010 aimed to address the main concerns of Sir Michael Pitt’s review of the 2007 floods. The review identified an important role for unitary local authorities in co-ordinating the management of ‘local flood risk’, as well as other roles such as maintaining an Asset Register of structures affecting flood risk (e.g. culverts, bridges, etc) and the promotion of SuDS (Sustainable Drainage Systems).
- 1.2 The act established unitary authorities as Lead Local Flood Authorities (LLFAs). LLFAs are responsible for ‘local flood risk’ i.e. flooding from surface runoff, groundwater and ordinary watercourses¹. Interactions between different types of flooding are also considered in conjunction with the Environment Agency, which is the overseeing authority for managing the risk of flooding from the River Irwell.
- 1.3 In addition to the requirement to prepare a Local Flood Risk Management Strategy (LFRMS), the Act prescribes the contents of the LFRMS and requires it to be consistent with the national strategy for flood risk management, which took effect in 2011. The LFRMS focuses on the management of ongoing flood risk rather than responses to flood incidents.
- 1.4 A level of subjectivity has been used in assessing relative flood risk and the results will be used to prioritise future, more robust investigations and assessments which will, hopefully, lead to reliable measures of risk.

¹ Ordinary watercourses include every river, stream, ditch, drain, cut, dyke and sluice which the Environment Agency has not identified as Main River.

Consequently, it is not appropriate to apply the information and recommendations in this report at a local property level.

2.0 ISSUES

- 2.1 The Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 set out a range of new duties and responsibilities for local authorities in planning for, and delivering flood risk management.
- 2.2 Section 9(4) of the Act sets out what a LFRMS should contain. Bury's Draft LFRMS is attached at Appendix 1 to this report. The Strategy's principle aim is to set the objectives for local flood risk management in the Borough and demonstrate how these are to be delivered. Whilst the focus of the draft Strategy should be local flood risk (as its name suggests), a decision was made to integrate all flood risk within the Borough (local and main river) to give a more comprehensive picture of the flood risk as a whole. However, the Strategy makes it clear that plans and strategies governing main rivers are the responsibility of the Environment Agency.
- 2.3 A series of technical studies (strategic flood risk assessment and surface water management plan), assessment of historic flood incidents and inspection records of flood management assets have all been used in the production of Bury's LFRMS. In addition, the 2015 Boxing Day flood provided first hand information as to which areas of the Borough are susceptible to flooding.
- 2.4 An Action Plan has been produced as part of the strategy. The actions provide an overview of proposed flood risk management activities within the Borough. The Action Plan includes a number of potential flood alleviation schemes which require further investigation to assess their viability, schemes which have been submitted for government funding and potential improvement works. A number of actions do not currently have funding attached to them. This is largely because funding for any works required as a result of the Strategy will need to be found either externally or within the current capital and revenue budgets available for other work programmes.
- 2.5 Through the Strategy work, stronger links, understanding and cross-agency working has been established with key partners such as the Environment Agency, United Utilities, neighbouring authorities and local communities whose actions could impact on flood risk in Bury. As well as external stakeholders, stronger cross-working links within the Council have been enhanced with roles and responsibilities defined. These range from Planning, Highways and Engineers and Emergency Planning.
- 2.6 Since the 2015 Boxing Day floods, advice sessions were held in the immediate aftermath, flood action groups have been formed in Radcliffe and Ramsbottom and public meetings have been held in Summerseat, where flood issues have been on the agenda. In addition, a number of drop in sessions have been held to provide further information on the Radcliffe and Redvales Flood Defence Scheme. The Council, National Flood Forum, EA and United Utilities have attended a number of these

meetings. Through the Strategy, further work will be undertaken to establish what residents and stakeholders understand the risk to be and explore local communities' appetite for self-help and local solutions.

- 2.7 If approved the draft Strategy will be subject to a six week period of public consultation (30th October – 11th December 2017). A press release will advise residents of the public consultation period and copies of the Strategy will be made available to view at the Planning Reception at Knowsley Place and the Town Hall. The Strategy will also be available to download from the Council's website. An article will be placed in the Planzine e-newsletter and social media will be utilised.

Next Steps

- 2.8 Following consultation on this draft LFRMS, we will give thorough consideration to all comments made and produce a final Strategy.

3.0 CONCLUSION

- 3.1 The draft Local Flood Risk Management Strategy aims to set a programme for the Council and its external partners over the coming years. It looks towards a better integration of the various flood risk responsibilities and aims to develop capacity, build partnerships and promote a heightened awareness of risk and the responsibilities of all involved in flood risk management.
- 3.2 The draft Strategy sets out the significant challenges for the Borough in managing flood risk and Members are requested to approve the draft for a six-week period of consultation starting on Monday 30th October 2017 and ending on Monday 11th December 2017.
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List of Background Papers:

- Draft Local Flood Risk Management Strategy (August 2017)

Contact Details:

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Senior Planning Officer
Strategic Planning and Economic Development
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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 draft Local Flood Risk Management Strategy	
Date	11 th August 2017	
Officer responsible for the 'policy' and for completing the equality analysis	Name	Fran Smith
	Post Title	Senior Planning Officer
	Contact Number	0161 253 7309
	Signature	
	Date	11 th August 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 Flood Risk Management Strategy (LFRMS) is to create a framework for managing flood risk and is the means by which the Council, as Lead Local Flood Authority, will discharge its duty to co-ordinate flood risk management on a day to day basis.
Who are the main stakeholders?	The main stakeholders involved in the LFRMS are risk management authorities, 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	
Disability	No	No	
Gender	No	No	
Gender reassignment	No	No	
Age	No	No	
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)	No	
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.

Under the requirements of the Flood and Water Management Act 2010, Bury Council, as Lead Local Flood Authority, must develop, maintain apply and monitor a strategy for local flood risk management in its area.

The Local Flood Risk Management Strategy (LFRMS) will manage local flood risk from surface water, groundwater and ordinary watercourses. The purpose of the LFRMS is to outline Bury Councils approach to this role and to local flood risk management in the Borough. The Strategy forms a policy document which sets out an action plan for implementation measures.

The impacts of implementation of these policies on particular equality groups will be no different to the general population. Once implemented, the Strategy will have a positive contribution in terms of protecting those at greatest risk in terms of flood risk. There will not be a negative impact from the LFRMS as the Strategy is based on an objective and scientific assessment of flood risk.

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

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

5. CONCLUSIONS OF THE EQUALITY ANALYSIS

What will the likely overall effect of your policy/service plan be on equality?	
If you identified any negative effects (see questions 3a) or discrimination what measures have you put in place to remove or mitigate them?	
Have you identified any further ways that you can advance equality of opportunity and/or foster good relations? If so, please give details.	
What steps do you intend to take now in respect of the implementation of your policy/service plan?	

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.

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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Bury Local Flood Risk Management Strategy



August 2017

Use of Information in this Report

As Lead Local Flood Authority (LLFA), Bury Council has a duty to develop, maintain, apply and monitor a Strategy for local flood risk management. The Local Strategy will complement and support the national flood risk management strategy, published by the Environment Agency.

The LLFA must specify objectives to manage flood risk and suggest measures to achieve these objectives. The LLFA has a responsibility to consider the flood risk management functions that it may exercise to reduce flood risk.

In support of the aim of a general reduction of flood risk across the district, the Council will prioritise investigations and works identified within this Strategy, based on perceived and evidenced risk and within limited resources.

The indication of flood risk in the report is high level and based on incomplete information. A level of subjectivity has been used in assessing relative flood risk and will be used to prioritise future, more robust investigation and assessments which will hopefully lead to reliable measures of risk. Consequently, it is not appropriate to apply some of the information and recommendations in this report at an individual property level.

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1 Introduction

- 1.1 Flooding is a natural process and does not respect political or administrative boundaries. It is principally influenced by natural elements of rainfall, tides, geology, topography, rivers and streams and man made interventions such as flood defences, roads, buildings, sewers and other infrastructure.
- 1.2 In Bury, the presence of major rivers, various other watercourses, impermeable soils and ageing infrastructure means flooding is a real issue and, when it occurs, it can seriously affect people's lives and businesses, as we witnessed in December 2015.
- 1.3 The three main aims of Bury's Local Flood Risk Management Strategy (LFRMS) are to:
- Increase awareness of local flood risk;
 - Identify how partners can best work together to reduce the risk;
 - Provide an overview of flood risk management in the Borough
- 1.4 The Strategy updates the previous [LFRMS 2014](#) and seeks to improve our understanding of flood risk within the Borough by outlining the levels of risk from all sources. Extreme weather events appear to be on the rise, many of our existing homes and businesses are built in the floodplain and we are under increasing pressure to build more. The refreshed Strategy provides the opportunity to co-ordinate services so that the risk of flooding is reduced.

Structure of the Strategy

- 1.5 In outline the Strategy covers the following:

Chapter 2 provides a summary of flood risk in the Borough. This information helps to understand the varying levels of risk within Bury and prioritise geographical areas for action;

Chapter 3 considers future influences on flood risk;

Chapter 4 provides an over view of the legislation that underpins flood risk management in Bury;

Chapter 5 provides clarification on the various roles and responsibilities of the organisations involved in flood risk management. It also looks at the role residents and businesses can play in helping to manage flood risk, including riparian owners and property owners;

Chapter 6 identifies our objectives and measures for managing flood risk in Bury;

Chapter 7 provides an overview of funding opportunities for flood risk management;

Chapter 8 outlines the governance and scrutiny arrangements;

Chapter 9 discusses monitoring and review of the Strategy; and

Appendix 1 presents the Strategy's Action Plan.

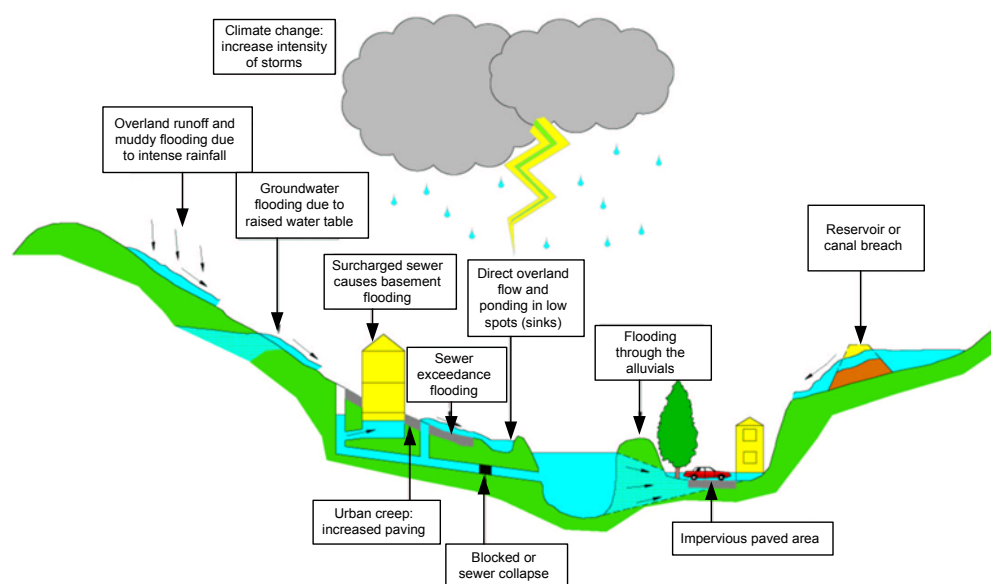
Who is the Strategy aimed at?

- 1.6 The Strategy has been written for all those affected by flood risk. It is also for organisations with flood risk management responsibility and other partners, to ensure that there is a common understanding of the roles, responsibilities and priorities within Bury.

2 Flood Risk in Bury

- 2.1 The flood events on Boxing Day 2015 demonstrated the major impact flooding can have and highlighted many of the planning and emergency response challenges faced by the Council and partners. Over 680 residential and 136 commercial properties were flooded, the tangible cost of which is significant, so too is the emotional cost to both individuals and communities.
- 2.2 The complex nature of flooding experienced in Bury highlights the importance of understanding the risk of flooding in order to ensure that we can be better prepared in the future.
- 2.3 Bury is located within the centre of the wider River Irwell catchment area where the gradient of the Irwell is flatter and surrounded by moorland. Much of the area grew rapidly during the industrial revolution with the development of factories and commercial and residential properties on the floodplain. Today, most of the watercourses are heavily modified and the Borough has a large number of culverts and weirs.
- 2.4 The major watercourses in the Borough are the River Irwell and River Roch which originate outside the administrative boundary. Smaller watercourses such as the Rivers Beal and Spodden, or other tributaries of the River Roch originate within Rochdale and Oldham and flow into the Borough. This highlights the need for the Council to work with neighbouring authorities on flooding issues, particularly where actions could exacerbate flooding in downstream communities.
- 2.5 Flooding can occur from a range of sources as highlighted in Figure 1 below. Often a flood event is caused by a combination of sources.

Figure 1 – Flooding from all sources



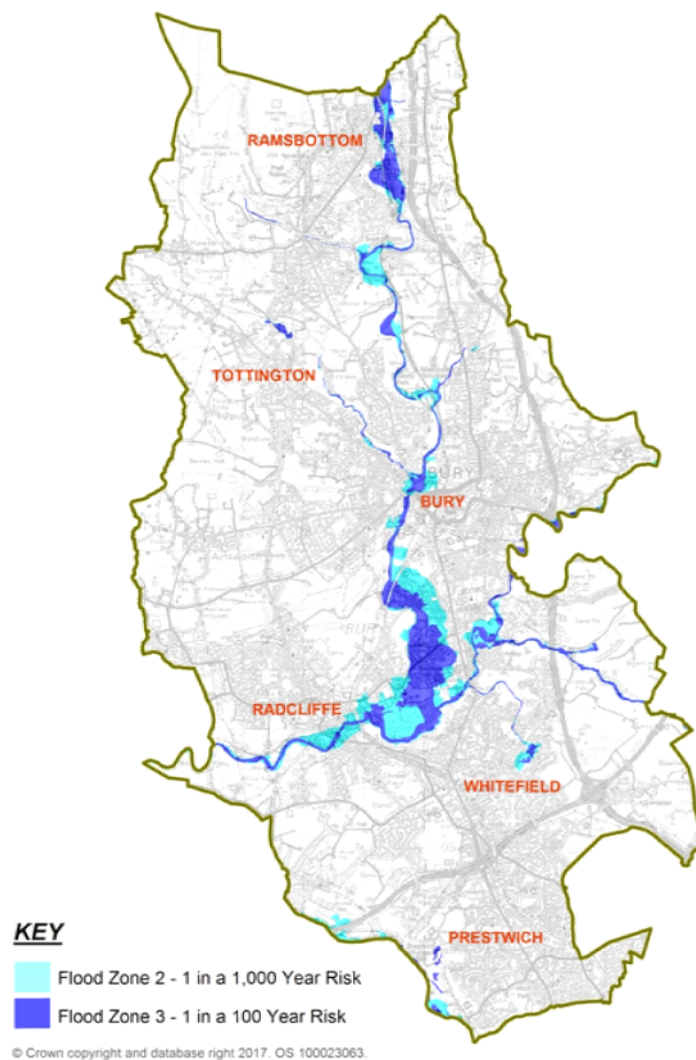
Source: SFRA, 2009

River (Fluvial) Flooding

- 2.6 River flooding occurs when the capacity of the river or stream is reached, causing water to spill out of the channel into nearby areas – for example when heavy rain falls on ground that is already waterlogged and the watercourse cannot cope with the water draining into it from the surrounding land. In some areas the surrounding floodplain of the river may be undeveloped or have flood compatible uses, but in some areas development has occurred within these floodplains.
- 2.7 The main source of fluvial flood risk in the Borough is from the River Irwell and its tributaries, including Holcombe Brook, Pigslee Brook, Kirkless Brook and the River Roch.
- 2.8 Due to the urbanised nature of the Borough, many of the main river channels have been straightened and canalised to accelerate the flow of water and some have been culverted over significant lengths. Many now have a limited hydraulic capacity and are prone to blockages which can lead to flooding. These blockages are often caused by silt deposition from the rural upstream sections of the Borough, vegetation falling into the watercourse and through fly tipping where debris is dumped into the river channels.
- 2.9 The Environment Agency is the overseeing authority for managing the risk of flooding from main rivers. To assist with this, the agency produce a [Flood Map for Planning \(Rivers and Sea\)](#), which identifies flood zones. These zones refer to the probability of river and sea flooding, ignoring the presence of defences¹.

¹ The flood zones on the EA's Flood Map do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding.

Figure 2 – Environment Agency Flood Zones



Source, Environment Agency, 2017

2.10 Figure 2 identifies that the following areas are particularly at risk of flooding from the river:

Ramsbottom

- Stubbins Lane, Kenyon Street, Athos Street, Crow Lane;
- Nuttall Park, Ramsbottom Cricket Ground and Football Club

Summerseat

Bury

- Bury Ground
- Bridge Trading Estate

Redvales

- Warth Industrial Park
- Warth Road, Openshaw Fold Road, Bealey Drive, Inglewhite Close, Ribchester Drive

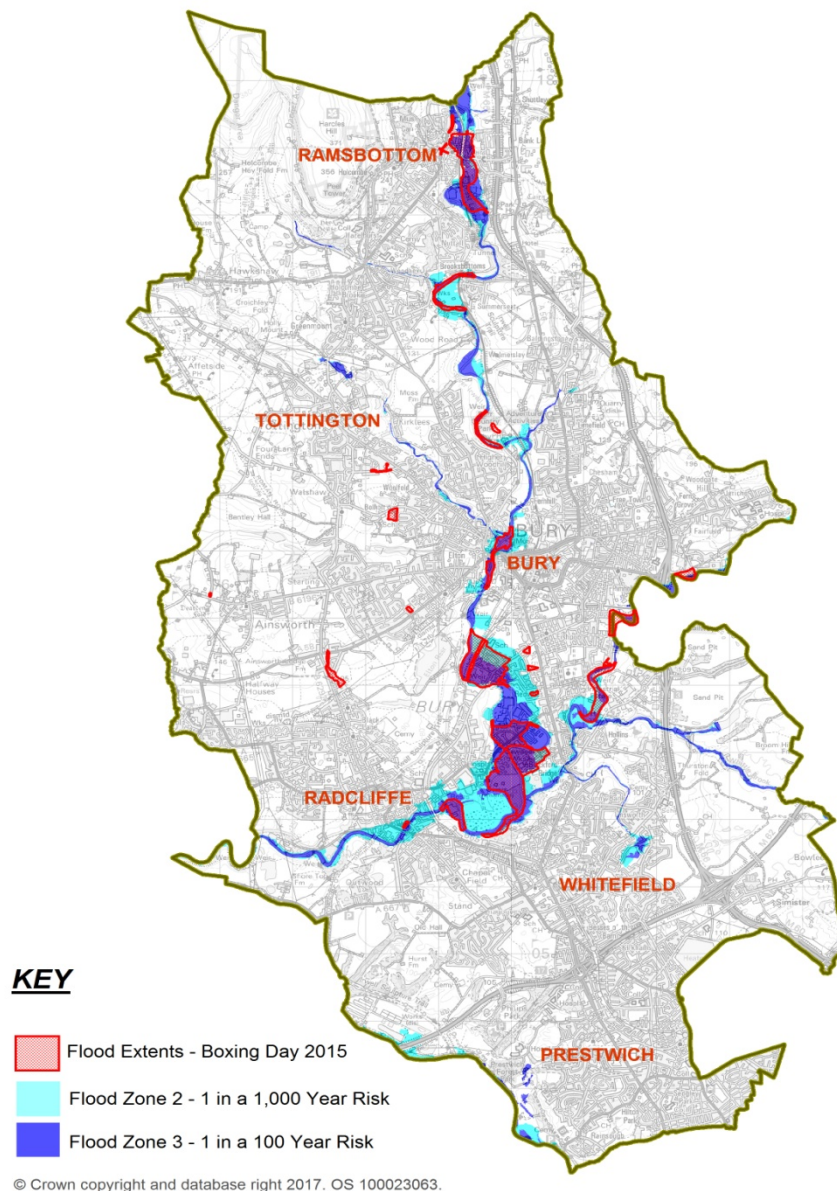
- Radcliffe Road, Central Avenue, Keswick Drive

Radcliffe

- York Street, Ripon Close, Selby Close, Seddon Avenue, Borough Avenue
- Dumers Lane, Morris Street
- Close Park, Parkside Close, Riverside Road, Waterside Close
- United Utilities Sewage Works
- Pioneer Mills

2.11 The severe flooding experienced on Boxing Day 2015 largely followed these predicted flood extents as identified in Figure 3.

Figure 3 – Known Extent of 2015 Boxing Day Floods



Source: Bury Council, 2016

Note: Map 3 only presents those areas where the flood risk was reported to the Council, either during the evening or afterwards.

Surface Water Flooding

2.12 Surface water flooding is caused by overland flow during periods of sustained or heavy rainfall, often involving ponding of water where it becomes obstructed or collects in low lying areas. Local drainage capacity and infiltration is unable to cope with the volume of water experienced. The risk of surface water flooding increases as the amount of built up area and the volume of impermeable hard surfacing increases within the Borough.

2.13 Due to the steep topography of parts of Bury, the Borough has narrow and shallow surface water flow paths. This has the potential to lead to rapid inundation of water with higher velocities and hazards.

2.14 A number of flow paths have been identified in Borough where surface water flows off the hillsides and collects in small drains before flowing to the valley bottom. This is a particular issue in Ramsbottom and often causes flooding to major road networks and individual properties.

2.15 There are many modified small streams and culverts which are hidden below ground and their condition is deteriorating, they have become blocked with debris and are the cause of much localised flooding following heavy rain.

2.16 Highway drains connect the highway gullies to surface water drains. In some instances, the highway drains outfall into a watercourse such as rivers, ponds, soakaways etc. Heavy rainfall can often result in more water on the road than the highway gullies can cope with. During a severe rainfall event, the capacity of the drainage system can be overwhelmed by the amount of water trying to run off from the road and flooding can occur.

2.17 Figure 4 identifies the main areas within the Borough which suffer from surface water flooding. These include:

Ramsbottom

- Crow Lane, Carr Street, Moor Road, Branch Road, Manchester Road/Whitelow Brow, Longsight Road

Summerseat

- Railway Street, Wood Road Lane

Tottington/Greenmount

- Turton Road, Watling Street, Hollymount Lane, Harwood Road, Moorside Road, Scobell Street, Bradshaw Road, Sunnybower Street

Bury

- Ferngrove

Radcliffe

- Higher Ainsworth Road, Close Park, Openshaw Fold

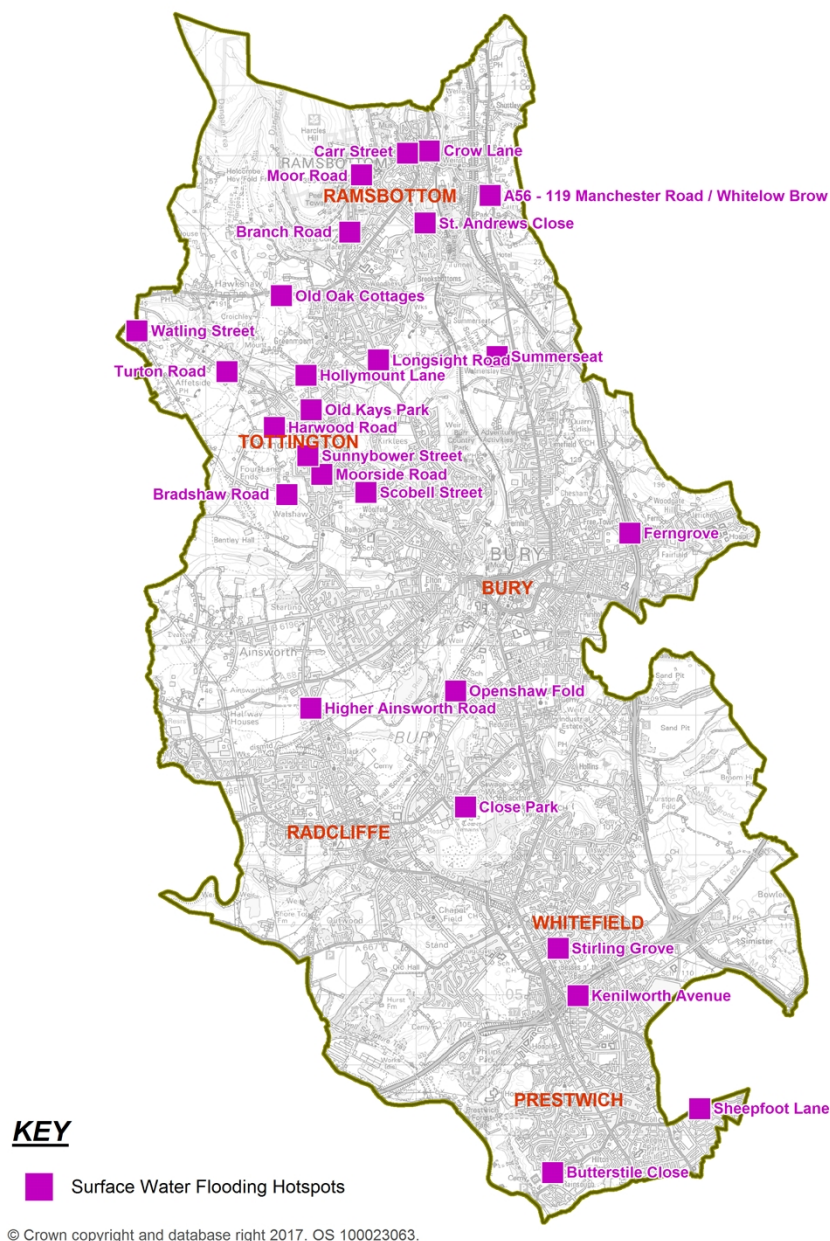
Whitefield

- Kenilworth Avenue, Stirling Grove

Prestwich

- Sheepfoot Lane, Agecroft Road West/Butterstile Close

Figure 4 – Surface Water Flooding



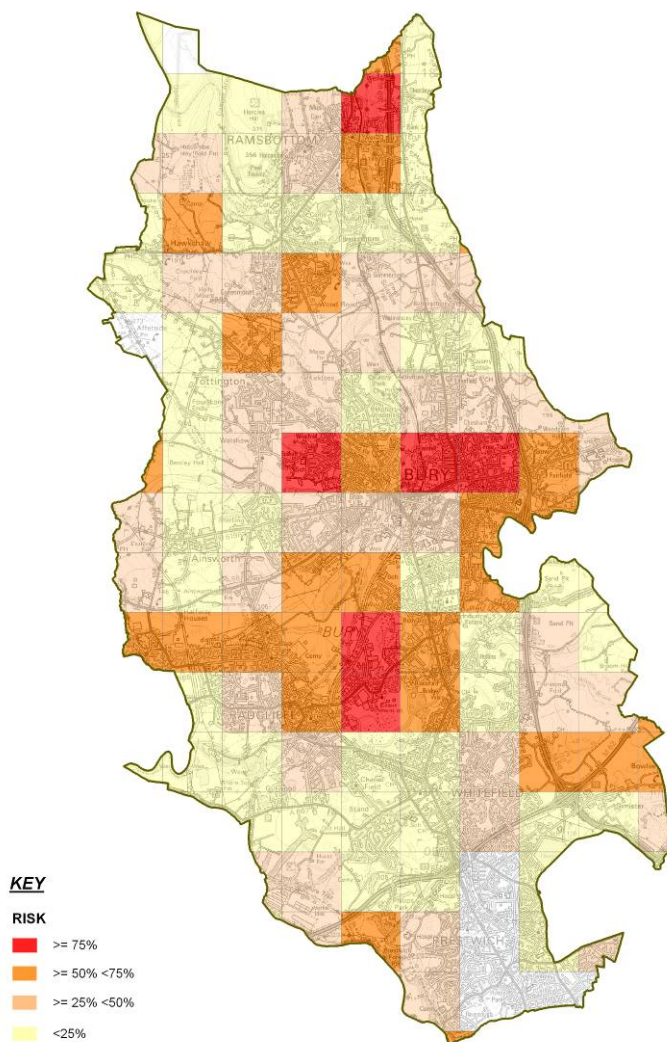
Groundwater Flooding

2.18 Groundwater flooding occurs when the water held underground rises to a level where it breaks the surface in areas away from usual channels and drainage pathways. It is generally as a result of exceptional extended periods of heavy rain, but can also occur as a result of reduced abstraction, underground leaks or the displacement of underground flows. Once groundwater flooding has occurred and particularly if soils are impermeable, the water can be in situ for a lengthy period of time.

2.19 Local understanding of groundwater flooding is limited and often groundwater is not identified as a distinct event. The Environment Agency’s national dataset, ‘Areas Susceptible to Groundwater

Flooding (AStGWF), provides a limited basis for assessing flood risk from groundwater.

Figure 5 – Groundwater Flooding



© Crown copyright and database right 2013. Ordnance Survey 100023063.

Source: Bury Council, 2016

2.20 Bury lies over an aquifer with geology consisting predominately of sands and gravels which have high permeability. However, there are areas of clay which have low permeability. There are a number of flood defences along the River Irwell through Ramsbottom which elevate river levels above the flood plain. There is the possibility that alluvial groundwater flooding could occur in these areas. However, there are relatively few reported incidents of groundwater flooding in Bury.

Sewer Flooding

2.21 Sewer flooding is caused by excess surface water entering the sewer network, exceeding available capacity or when a blockage occurs. This generally happens during periods of heavy rainfall when the drainage network becomes overwhelmed. Land and property can be flooded with water containing raw sewage as a result. Sewers that overflow can also pollute rivers.

2.22 United Utilities has provided data on instances of flooding for use in this Strategy. It must be noted that the information is just a 'snap shot' in history at the time it was supplied. The latest data identifies the following:

External Flooding:

- 135 properties are listed, 33 properties have suffered external hydraulic flooding to date in this Asset Management Plan (AMP) period (2015-2020)

Internal Flooding:

- 69 properties are recorded as having internal hydraulic flooding, 16 properties have suffered internal hydraulic flooding to date in this AMP period.

2.23A number of these properties are located in and around Prestwich, Ramsbottom and Tottington.

2.24 More useful indicators of risk are associated with the data generated using hydraulic sewer network models. Parts of Tottington, Gigg, Greenmount and Radcliffe have hydraulic issues.

Canal Flooding

2.25 Canals are rivers or man made channels that have been developed for use in industry. Canal flooding is caused by overtopping or breach of the canal network when the canal cannot cope with the water draining into it from the surrounding land.

2.26 The Manchester, Bury and Bolton Canal started in Bury, running southwards through Radcliffe, before joining the River Irwell in Salford. The canal was closed to navigation in 1961 and surviving sections are discontinuous.

2.27 Bury's Preliminary Flood Risk Assessment (June 2011) identified a historic risk of canal flooding, however there is no modelled flood risk data available. Furthermore a number of factors suggest that the flood risk on the Manchester, Bury and Bolton Canal is low:

- Embankments are generally low and made from clay;
- The canal is discontinuous;
- The last major breach was at Nob End downstream of Radcliffe in 1936. This stretch of the canal was not restored; Previous canal failures were caused by mining subsidence. It is assumed that mining subsidence in the area has now ceased.

2.28 The canal does intercept some surface water from the catchments to the west. No detailed modelling has been undertaken and the risk from this is therefore unknown.

Reservoir Flooding

2.29 Reservoirs hold large volumes of water above ground level and are contained by walls or dams. Reservoir flooding occurs when a reservoir structure is overtopped or fails due to damage or collapse.

2.30 The Environment Agency maintains a Public Register of Large Raised Reservoirs. Table 1 identifies the reservoirs within Bury. The chance of reservoir failure is very unlikely as reservoirs are regularly inspected and there is an extremely good safety record in the UK with no loss of life due to reservoir flooding since 1925.

2.31 Elton Reservoir is considerably bigger than any other reservoir within the Borough.

2.32 The Generic Reservoir Off-Site Plan (reviewed November 2016) outlines the Greater Manchester emergency response to any reservoir failure. In addition, there are Specific Reservoir Off Site Plans for those reservoirs within Greater Manchester which are in the top 100 reservoirs with the most serious consequences in a failure. Bury does not host any of these reservoirs, but a considerable number would impact upon the Borough should they fail. The Generic and Specific plans have been tested at strategic, tactical and operational levels in the Borough and at a Greater Manchester level.

2.33 United Utilities has a programme of pro-active reduction which is reducing the risk of reservoir failure even further, on a year by year basis. The reservoirs operated by UU in Bury are water storage reservoirs which are filled from the water mains. They are therefore not affected by river flooding and are intrinsically lower risk structures than the majority of reservoirs.

Table 1 – Reservoirs in Bury

Reservoir	Physical Status	Construction	Year Built	Capacity	Surface Area
Elton	In Operation	Earthfill	1808	923,000	217,000
Elton Vale Lower	In Operation	Earthfill	1860	56,000	24,000
Lowercroft Lower	In Operation	Earthfill		40,000	16,000
Lowercroft Middle	In Operation	Earthfill	1800	127,000	28,300
Lowercroft Upper	In Operation	Earthfill	1890	183,000	30,000
Pilsworth Reservoir	In Operation	Earthfill		25,000	30,000
Woodgate Hill 1	In Operation	Other	1958	64,000	11,000
Woodgate Hill 2	In Operation	Other	1961	269,000	47,000

Source: Environment Agency, April 2013

3 Future Influences on Flood Risk

- 3.1 Flood risk is not static and there are many factors which could influence it including climate change, new residential and commercial development and changes to the natural environment.

Climate Change

- 3.2 Wetter winters and more intense rainfall may increase river flooding in both rural and urban areas. More intense rainfall causes greater surface runoff, increasing localised flooding and erosion. In turn this may increase pressure on drains and sewers, with a resulting impact on water quality. Storm intensity in summer could increase even in drier summers, so the Borough needs to be prepared for the risks arising from unexpected flash flooding.
- 3.3 It is difficult to predict in detail as much depends on the nature of the rainfall as once the ground is saturated or the intensity of rain exceeds the rate of infiltration, water runs off and 'doesn't filter down to aquifers.
- 3.4 In February 2016, the Environment Agency updated their advice² on climate change allowances for river flow modelling for planning. The new advice states, for the North West, river flows could increase by up to 35% and 70% in the long term. The Environment Agency previously advised that river flows may increase by 20% as a result of climate change.
- 3.5 The Bury, Bolton and Rochdale SFRA (2009) projected the likely extent of the 1 in 100 year fluvial flood risk zone under a climate change scenario (which assumes a 20% increase in the extent of the Environment Agency Flood Zone 3). In this scenario, Radcliffe appeared to be particularly sensitive to climate change for a range of flood events whilst Ramsbottom appeared to be more sensitive during more extreme events.
- 3.6 In the Surface Water Management Plan, an assumption was made that climate change will lead to a 30% increase in rainfall intensities for the 1 in 200 year flood event. The modelling indicated that Ramsbottom, Bury Town Centre and Radcliffe will continue to be locations where future surface water flooding is likely to occur.

² <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowance>

- 3.7 The floods experienced on Boxing Day 2015 confirmed this pattern less than 10 years after these reports were produced.
- 3.8 The focus in meeting these challenges will in future be on flood risk management as opposed to simply providing flood defences. It is now widely recognised that whilst we can't always prevent flooding occurring, we can manage the risks of it happening and reduce the consequences when flooding does happen.

Flood Risk and Future Development

- 3.9 Bury Council, along with the other nine Greater Manchester districts are in the process of producing the Greater Manchester Spatial Framework (GMSF). The GMSF will contain a suite of policies addressing economic, social and environmental issues, for example housing distribution, green infrastructure, flooding, carbon reduction, resilience and air quality.
- 3.10 The draft GMSF (October 2016) proposes that Bury should find sufficient land for 25,000 jobs and 12,500 homes. Critical services will need to be delivered to support these sites and flood risk will need to be fully considered. None of the proposed sites are situated within an Environment Agency flood zone 3. However, all new development sites will need to ensure that flood risk is not increased elsewhere. In addition, all new development should seek to incorporate sustainable drainage systems (SuDS).
- 3.11 The SuDS approach to surface water drainage aims to deliver better management of surface water runoff and promote the sustainable use of water. SuDS seek to mimic natural drainage processes by limiting the rate and volume of surface water runoff, as well as treating water to improve quality.
- 3.12 There are many different types of SuDS components that can fit into a variety of settings. They can be soft (vegetation based) or hard (proprietary devices) and each has a different function. Features of a SuDS system could include: green roofs, infiltration trenches, permeable paving, underground storage, wetlands and ponds.
- 3.13 Sustainable drainage systems can help to manage pollution and also provides opportunities for biodiversity. Sustainable drainage systems provide opportunities to store and re-use water for a range of purposes for which 'grey' water is appropriate.

Natural Environment

- 3.14 The Flood and Water Management Act 2010 provides powers for the Council to manage flooding in the interest of nature conservation, preservation of cultural heritage and people's enjoyment of the environment generally.
- 3.15 Working closely with key partners to ensure careful land use, planning and gradual reinstatement of green open spaces (within existing and new developments) together with the introduction of upland planting could help to reduce flood risk and promote the requirements of the Water Framework Directive.
- 3.16 It is important that opportunities are sought when new development and redevelopment arise and that areas of flood plain reinstatement in conjunction with green and blue infrastructure are identified and realised. This will not only have flood risk benefits, but also ecological, environmental and recreational improvements.

4 Legislative Context

Flood and Water Management Act, 2010

4.1 The [Flood and Water Management Act 2010](#) (FWMA), 2010 designated Bury Council as 'Lead Local Flood Authority' and as such the Council has a responsibility for developing, maintaining and applying a local flood risk strategy in Bury. Bury's Local Flood Risk Management Strategy needs to be consistent with the following guiding principles outlined in the national strategy:

- Community focus and partnership working;
- A catchment based approach;
- Sustainability;
- Proportionate, risk based approach;
- Multiple benefits; and
- Beneficiaries should be allowed and encouraged to invest in risk management.

4.2 The development of the Strategy requires input from the designated 'Flood Management Authorities' (FMA) who have a duty to act consistently with the Strategy. In addition to the Council, the other FMA in Bury are:

- Environment Agency; and
- United Utilities

4.3 Bury's Strategy will clarify roles and responsibilities for local flood risk, and the duties and permissive powers that FMA have. It will build on the existing partnerships developed in Bury and provide a framework for local communities to develop local partnerships and solutions to the flood risks they face and underpin a partnership approach to funding flood resilience projects.

4.4 Although this Strategy's remit under the FWMA 2010 is to address flooding from surface water, ground water and ordinary watercourses, this document will also look to provide guidance on other forms of flooding, such as main rivers, a responsibility of the Environment Agency.

Flood Risk Regulations, 2009

- 4.5 The [Flood Risk Regulations 2009](#) came into force in December 2009 and implement the EU Floods Directive in England. They provide a framework for managing flood risk over a 6 year cycle, comprising:
- Preliminary flood risk assessment (PFRA);
 - Identification of areas of potential significant risk, referred to as flood risk areas;
 - Mapping of flood hazards and risk; and
 - Flood Risk Management Plans (FRMPs), setting out measures and actions to reduce the risk.
- 4.6 The FRR state that each of the above four elements must be reviewed, and updated where necessary, at least every 6 years.
- 4.7 Bury produced a Preliminary Flood Risk Assessment and identified flood risk areas in 2011. A Flood Risk Management Plan was produced in 2016.
- 4.8 A PFRA Self Assessment Form 2017 was submitted to the Environment Agency in June 2017.

National Planning Policy Framework

- 4.9 The [National Planning Policy Framework](#) and [National Planning Policy Guidance](#) were published and came into effect in March 2012. They provide a statement of national planning policy which all planning authorities must take into account when exercising their development management and forward planning functions. Paragraphs 99-108 of the Framework deal with issues of flood risk management in combination with the NPPG.
- 4.10 Meeting the challenge of flood risk is one of the objectives of the NPPF as part of addressing climate change and reducing the vulnerability of communities to climate change. New development should not increase flood risk on site or elsewhere and should include measures where necessary such as green infrastructure to avoid and reduce the risk of flooding. Inappropriate development in areas of high flood risk should be avoided and directed to more appropriate areas where possible or made safe where this is necessary development at that location.
- 4.11 The NPPF requires that local plans should be informed by a Strategic Flood Risk Assessment (SFRA) and include the advice of the Environment Agency. Local Plans should apply a sequential test when needed to guide the location of development and help ensure it is safe. If development is unavoidable it will need to meet the Exception Test where it can be shown that development could not be located elsewhere and would be safe for its lifetime.

4.12 The challenge in terms of flood risk management relates to the NPPFs 'presumption in favour of sustainable development'. Achieving more housing growth is a key driver of the planning system but it needs to be balanced against ensuring flood risk is not increased. If the Council does not meet its annual housing targets, there is concern that it will become vulnerable to applications on the flood plain.

4.13 In addition to the above, Bury Council also has a range of responsibilities in accordance with other pieces of domestic and European Legislation³, including:

- The Reservoirs Act (1975)
- The Ancient Monuments & Archaeological Areas Act (1979)
- The Highways Act (1980)
- The Wildlife & Countryside Act (1981)
- The Building Act (1984)
- The Environmental Protection Act (1990)
- The Land Drainage Act (1991)
- The Water Resources Act (1991)
- The Water Industry Act (1991)
- The Environment Act (1995)
- The Countryside & Rights of Way Act (2000)
- The Water Act (2003)
- The Planning and Compulsory Purchase Act (2004)
- The Civil Contingencies Act (2004)
- The Natural Environment and Rural Communities Act (2006)
- The Climate Change Act (2008)
- The Planning Act (2008)

³ Depending on the approach taken to EU exit, there may be potential to remove some pieces of legislation. However at the time of writing, the UK is still a full member of the EU.

- The Localism Act (2011)
- The EU Environmental Impact Assessment Directive (1985/337/EEC & 1997/11/EC)
- The EU Habitats Directive (1992/43/EEC)
- The EU Strategic Environmental Assessment Directive (2001/42/EC)
- The EU Water Framework Directive (2000/60/EC)
- The EU Floods Directive (2007/60/EC)

5 Roles and Responsibilities

Introduction

5.1 Numerous organisations, agencies and authorities have roles and responsibilities relating to flood risk management. This chapter sets out what these roles and responsibilities are for each of the different organisations, agencies and authorities.

5.2 Part 1, Section 6 (13) of the Flood and Water Management Act defines a flood risk management authority as:

- A lead local flood authority;
- A District Council for an area for which there is no unitary authority;
- The Environment Agency;
- An Internal Drainage Board;
- A Water Company; and
- A Highway Authority

5.3 Under the provisions of the Flood and Water Management Act the following duties are common to all risk management authorities:

- Duty to cooperate with other risk management authorities;
- Duty to act consistently with the national and local strategies;
- Powers to take on flood risk functions from other risk management authorities;
- Duty to contribute towards the achievement of sustainable development; and
- Duty to be subject to scrutiny from the lead local flood authority's democratic processes

Bury Council – Lead Local Flood Authority

5.4 Bury Council is a Lead Local Flood Authority (LLFA) and is responsible for the management of flood risk from surface water, ordinary watercourses and groundwater.

5.5 The functions that the Council, (as LLFA) can exercise under the FWMA 2010 and the FRR (2009) are:

- Production of a Local Flood Risk Management Strategy
- Investigation of flood incidents
- Creation and maintenance of a flood asset register
- Designation of flood features
- Carrying out of flood risk management works
- Powers to request information
- Preparation of a Preliminary Flood Risk Assessment
- Identification of areas of significant flood risk
- Production of a Flood Risk Management Plan

5.6 How these functions are carried out is set out in this Strategy's Action Plan.

Bury Council – Highway Authority

5.7 The Highways Act requires the Council, as Highway's Authority to ensure that highways are drained of surface water and, where necessary, maintains all drainage systems ensuring there are no pollution of the wider environment. In particular the Council is required to carry out regular maintenance of a number of forms of drainage associated with the highway, including the gullies, soakaways, ditches, channels, drains, grilles and outlets.

5.8 Bury Council currently operates a cyclic gully cleansing regime where all gullies within the adopted highway network are checked annually. In addition to this, gullies are attended to on an ad-hoc basis that have either been reported or identified through routine inspections as being blocked.

Bury Council – Emergency Planning

5.9 Bury Council has statutory duties under the Civil Contingencies Act 2004 to ensure that the Council is prepared and able to respond to an emergency within the Borough. The Emergency Planning Team works closely with the Greater Manchester (GM) Civil Contingencies Team and partner organisation, which includes the emergency services, Environment Agency and GM districts.

5.10A Greater Manchester Multi Agency Flood Risk Plan has been prepared and individual Borough plans are to be updated which will

detail how local services will work together to respond to an emergency flood incident within the Borough.

Bury Council – Planning Authority

- 5.11 The Council, as Planning Authority, must prepare, publish and use a Local Plan which directs how land can be used. The Local Plan should consider flood risk from both fluvial (main river) and local sources (surface water) of flooding, utilizing evidence contained in Strategic Flood Risk Assessments, Preliminary Flood Risk Assessments and Surface Water Management Plans.
- 5.12 The Planning Authority should only approve development where it can be demonstrated that the proposal doesn't increase the overall risk of flooding in the area and is adequately protected from flooding itself. A sequential approach should be taken to ensure development sites are chosen which offer the lowest possible flood risk.
- 5.13 The main roles, responsibilities and functions to be exercised by the other risk management authorities are as follows:

Environment Agency

- Strategic overview of all forms of flooding;
- Risk based management of flooding from 'main rivers';
- Regulation of the safety of higher risk reservoirs
- Development of the National Strategy for Flood and Coastal Erosion Risk Management;
- Co-ordination of Regional Flood and Coastal Committees;
- Powers to request a person for any information relating to its flood management responsibilities;
- Powers to designate structures or features relating to 'main rivers';
- A duty to report to ministers on Flood Risk Management;
- Is a competent Authority for the Water Framework Directive.

United Utilities

- Where appropriate, assist the LLFAs in meeting their duties in line with the national strategy and guidance;
- Where appropriate, assist the LLFAs in meeting their duties in line with local strategies in its area;
- Where appropriate, sharing of information and data with RMAs, relevant to their flood risk management functions;
- A duty to effectively drain their area, in accordance with section 94 of the Water Industry Act 1991;
- A duty to register all reservoirs with a capacity greater than 10,000m³ with the Environment Agency;

- An agreement with OFWAT to maintain a register of properties at risk from hydraulic overloading in the public sewerage system (DG5 register);
- The appropriate management of surface water in combined systems;
- Encouraging the use of SuDS;
- Creating a detailed understanding of flood risk from the public sewer system;
- Explore and implement multi benefit/agency schemes; and
- A duty to ensure local flood risk management and drainage works are consistent with environmental regulations (including the Water Framework Directive).

Highways England

- A duty to act in a manner which is consistent with the local and national strategies and guidance;
- A duty to share information with other RMA's relevant to their flood risk management functions; and
- A duty to drain the adopted highway of surface water.

Regional Flood and Coastal Committee

5.14 Regional Flood and Coastal Committees (RFCC) are Environment Agency committees which consist of elected members from the relevant Lead Local Flood Authorities and independent members with relevant experience appointed by the Environment Agency. They have three key purposes:

- To ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risk across catchments and shorelines;
- To promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities. This includes managing the spending of both Government Flood Defence Grant in Aid and Local Levy paid by Lead Local Flood Authorities; and
- To provide a link between the Environment Agency, Lead Local Flood Authorities and other relevant bodies to ensure mutual understanding of flood and coastal erosion risks in its area.

5.15 RFCC's are the key decision making bodies for allocating funding including Grant in Aid and local levy which are the key streams of funding for flood alleviations schemes. The RFCC also contribute towards individual property resilience schemes and the river maintenance programme. These committees, therefore, have a hugely important role in deciding which areas receive support for

flood defences. How funding is calculated and allocated is discussed in detail in Chapter 7.

Residents and Businesses

5.16 In addition to the role of RMA's, individual landowners owning land adjacent to watercourse, known as riparian owners, have important rights and responsibilities relating to flood risk management from natural watercourses. They have:

- A right to receive flow in its natural quantity and quality. Water may only be abstracted from a watercourse with the formal approval of the Environment Agency;
- A right to protect their land and property from flooding and erosion. Any associated works must be approved by the Environment Agency and/or LLFA;
- A responsibility to allow water to flow through their land without obstruction, diversion or pollution; and
- A responsibility to keep the watercourse bed and banks free of litter and debris.

6 Objectives and Measures

6.1 The Environment Agency, jointly, with DEFRA developed a national flood strategy which reflects Government policy on flood risk management and related issues. The 2011 strategy, entitled 'National Flood and Coastal Erosion Risk Management Strategy for England' describes what needs to be done by all organisations involved in flood risk management.

6.2 The national strategy objectives are to:

- Manage the risk of flooding to people and their property;
- Help householders, businesses and communities better understand and manage the flood and coastal erosion risk they face;
- Respond better to flood incidents and during recovery;
- Encourage local innovations and solutions;
- Invest in actions that benefit the communities who face the greatest risk; and
- Achieve environmental, social and economic benefits consistent with the principles of sustainable development.

6.3 Reflecting the national guiding principles and strategic objectives at a local level, Bury Council have developed the following objectives and measures for its Local Flood Risk Management Strategy:

Objective 1: To gain a strategic understanding of flood risk from all sources in Bury

- To gather clear information and understanding of the different types of flooding, their potential and impact.

Objective 2: To manage the likelihood of flooding within the Borough

- To identify an evidence-based programme of works and maintenance regimes, which integrate flood management solutions with sustainable development and social and environmental benefits.

Objective 3: To help Bury residents to manage their own risk

- To provide clear information regarding local flood risk to local communities allowing them to make informed decisions for managing their own flood risk;
- To provide clear information about the roles and responsibilities of risk management authorities.

- Local communities will be encouraged to become engaged in the development of flood alleviation schemes, where they are appropriate.

Objective 4: To ensure that new development in Bury reduces rather than increases flood risk

- The Council and other risk management authorities within the Borough will be required to ensure that the principle of 'no new flood risk' is taken into account as part of new development and infrastructure, managing the effects of climate change and further reducing flood risk where possible.

Objective 5: To take a sustainable approach to flood risk management within the Borough, which balances economic, environmental and social benefits with flood risk policies and programmes

- The Council and other risk management authorities within the Borough will be required to adopt a sustainable approach to reducing local flood risk, seeking to lessen the risk of localized flooding using mechanisms that are economically viable, deliver wider environmental benefits and promote the well being of local people.

Objective 6: To improve flood preparation, warning and post flood recovery

- To spread knowledge of flood risk within the Borough to ensure that emergency responders better understand the nature of local flood risk and can use the information to improve preparedness for flood events.
- The Council will undertake investigations into flood events where it is necessary to understand the cause of flooding.
- Communities and individuals will be supported to take part in preparing for flood events, forming local action groups and planning for future flood risks.

Objective 7: To endeavour to direct flood risk funding to areas most at need or where solutions will be most effective.

- Local flood risk information will be used to bid for funding for flood risk management projects and ensure that resources are

directed to areas where it will be most effective.

- 6.4 The Local Flood Risk Action Plan in Appendix 1 outlines actions which we have identified to achieve our objectives and notes current progress. A number are already being delivered. However it will not be possible to deliver all potential flood risk management actions in the short term as resources are simply not available. Therefore the approach taken in Bury will be proportionate and risk based, in line with advice set out in the national strategy.

Operational Measures to Manage Local Flood Risk

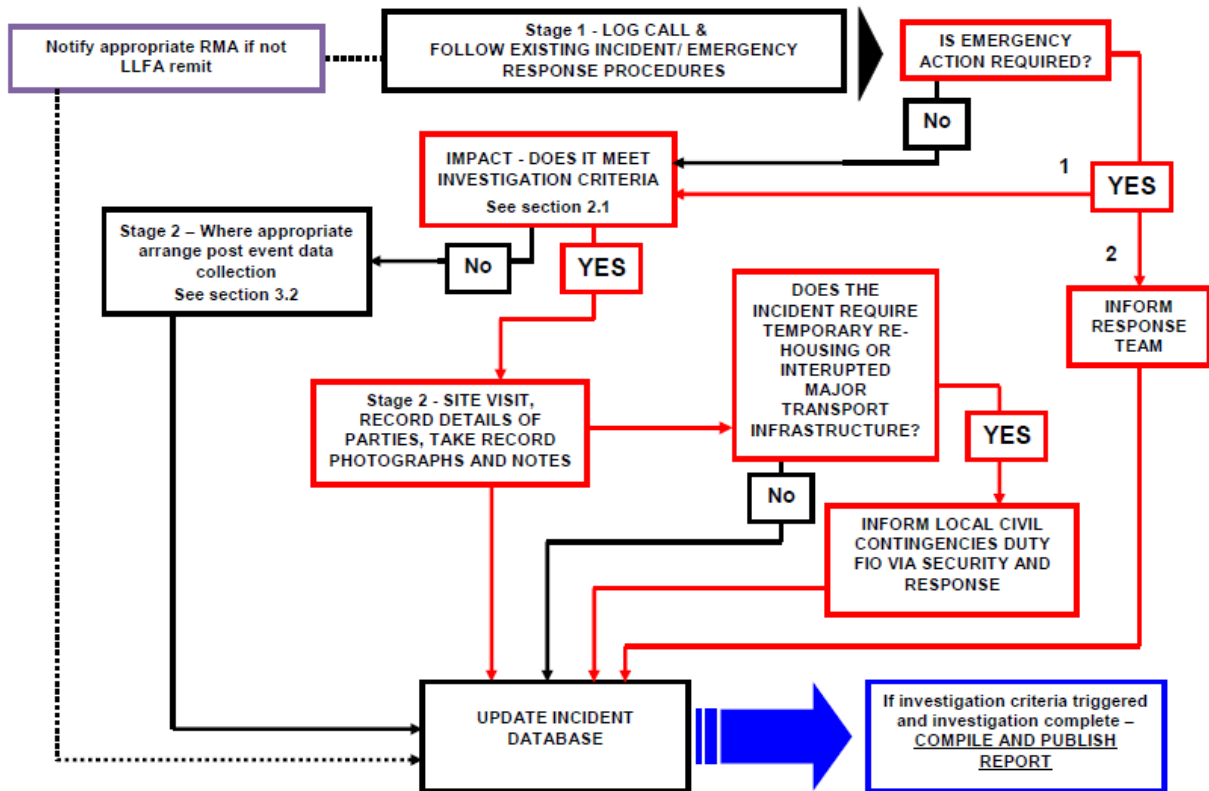
Investigating Flood Incidents

- 6.5 As discussed in Chapter 4, Section 19 of the Flood and Water Management Act introduces a new responsibility for LLFAs with respect to investigating flooding incidents. The Act states that the LLFA, is required to investigate flood incidents that it becomes aware of, to the extent that it considers necessary or appropriate. Where the LLFA investigates such a matter, it will determine:
- Which authority has relevant flood risk management functions;
 - Whether that authority has exercised, or is proposing to exercise, those functions in response to the flood.
- 6.6 Where an authority carries out an investigation, the Act states that it must publish the results of its investigation and notify relevant Risk Management Authorities.
- 6.7 No specific guidance was provided on how to discharge this duty and many elements are open to interpretation. As a result and to avoid inconsistency across the sub region, the 10 Greater Manchester districts agreed in 2013 an Investigations Policy.
- 6.8 The focus of this policy is not solely around the identification of the necessity to instigate an investigation but to ensure that a process is in place to gather supporting evidence. Initially from the information received relating to a flood incident it may be deemed a full investigation is not appropriate but by having a process in place as outlined in this document the supporting evidence is in situ if the incident escalates to one of much greater significance once the impact of flooding is known.
- 6.9 Data gathered can be used to inform and predict the consequences of more serious incidents. Information such as photographs, flow paths and sources should be recorded where possible and even if they are not required as part of an investigation, will become useful evidence especially to support and quantify the identified risk areas.

If it is found that flooding occurs on a frequent basis to a property/area it maybe frequency rather than the scale of the incident that triggers an investigation in the future.

6.10 Figure 6 illustrates the protocol for investigating flooding incidents across Greater Manchester. Figure 7 identifies the triggers for this protocol.

Figure 6 – Protocol for Investigating Flood Incidents



Source: AGMA Flood Investigations Policy, 2013

6.11 A S19 report for the 2015 Boxing Day Floods was produced by the Environment Agency in conjunction with the 10 Greater Manchester Authorities and United Utilities. The report is a factual record of the flooding that happened during the Boxing Day event and how the relevant RMA responded.

6.12 Although the purpose of the report was to provide a factual account of the contributing factors, impacts and responses to flooding, it does also include a number of recommendations on how to manage future flood risk.

Figure 7 – ‘Significant Incident Triggers

- Where there is a risk to life;
- Where there is an impact on critical service (schools, hospitals, nursing homes and emergency services);
- Where 5 properties or more were flooded internally;
- Economic disruption; and
- Where local democratic pressures from elected members, committees or other elected bodies, might be considered as a factor in determining whether a formal investigation should be carried out.

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Source: AGMA Flood Investigations Policy, 2013

United Utilities

6.13 United Utilities has undertaken an Integrated Drainage Area Study in Bury. The study identifies risks based on historic incidents (i.e. flooding, blockages, collapses, pollution) and modelling information to enable a holistic view of the drainage area. The study will be used to prioritise investment in areas with most risk and identify opportunities for joint approaches between flood risk management bodies.

6.14 In addition to understanding current risks, the study enables United Utilities and Bury Council to understand the impact of future growth on existing and potential risk areas. This allows a more planned and coordinated approach to enabling local development.

Maintaining a Register of Assets

6.15 Section 21 of the Act states that a ‘lead local flood authority must establish and maintain:

- A register of structures or features which, in the opinion of the authority, are likely to have a significant effect on flood risk in its area; and
- A record of the information about each of those structures or features, including information about ownership and state of repair.

6.16 Section 21 also states that this register (asset register) must be available for inspection at all reasonable times. Identifying the location, ownership

and condition of assets will help the Council and other Risk Management Authorities to better understand how the performance of these assets affects local flood risk. It is our intention to build up the asset register using a risk based approach. Therefore, we will initially prioritise our efforts in capturing assets information for the assets which are known to have a significant flood risk. Subject to available resources there will be an ongoing programme to capture information on other assets which have a less significant effect on local flood risk.

- 6.17 It is not our intention to capture and store information for assets associated with main rivers, reservoirs and public sewers. Both the Environment Agency and Untied Utilities already hold asset information and we do not wish to duplicate information held, wherever possible.

Ensuring Effective Maintenance of Assets

- 6.18 Subject to available resources and funding, we need to ensure that we understand the maintenance requirements and conditions of assets, and take action to ensure key flood risk assets are performing effectively. It should be noted that the Council already has a gully clearance programme in place.

7 Flood Risk Management Funding

- 7.1 A key objective of the Strategy is to align stakeholders, particularly those with available funding, with those who would benefit from further investment in flood risk management. It is important to note that this Strategy has been written against a backdrop of diminishing resources.
- 7.2 A partnership approach to Flood Defence Grant in Aid and other relevant bids has been adopted. Each proposed flood risk scheme is accessed separately to identify which partner should be involved and could comprise:
- The Environment Agency;
 - United Utilities;
 - Regional Flood and Coastal Committee; and
 - Beneficiaries and Communities
- 7.3 The Council will consider all forms of funding identified in Table 5 and will ensure that when opportunities arise, compelling bids are submitted.
- 7.4 Although the benefits of individual flood risk management measures are often many times greater than their cost, it is not technically, economically or environmentally possible to prevent all flooding. Therefore this strategy will aim to implement the most sustainably cost effective measures that will help to reduce flood risk and help to manage the impacts felt by communities.
- 7.5 For each potential project or scheme outlined in Appendix 1, the following will be assessed:
- The potential for these projects to receive national FDGiA funding;
 - The potential for these projects to receive contributions from Bury Council;
 - Where schemes are unlikely to be affordable, to suggest where a different approach may be needed such as a reduced standard of protection or property resilience measures; and
 - How any identified funding gaps might be filled, either by drawing up on partners resources or pursuing wider sources of funding.

7.6 Table 5 below sets out a number of different sources of funding for flood and water management works.

Table 3 - Sources of Funding

Source of Funding	Description	Administered by:	Appropriate for:
Flood Defence Grant in Aid (FDGiA)	Central government funding for flood and coastal defence projects. Funding levels for each scheme relate directly to the number of households protected, damage prevented and other benefits such as environmental or business benefits that will be delivered. There is additional emphasis on protecting households in deprived areas	Environment Agency	Medium to large capital FRM projects
Local Levy	The Regional Flood and Coastal Committee can agree a levy to be paid for works which do not attract a sufficiently high priority for funding by national government but are nonetheless cost effective and of local importance. The levy is agreed annually and monies can be carried over. However, any local schemes suggested which use the Levy need to ensure that it is inline with the regional priorities set out by the RFCC. The Local Levy can top up Flood Defence Grant in Aid funding.	Environment Agency	Smaller FRM projects or as a contribution to FDGiA projects.
United Utilities	Investment is heavily regulated by Ofwat for opportunities for contributions to area-wide projects which help to address sewer capacity issues.	United Utilities	Projects which help to remove surface water from combined sewers.
Section 106	Section 106 of the	Bury Council	Larger

Source of Funding	Description	Administered by:	Appropriate for:
funding (developer contributions)	Town and Country Planning Act 1990 allows a planning authority to request payments from developers (linked to specific developments to contribute to the infrastructure required to make developments acceptable in planning terms.		development sites.
Council Capital Funding	Bury Council's Highway Services receives a small annual capital budget for work on the highways drainage network. Work is prioritised according to safety, internal property flooding, social impact and the duration of flood incidents.	Bury Council	Small to medium capital projects.
Requesting local contributions	Contributions from residents and/or businesses that benefit from proposed flood risk mitigation schemes may be explored in specific cases	Bury Council	All projects.

Partnership Funding

- 7.7 In the past, most flood risk management schemes have been built using DEFRA's central government funding (FDGiA), with allocation based on a national prioritisation. Local Levy was allocated towards local priorities, including projects that could not attract FDGiA.
- 7.8 Increasingly however, there is an emphasis on funding from external contributions towards schemes, because FDGiA is allocated based on the benefits on a scheme delivers, which may not cover the full cost.
- 7.9 Work undertaken through this Strategy has highlighted the need to secure a range of sources of funding. Actions have been included within this strategy to continue bidding for funding as well as influencing communities and beneficiaries of potential schemes as and when they are developed. Where it is not possible to fill

funding gaps, it will be necessary to explore alternative solutions to reduce the costs of the schemes.

7.10 The first stage in developing any scheme is to consult with key partners, in order to explore funding options and to assess any environmental implications. For the majority of schemes, further investigation studies are required to reduce the uncertainties to get a clearer understanding of the requirements of the scheme and to allow for FDGiA bids to be submitted.

7.11 The alternative sources of funding identified by this process will need to be investigated in further detail by the relevant partners, co-ordinated by the Environment Agency and the Council to determine their viability. There are a number of triggers which may alter the way in which projects are funded and these could include: changes to funding regimes, availability of funding, changes in political priorities, community pressures, a major flooding incident, new development, regeneration, revised assessments of flood risk and changes in assessment methodology.

8 Local Partnership, Governance and Scrutiny

- 8.1 The Flood and Water Management Act (2010) requires the Council as Lead Local Flood Authority (LLFA) to establish arrangements to bring together all relevant bodies to work as partners in the management of local flood risk. This approach has been further strengthened through the 2011 Localism Act and the 'Duty to Co-operate'. Both Acts recognise the important roles played by Councils, Environment Agency, water companies and other flood risk management authorities.
- 8.2 Although the Act does not stipulate what these local arrangements should look like, it does require the relevant authorities to co-operate with each other in exercising functions under the Act. It also empowers LLFRAs or the Environment Agency to require information from others if needed for their flood risk management functions.

Greater Manchester Combined Authority

- 8.3 The Greater Manchester Combined Authority (GMCA) was established as a top tier administrative body for the local governance of Greater Manchester. The GMCA:
- Is funded by direct government grant and some money collected with local Council tax apportioned between the constituent councils;
 - Consists of an elected mayor, ten indirectly elected members, each a directly elected Councillor from one of the ten GM Boroughs; and
 - Replaces a range of single-purpose joint boards and quangos to provide formal administrative authority for Greater Manchester for the first time since the abolition of the Greater Manchester County Council in 1986.
- 8.4 The governance arrangements for the GMCA build on the Association of Greater Manchester (AGMA) model of voluntary collaboration and it is a statutory body with its functions set out in legislation.

- 8.5 The ten Greater Manchester Authorities work together strategically wherever possible, to ensure the new statutory duties associated with the FWM Act are implemented in the most effective manner.
- 8.6 Appropriate governance arrangements are in place to set GM wide priorities, set the strategic direction and attracts investment through the Regional Flood and Coastal Committee (RFCC) and the GM Flood and Water Management Board.

Regional Flood and Coastal Committee (RFCC)

- 8.7 The RFCC was created by the FWMA and provides democratic input into local decisions and help coordinate flood and coastal erosion risk management. It promotes efficient, targeted and risk-based investment and provides a link between the EA, LLFA's and other RMA's.

Greater Manchester Flood and Water Management Board (FWMB)

- 8.8 The FWMB provides a vehicle for strategic co-operation and joint working between the GM Commissions, EA, UU and the RFCC covering spatial planning, climate change, drainage and flood infrastructure and emergency planning. It provides an effective working interface with the RFCC ensuring that GM maximises the potential to secure resources through Flood Defence Grant in Aid, Local Levy funding, partnership projects and the EA as part of their capital investment programmes.

Flood Risk Officers Group (FROG)

- 8.9 FROG provides a forum for joint working between the ten districts representatives of Greater Manchester LLFRA's and partner organisations to deliver the strategic GM flood risk work programme and support local priorities for flood risk management and delivering new powers and duties.

Community Engagement

- 8.10 Following the 2015 floods, two multi-agency flood action groups have been established in Radcliffe and Ramsbottom⁴. These have

been attended by members of the public, the National Flood Forum (Radcliffe Flood Group) Bury Council, the Environment Agency and United Utilities. The aims of the groups are to provide clear information regarding local flood risk to local communities allowing them to make informed decisions for managing their own flood risk. Public meetings have been held in Summerseat and flooding issues have been included on the agenda. The Council and the Environment Agency have jointly attended these meetings.

8.11 Several drop in sessions have been held in Radcliffe in relation to the Radcliffe and Redvales Flood Mitigation Scheme. These sessions have been jointly ran by the Council and the Environment Agency.

⁴ Dates of these meetings can be found in Appendix 1 - Action Plan.

9 Monitoring and Review

- 9.1 Continued monitoring and review and development of the strategy is essential to ensure that local flood risk management is responsive to changes. This ongoing work will be undertaken through the Council's flood working group.
- 9.2 Although there is no formal deadline for the Strategy to be produced or updated, regular maintenance will ensure that local flood risk management is based on the most up to date knowledge so partners can successfully manage flood risk both now and in the future.
- 9.3 The Strategy will be updated every three years from the date of final approval and the action plan will be updated annually.
- 9.4 Through developing this Strategy there are now clear objectives for managing local flood risk within the Borough as well as an associated action plan for delivering these objectives. This strategy will be the focal document for all flood risk matters and will be informed by, and sign post to, all relevant technical flood risk work undertaken.
- 9.5 In preparing the Strategy there is now a greater understanding of local flood risk issues in Bury. The different roles and responsibilities for managing local flood risk have now been clarified and formally set out to avoid confusion.
- 9.6 The Strategy and Action Plan are 'living documents' and will be regularly reviewed to test effectiveness and updated as necessary.

Appendix 1 – Action Plan

The actions provide an overview of proposed flood risk management activities within the Borough. The Action Plan includes a number of potential flood alleviation schemes which require further investigation to assess their viability, schemes which have been submitted for government funding, schemes recommended within technical documents and potential improvement works.

It has been agreed that the Action Plan will be updated annually. Any new actions will be identified and included within the Plan. Existing actions will be updated where new information is available. Completed actions will remain within the Plan to ensure that a record is kept of all completed works.

A Red-Amber-Green assessment is used on all the actions to provide a simple visual identification of progress.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
1. To gain a strategic understanding of flood risk from all sources in Bury	To model and map areas at risk of river, surface water and reservoir flooding.	Publish on-line mapping	Environment Agency	On-going	Maps available. EA aim to update maps twice a year
		Produce a Greater Manchester Strategic Flood Risk Assessment	GMCA	Dec 17	An update has been commissioned.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		Produce a Preliminary Flood Risk Assessment			Completed, available on-line at http://www.bury.gov.uk/index.aspx?articleid=11124
	Investigate flooding incidents/locations	Produce S19 report on the 2015 Boxing Day floods	Environment Agency	Completed	Report complete and available on-line at: www.greatermanchester-ca.gov.uk/downloads/file/199/boxing_day_flood_report_2015
		Spring Vale/Vernon Drive culvert, Prestwich	Bury Council	TBC	Responsibility of private owners
		Openshaw Fold, Bury	Bury Council	TBC	Investigation required. Not Started
		Ripon Close/Bealey's Goit, Radcliffe	Bury Council	In progress	Being considered as part of R&R flood defence scheme

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		Stirling Grove, Whitefield	Bury Council	TBC	Investigation required. Not Started
		Fern Grove, Bury	Bury Council	TBC	Initial investigations completed. Main problems are on land owned by Highway's England. Negotiations on-going.
		Kenilworth Ave, Whitefield	Bury Council	TBC	Link to motorway drain under investigation in conjunction with Balfour Beattie.
		Laburnum Drive culvert, Unsworth	Bury Council	TBC	Council means of investigation exhausted. Private owners are progressing works.
		Harwood Road culvert	Bury Council	TBC	Owner has rectified initial problem. Further issues still require monitoring.
		Holcombe Tennis Club,	Bury Council	TBC	Works undertaken to clear blockage and improve screen. Requires further monitoring to identify a

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		Longsight Road			long-term solution.
		Sunny Bower Street/Black Brook	Bury Council	TBC	Investigation of surface water flooding from farm land including assessment of the capacity of Black Brook required. Not started but possibly combine investigation with other schemes.
	Understand the risk from sewer flooding	Undertake Integrated Drainage Area Study	United Utilities	January 2018	Provisional risk areas mapped and further investigations being considered.
	Identify structures that affect flood risk.	Produce and maintain a flood risk asset register of structures or features that, in the opinion of the Council, are likely to have a significant effect on flood risk.	Bury Council	Not specified in legislation	Much of needed information has been gathered but resource constraints are preventing completion of register.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
	Request information from individuals	As required. Can enforce if necessary			On-going
	Improve skills and knowledge of flood risk officers.		Bury Council	TBC	Attendance at events, project meetings, etc have increased knowledge.
	Designate features that contribute to the management of flood risk	As required			To date, no features have been designated.
2. To manage the likelihood of flooding within the	Work with partners to identify schemes which will alleviate flood	Stubbins and Ramsbottom flood defence scheme	Environment Agency		Completed in 2015

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
Borough.	risk in the future. In general the Environment Agency will lead on schemes on main rivers, United Utilities on sewers and Bury Council on other water bodies	Radcliffe and Redvales flood defence scheme	Environment Agency	TBC	Design work underway. Preferred option in October 2017. Aimed for completion in 2021. R & R Community Drop In Events – Tuesday 17/1/17; Thursday 19/1/17; Tuesday 25/4/17; Thursday 27/4/17; Wednesday 30/08/2017
		Ainsworth Road/ Water St, Radcliffe	United Utilities	TBC	Investigations carried out. Solution not evident.
		Old Kays Park/Holcombe Road culvert, Greenmount	Bury Council	TBC	Investigations indicated main problem was blockage upstream. On-going monitoring.
		Holly Mount Lane, Greenmount	Bury Council	TBC	Culvert upgrade needed.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		Old Oak Cottages, Ramsbottom	Bury Council	TBC	Culvert upgrade needed.
		Dungeon Pub culvert, Harwood Road, Tottington	Bury Council	TBC	Silt removed downstream. Situation being monitored.
		Turton Road, Tottington	Bury Council	TBC	New highway drainage required.
		Watling Street, Affetside	Bury Council	TBC	Ditch clearance and additional drainage connections completed. On-going monitoring.
		Bradshaw Road, Tottington	Bury Council	TBC	New highway drainage required.
		Scobell Street/Sycamore Road, Tottington	Bury Council	TBC	Investigations revealed problems with the sewer. Work being progressed by UU.
		Moorside Road, Tottington	Bury Council	TBC	Culvert clearance required.
		A58 Culverts	Bury Council	TBC	Two culverts need replacing.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		St Andrews Close, Ramsbottom	Bury Council	TBC	Silt removal needed.
		Agecroft Road West/ Butterstile Close	Bury Council	TBC	Investigations required. Not started.
		Crow Lane, Carr Street, Moor Road	Bury Council	TBC	Investigations required. Not started.
	Maintain flood risk assets, be it cyclical or responsive, based on level of risk.	Highway gulleys and culverts have a cyclical maintenance regime, but reactive maintenance is also carried out.	Bury Council	On-going	Annual inspection aimed for.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
3. To help Bury residents to manage their own risk	Provide clear on-line information on roles and responsibilities.		Bury Council	Updated as required	Information available at bury.gov.uk
	Hold advice sessions		Flood Groups/ EA/ UU/ Bury Council	Complete	As required. Previous events have been held on: Thursday 11/2/2016; Saturday 11/06/2016
	Provide resilience grants.		Bury Council	Complete	Scheme now closed. 432 eligible applications were approved (residential and commercial properties).
4. To ensure that new	Implement government	NPPF paras 93-104 and PPG	Bury Council	On-going	Planning applications determined in line with

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
development in Bury reduces rather than increases flood risk	guidance on development in flood risk areas	on Flood Risk.			guidance.
	Ensure GMSF includes policies on flood risk.		GMCA	In progress	See policy GM18 in the draft GMSF
	Ensure Bury Local Plan includes policies on flood risk.		Bury Council	In progress	Will be included
	Liaise closely with the EA in determining planning applications with flood risk implications.	York Street	Bury Council	Approved	No objection from EA
		Openshaw Fold	Bury Council	Approved	No objection from EA
		Hardy's Gate	Bury Council	Approved	No objection from EA

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
5. To take a sustainable approach to flood risk management within the Borough, which balances economic, environmental and social benefits with flood risk policies and programmes	Ensure local policies are in line with national and regional policies, eg the North West River Basin Management Plan			On-going	On-going
	Produce a Local Flood Risk Management Strategy	This document		2017	First Strategy adopted in 2014
	Produce a Flood Risk Management Plan	Produce a North West River Basin Flood Risk Management	Environment Agency	2016	2015-21 Plan available on gov.uk

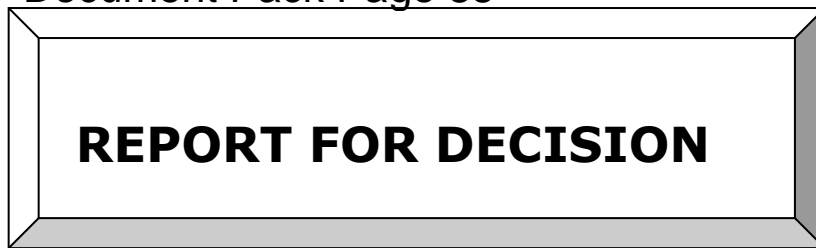
Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		Plan			
	SEA	Undertake a Strategic Environmental Assessment, Habitats Regulations Assessment and Water Framework Directive Compliance check of the LFRMS	Bury Council	Complete	Available at bury.gov.uk
		Promote natural flood management	EA/ landowners/ Bury Council	On-going	Discussion taking place with landowners in upper Irwell
		Seek opportunities to develop natural	EA/ landowners/ Bury Council	On-going	Sites will be sought through the Local Plan process

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
		flooding areas.			
6. To improve flood preparation, warning and post flood recovery.	Promote property resilience in flood risk areas.	Support for residents and businesses	EA/ Bury Council	On-going	<p>EA publications, grant scheme and advice sessions.</p> <p>Advice sessions held on:</p> <p>Thursday 11/2/2016;</p> <p>Saturday 11/06/2016</p> <p>Flood Action Groups:</p> <p>Radcliffe (meetings held – 27/07/16, 27/09/2016, 6/12/16);</p> <p>Ramsbottom (meetings held - 17/11/16, 02/02/2017, 13/7/2017);</p> <p>Summerseat Public Meeting (meetings held – 06/12/16, 19/07/17, 21/09/2017)</p>
	Provide warnings of	Text message system	Environment	On-going	Many residents already receive warnings. Others

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
	flood risk events.	available.	Agency		can register to receive them.
	Endeavour to make sure people know how to respond to an event.	Provide on-line advice	Bury Council	On-going	Information available on bury.gov.uk
	Ensure that first responders have a plan and implement it.		Bury Council/ GM Police/ GM Fire and Rescue/ Environment Agency	On-going	A Flood response plan exists but is not a public document.
7. To endeavour to direct	Continually review priorities	Current priority is Radcliffe and		On-going	Consultants have been appointed to design proposals and produce a business case. It is hope construction will start in 2018/9.

Objective	Response	Action/Scheme	Lead Organisation	Timescale	Status
flood risk funding to areas most at need or where solutions will be most effective.		Redvales flood defence scheme.			
		Opportunities to attract funding from the Environment Agency-managed Grant in Aid programme will be sought.		On-going	Staff resources to prepare and submit grant applications are in short supply.

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DECISION OF:	Cabinet
DATE:	18 October 2017
SUBJECT:	Equality Update 2017
REPORT FROM:	Councillor Rishi Shori, Leader of the Council
CONTACT OFFICERS:	Steve Kenyon, Interim Executive Director for Resources & Regulation Tracy Murphy Assistant Director, Resources and Regulation (HR and OD)
TYPE OF DECISION:	Cabinet (Key Decision)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>This update report contains:</p> <ul style="list-style-type: none"> - The Employment Equality Report 2017 - The Equality Strategy 2016-20 One Year On Progress Report - General statistics on our changing workforce <p>The Public Sector Equality Duty (Equality Act 2010) requires the Council to:</p> <ul style="list-style-type: none"> - annually publish equality information upon its workforce. The information must include data from various points in the employment lifecycle, disaggregated by the different protected equality characteristics. - publish a number of specific and measurable equality objectives every 4 years
OPTIONS & RECOMMENDED OPTION	<p>To approve publication of the 2 reports in the suggested format.</p> <p>To support the recommended actions contained within the report</p>
IMPLICATIONS:	

<p>Corporate Aims/Policy Framework:</p>	<p>Do the proposals accord with the Policy Framework? Yes</p>
<p>Statement by the S151 Officer: Financial Implications and Risk Considerations:</p>	<p>There are no financial implications arising from this report.</p>
<p>Health and Safety Implications</p>	<p>There is no impact in terms of Health, Safety and Welfare.</p>
<p>Statement by Interim Executive Director of Resources & Regulation (including Health and Safety Implications)</p>	<p>This report is published to comply with the Public Sector Equality Duty under the Equality Act 2010.</p> <p>The report is for information only, but its contents should be used for monitoring and review of HR policies, processes and procedures whenever relevant.</p> <p>Steps will be taken to reduce the amount of “unknown” data.</p>
<p>Equality/Diversity implications:</p>	<p>This document is a report on the equality characteristics of the workforce. No further equality analysis is required. By creating this document we are raising awareness of equality considerations, and the results will be used to tackle discrimination and advance equality of opportunity in employment.</p>
<p>Considered by Monitoring Officer:</p>	<p>Yes</p> <p>When undertaking its functions, policy and decision making, the Council must have regard to the provisions of the Equality Act 2010, which includes consideration of the public sector equality duty. It must be able to demonstrate that its actions are proportionate and undertaken to achieve a legitimate aim, in order to ensure it is not open to challenge. The information in the report is an important part of complying with its duties.</p>
<p>Wards Affected:</p>	<p>All</p>
<p>Scrutiny Interest:</p>	

TRACKING/PROCESS

INTERIM EXECUTIVE DIRECTOR:

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
7.8.17 Approved report			
Scrutiny Committee	Cabinet/Committee	Council	
	6.9.17		

1.0 BACKGROUND

1.1 Employment Equality Report

Under the Public Sector Equality Duty, which forms part of the Equality Act 2010, all public bodies are required to publish equality information. More specifically, this information must include workforce data at various points in the employment lifecycle that is disaggregated by the various protected equality characteristics.

1.2 The Employment Equality Report 2017 (copy embedded) provides this information for Bury Council. This document is published, as we are required to do, on the Council’s website.



Employment Equality Report 2017.docx

The report includes an equality breakdown of the following:

- The Council’s workforce
- Recruitment including applications, interviews and appointments
- Take up of training
- Take up of work life balance initiatives
- Disciplinarys (grievances are not currently monitored)
- Leavers
- Return to work after maternity leave
- The Borough of Bury population

1.3 Equality Strategy 2016-20 One Year On

Also under the Public Sector Equality Duty, Bury Council is required to publish a number of equality objectives and refresh them every 4 years. The objectives must be specific and measurable. Our most recent Equality Strategy was launched in 2016, and we intend to report on progress annually. Our first progress report is attached.



Equality Strategy - One Year On (2017).docx

1.4 The equality objectives contained within it are:

- We will take action to tackle and reduce unwanted behaviour in both our workplace and our schools
- We will reduce the amount of unknown equality data we hold on our employees
- We will work to digitally include more of our employees

Each of these is supported by a number of performance measures.

1.5 Furthermore, the Council continues to be proactive in its approach to equality and diversity. Examples of this in recent months have included:

- Retaining a place in the Stonewall Workplace Equality Index Top 100 (currently 51st place and 4th best local authority nationally)
- Becoming a Disability Confident Employer
- Continuing to support four successful diversity related employee groups in partnership with UNISON
- Regular publication of the council wide 'Diversity Matters' which highlights topical and key diversity related issues
- Monitoring and reviewing employment policies and procedures to ensure they are free from unconscious bias and exceed legislative requirements
- Supporting diversity related community events e.g. Pride, IDAHOBIT, Carers Week
- Producing the annual multi faith calendar
- Learning from and adopting best practice for example establishing Equality Allies and promoting 'No Bystanders'
- Driving our successful Backing Young Bury programme
- Carrying out employee surveys and acting upon the outcomes
- Exercises to reduce the level of unknown data

1.6 This list gives a flavour of the actions being taken and is by no means exhaustive. The work is overseen and directed by the Corporate Diversity Team which incorporates equality specialists, Elected Members and senior Managers, functional leads, employee group chairs and union representatives.

2.0 ISSUES

2.1 The two reports have enabled us to prepare some general statistics on our changing workforce:

Group	Borough of Bury (2011 census)	Workforce 2007	Workforce 2016	Workforce 2017
BME	14.7%	3.63%	6.54%	7.01%
Disabled	18.8%	1.58%	3.17%	3.19%
Male	49%	24.8%*	23.33%	23.14%
Female	51%	75.1%	76.67%	76.86%
16-24	10.7%	6.40%	7.08%	6.55%

LGB	6%**	0.24%	1.10%	1.07%
Christian	63.0%	33.67%*	42.63%	42.61%
Muslim	6.1%	1.24%*	2.12%	2.48%
Jewish	5.6%	0.22%*	0.62%	0.67%
Carers	10.8%	-	21.77%	21.27%

*Figures are for 2008 not 2007

**Stonewall estimate

2016 figures in green show an improvement on the previous year.
 Figures in red show where the situation has got worse.

However, it should be noted that:

- Not all Bury residents with a disability are able to work – we therefore use 8.25% as a target figure of those that are able to work
- Age – there is no-one under 16, and not many employees older than 65 in the workforce but obviously there are in the Borough of Bury, so it is not particularly useful to make this comparison
- Carers – within the Council we include employees who provide care for children – the Borough figures don't include this.

2.2 Clearly therefore, we have seen only tiny changes in respect of the diversity of the workforce over the last year. The exceptions to this include race, where the proportion of BAME staff has seen a significant increase. Also in terms of 16-24 year olds, which has seen a marked decrease – although the work we are doing linked to the apprenticeship levy should address this.

2.3 As most recruitment has been internal only, this has impacted significantly on our potential to make changes to the make up of the workforce as whole.

2.4 Also of note is the high proportion of unknown data which we will continue to address over the coming year:

Group	2016 % Unknown	2017 % Unknown
Race	30.52%	30.20%
Disability	34.27%	34.17%
Gender	0%	0%
Age	0%	0%
Sexual Orientation	41.80%	40.74%
Religion or Belief	40.55%	39.48%
Caring Responsibilities	67.79%	66.81%

We did work with Exec Directors and Heads of Service in an attempt to address this in 2016, but take up and support was limited.

3.0 RECOMMENDATION

- 3.1 Whilst this report is presented primarily for information it's recommended that the contents should be used for monitoring and review of HR policies, processes and procedures to continue our work towards having a more representative workforce. As with last year, one key priority will be to reduce the number of unknowns and we will work with Departments to identify additional ways of achieving this.
- 3.2 Further reports will be presented in twelve months' time which will provide comparative data for consideration.

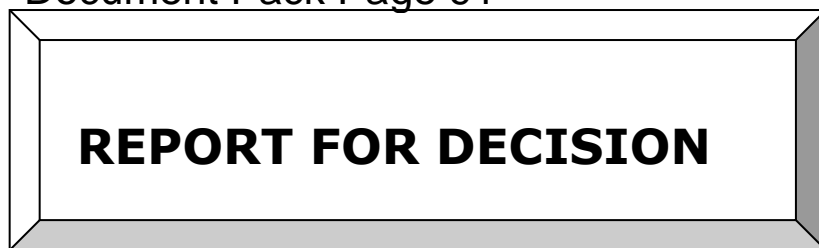
List of Background Papers:

N/A

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DECISION OF:	Cabinet
DATE:	18th October 2017
SUBJECT:	Bury to become an Autism friendly Borough
REPORT FROM:	Leader of the Council
CONTACT OFFICER:	Jacqui Waite, Strategic Planning and Development Officer Department for Communities & Wellbeing
TYPE OF DECISION:	CABINET KEY DECISION
FREEDOM OF INFORMATION/STATUS:	The information in this report is in the public domain
SUMMARY:	Public spaces can prove extremely difficult for people with autism and this is magnified by a lack of understanding of the needs of people with autism. By becoming an autism friendly borough, Bury will offer the same opportunities to people with autism to work, shop and enjoy community life as the rest of the residents, workers and visitors to Bury.
OPTIONS & RECOMMENDED OPTION	Agreement to work towards Bury becoming an Autism Friendly Borough
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	This strategy is supported, and any activity will be funded within existing budget levels.

	External funding will be sought where possible.
Health and Safety Implications	Set out any impact in terms of Health, Safety and Welfare.
Statement by Executive Director of Resources (including Health and Safety Implications)	Autism friendly considerations will be taken into account when developing any of the Council's own assets.
Equality/Diversity implications:	Yes
Considered by Monitoring Officer:	Yes When undertaking its functions, policy and decision making, the Council must have regard to the provisions of the Equality Act 2010, which includes consideration of the public sector equality duty. It must be able to demonstrate that its actions are proportionate and undertaken to achieve a legitimate aim, in order to ensure it is not open to challenge. The recommendation supports compliance with the Council's duties under the legislation.
Wards Affected:	All
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 Introduction:

Following the announcement by the Mayor of Greater Manchester that he will strive to ensure that Greater Manchester becomes an Autism Friendly Region, many towns, businesses and organisations are now seeking to ensure they meet this pledge. It has been highlighted because more than 1 in 100 people in the UK are autistic, many of them and their families still struggle to access essential community spaces, businesses and shops.

The aim of this initiative is to initially become an autism friendly borough with a view to extending the scheme to become a Hidden Disability Friendly Borough.

Public spaces can prove extremely difficult for people with autism and other hidden disabilities such as ADHD and Dementia. They can be overwhelming, crowded, unpredictable, loud and bright. When people feel overloaded by too much information, they encounter a public that simply doesn't understand them and their autism.

With the introduction of a simple framework and training package for public spaces Bury will become an attractive and enjoyable place for people with autism or other hidden disabilities to work, shop, live and enjoy in line with everyone else.

1.2 What does "Hidden Disability" Mean?

Hidden disabilities can hinder a person's efforts to go to school, work, socialise, and more. Although the disability creates a challenge for the person who has it, the reality of the disability can be difficult for others to recognize or acknowledge. Others may not understand the cause of the problem, if they cannot see evidence of it in a visible way. Hidden disabilities are chronic illnesses and conditions that significantly impair normal activities of daily living. In the United States, 96% of people with chronic medical conditions show no outward signs of their illness, and 10% experience symptoms that are considered disabling.

What Are Some Common Hidden Disabilities?

- Mental health issues such as depression, bipolar disorder, schizophrenia and anxiety disorders, post-traumatic stress disorder, etc.
- Dementia
- Autism
- Traumatic Brain Injury
- Epilepsy
- HIV/AIDS
- Diabetes
- Chronic Fatigue Syndrome
- Cystic Fibrosis
- Attention Deficit-Disorder (ADHD)
- Learning Disabilities (LD)

What do Hidden Disabilities have in common?

- People are unable to "see" the disability.
- There are no "visible" supports to indicate a disability such as wheelchairs
- It is a permanent disability
- The disability may be managed through medication or behaviour such as in the case of diabetes, asthma, epilepsy or psychiatric disorders.
- The person is in some kind of physical or emotional pain/stress.
- The person may exhibit "unusual" or challenging behaviour or language

Challenges for a person with a hidden disability:

- They may not know they have a disability or regard themselves as such.

- They may find everyday situations stressful due to sensory issues
- They may not have been diagnosed.
- They may not know what they need.
- They may know what they need, but are unable to articulate it.
- They may often feel misunderstood or may feel ignored or feel invalidated.
- They may suspect something is wrong, but not know what it is or how to fix it.
- They may find it difficult to understand others feelings or words
- They may find it difficult to express their feelings or needs

1.3 Current situation in Bury

Bury is well positioned to become an Autism Friendly Borough. It has one of the best resources for people affected by autism in the North West in the charity organisation "Buddy's 4 Children with Autism" as well as a long established Autism Development Group and User/Carer Group and a dedicated lead officer in the Council.

Work has already started on different aspects of this concept as consultation has been undertaken around Dementia Friendly Communities. There is also an on-going project entitled "Bury Safe Place Scheme" whereby businesses sign up to offer a place of safety and support for vulnerable people who feel lost, frightened or in need of help when they are out and about in Bury. Similarly, Buddys 4 Children With Autism, a charity in Bury, have set up a scheme called Friendly Aware Bury (FAB) which also aims to sign up businesses in Bury to offer a place of safety and support for vulnerable people with a hidden disability.

The aim is to set up an autism friendly scheme in line with the pledge made by The Mayor of Greater Manchester and then to pull all these schemes together into one scheme across Bury to ensure that Bury is accessible to all people with autism and ultimately all hidden disabilities.

2. How will the scheme work

In simple terms, Bury businesses and public spaces will be offered training and resources to enable them to be classed as an autism friendly establishment. They will then display posters and window advertisements so people with autism are aware of this status.

The scheme will be advertised to the general public and anyone with autism can get a card to show to the staff in the organisation to highlight they may need some support or a place of safety.

2.1 What does Autism Friendly look like?

To become autism Friendly it is crucial for public spaces to view themselves from a person's perspective . Through an understanding of autism and other hidden disabilities, people can and should be able to enjoy the facilities and experience offered just as any other person can.

This doesn't mean investing in wholesale, expensive physical alterations, it is the small inexpensive changes that make a massive difference to autistic people. Most people have the ability to organise, sequence and prioritise to plan daily activities and manage time effectively. Some people however may find organising, sequencing and prioritising difficult. In addition, an autistic person thrives on being in a familiar

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environment with routine and structure. For these reasons, a visit to a local shop, business or amenity can throw up many challenges. These can be minimised through simple considerations to allow autistic visitors to effectively prepare and plan any potential visit in advance.

A framework will be put together as well as a training package to ensure organisations are meeting the criteria to be classed as "Autism Friendly". The framework will include:

Customer information –

- Accurate and helpful guidance and information relevant to the needs of people with autism should allow an individual to plan their visit in detail.
- A named person provided as key contact who has a good understanding of autism and other hidden disabilities and the needs of potential visitors, who can be contacted in advance to help in the planning process for a visit
- Details of building layout in particular areas that might present challenges for people

Staff and volunteer understanding

- Staff training to ensure they have an understanding of hidden disabilities and knowing how it might affect someone can help staff to find ways to help and deal with challenging situations, understand particular behaviours and understand how to help and support people who are struggling.

Physical environment

- The physical environment will play an important role to the experience of a person with autism or dementia. People on the autistic spectrum have a variety of difficulties with sensory stimulus such as sound, light, odour and textures. People with dementia may have issues with colours and shapes. Therefore, small, reasonable adjustments can make a massive difference to people such as providing a quiet area, appropriate signage or information on areas which may cause difficulty such as crowded areas, places where queuing is likely etc so people can plan and prepare for the visit in advance.

Customer experience

- An autism friendly working culture should make visitors feel welcome. A clear process for visitors to feedback on customer experience and an established process for evaluating, responding and acting on that feedback will help with making improvements for the future.

Promoting understanding

- Fundamental to creating and maintaining autism friendly spaces is increasing the understanding amongst the wider public. To be autism friendly, organisations should strive to challenge the myths, misconceptions and assumptions that make people feel isolated and make society seem at times so unwelcoming.

2.0 ISSUES

Main issues:

- Seeking organisations willing to sign up to become Autism Friendly. There has been an excellent response to current schemes in place so it is not envisaged to be a major risk.
- Training –training can be provided by current providers of existing schemes. Full costs need to be established for this training and could be funded by businesses receiving the training.
- Costs of other collateral such as posters, stickers and cards – this could be also sought via funding from businesses involved. A full breakdown of costs will be produced once agreement to go ahead has been given.
- Equality and diversity – this project will ensure that people with hidden disabilities, their families, friends and carers are able to access shops, leisure facilities, public places and have a better opportunity to seek employment and other opportunities.

3.0 CONCLUSION

These plans are in the early stages of development. A full framework and breakdown of costs will be put together once agreement for the concept is granted. The framework will be produced in consultation with people with hidden disabilities and their families.

The introduction of this scheme will ensure that Bury is a town that is able to be accessed and enjoyed equally by everyone.

List of Background Papers:-

Contact Details:-

*Jacqui Waite
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Department for Communities & Wellbeing
Bury Council
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REPORT FOR DECISION



DECISION OF:	CABINET
DATE:	18th October 2017
SUBJECT:	Implementation of 'Neighbourhood Engagement Framework', including new Grant Investment Framework
REPORT FROM:	Cabinet Member for Communities and Safer Neighbourhoods
CONTACT OFFICER:	David Thomas – Neighbourhood Engagement Manager Heather Crozier, Head of Social Engagement, Department for Communities and Wellbeing
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>This report provides details of key aspects of the implementation of a new 'Neighbourhood Engagement Framework' in Bury.</p> <p>The new framework offers a flexible approach to community engagement across Team Bury partners and supports and facilitates the new relationship between public services and citizens, communities and businesses that is required to support wider Neighbourhood Working. It offers an asset based approach that recognises and builds on the strengths of our communities and a place based approach that places individuals, families and communities at the heart of what we do.</p> <p>This report also sets out how we are implementing the new grant investment framework that is replacing the Community Grants budget of £56k and previous allocation process with a combination of: Participatory Budgets (PB) Elected Member Discretionary Budgets</p> <p>The new implementation of the new framework will be</p>

	<p>supported by the Neighbourhood Engagement Team, in particular Neighbourhood Engagement Co-ordinators for each locality. It will be championed through the six System Leaders and through a number of Elected Member Engagement Leads (one per area or two where there is cross party representation).</p> <p>The new framework will build on the many strengths and assets that exist within our communities, including the extensive community networks and local businesses, whilst embracing the new Social Value Policy for Bury Council. All events as part of the new framework would be held in a free of charge community or business venue and delivered making best use of any sponsorship, grant funding or resources available.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Funding for the new grant framework comprises existing budgets of £56,000 (ongoing), plus a further £450,000 from Public Health Reserves to be allocated over a three year period.
Health and Safety	Health & Safety assessments will be prepared for meeting venues / neighbourhood activity.
Statement by Executive Director of Resources:	There are no wider resource implications
Equality/Diversity implications:	No
Considered by Monitoring Officer:	<p>Yes JH</p> <p>Co-production is a new vision for public services based on recognising the resources that citizens already have in local areas. The ethos of neighbourhood working means the Council and other public agencies working alongside residents, as equal partners, to shape their own areas and neighbourhoods by developing local solutions for the things that matter most to them. In addition to the devolution of powers from central to local government, there has, for some time, been planned devolution of power and action to a local level (under legislation such as the Localism Act 2011). Any delegated decision making exercised under this new framework must be lawful, proportionate and constitutional.</p>
	All

Wards Affected:	
Scrutiny Interest:	

TRACKING/PROCESS
Communities & Wellbeing

DIRECTOR: Julie Gonda, Acting Executive Director

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
	<p>Portfolio Meeting- 3rd August Cllr Tariq, Cabinet Member for Communities and Safer Neighbourhood</p> <p>Meeting with Leader of Conservative Party – 8th August 2017 Cllr Daly</p> <p>Additional Portfolio Meeting - 9th August Cllr Shori, Leader Bury Council Cllr Tariq, Cabinet Member for Communities and Safer Neighbourhoods</p> <p>Meeting with Leader of Liberal Democrats – 11th August 2017 Cllr Pickstone</p>	<p>On agendas for Elected Member Engagement Leads Workshops: 10th July 2017 31st July 2017 15th August</p>	<p>Police/Six Town housing at monthly engagement meetings and regular mtgs with System Leaders</p>
Scrutiny Committee	Committee	Council	
Overview & Scrutiny 7 th September 2017	<p>CWB Management Board on 21st August 2017</p> <p>SLT</p>		

	<p>on 21st August 2017</p> <p>Joint Cabinet/SLT (Informal Cabinet) On 4th September 2017</p> <p>Labour Group on 4th September 2017</p> <p>Cabinet 18th October 2017</p>		
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Background

As part of the process of whole systems transformation, phase two of the Community Engagement work stream has a specific focus on the communication and engagement required to realise the outcomes of whole scale system transformation. A new Neighbourhood Engagement Framework has been developed to enable behaviour change and build independence, shared decision making, democratic accountability and voice, genuine co-production and joint delivery of services.

The new framework offers a '3,2,1' approach to working with and investing in neighbourhoods at various levels across Bury through the following structures:

3-Borough Wide Engagement:

Borough wide engagement will be available in the form of a digital engagement platform that will be aligned to Team Bury's existing digital offer.

2-Township Level Engagement:

At Township level, the framework will build upon the borough wide digital engagement offer through an Annual Neighbourhood Network meeting and Neighbourhood Celebration Awards ceremony in each of the six Township areas.

1-Ward Level Engagement:

At Ward level, the framework will build upon the borough wide digital engagement offer, Annual Neighbourhood Network meeting and Neighbourhood Celebration Awards ceremony in each of the six Township areas. It offers an annual or bi-annual Ward-level Neighbourhood Engagement Forum meeting which is linked to two ward level Participatory Budgeting events. Priorities for each ward will be decided and actioned via a series of Project/Action groups led and determined by people living in the local area but supported where required by the Neighbourhood Engagement Co-ordinator.

New framework for investing Neighbourhood Grant Funding

The new approach offers an alternative model which replaces the old Community Grants budget of £56k and previous allocation process with a combination of:

- Participatory Budgets (PB) to be invested at either Township or Ward level events
- Elected Member Discretionary Budgets
- Strengthened by an additional £450k of Transformation monies over three years (£50k year one, £200k year two, £200k year three)

Through these new approaches the Neighbourhood Engagement Framework will work with communities to tackle issues that adversely impact on people's quality of life, their health and wellbeing and aspirations.

Implementation of Neighbourhood Engagement Framework

The new Neighbourhood Engagement Framework and Grant Investment Model were approved at CWB Wider Management Board, SLT, Labour Group, Cabinet, Scrutiny and Full Council in April. As such the mechanism for engaging our communities is now removed from the Council Constitution, as we want all those who live, work and have an interest in our Neighbourhoods to feel they are an equal partner in the new framework that will ultimately help them to help themselves and others to live a good life.

The draft operating principles for the new framework, which provide governance for the new structures and funding framework, have been developed by the Neighbourhood Engagement Team and co-produced by our newly appointed Elected Member Engagement Leads. The new digital engagement platform that will provide 24hr engagement at borough level, involving more people in conversations with their neighbours and empowering communities to work together to develop solutions to local issues, will be in place in October 2017.

The Neighbourhood Engagement Coordinators (NEC's) have worked closely with their respective System Leader in each locality to ensure that the direction of the new Neighbourhood Engagement Framework is aligned with the focus of the System Leader and the Service Re-design work stream.

The newly appointed Elected Member Engagement Leads for each locality have undertaken a series of development workshops with the NEC's to begin co-production of the Operating Principles and are now working with their respective System Leaders and Neighbourhood Engagement Coordinators to plan the next stages of implementation of the new framework.

Dates have been set for the first Annual Neighbourhood Engagement Events in November 2017; meetings will be facilitated with the System Leaders and Elected Member Engagement Leads in the coming weeks to plan the format and content of the events. The events will engage our communities in the development of the new engagement structures within their areas ready for full implementation. The dates for these meetings are as follows:

- Whitefield & Unsworth: Wednesday 1st November
- Bury East: Thursday 2nd November
- Radcliffe: Thursday 9th November
- Bury West: Monday 13th November
- Prestwich: Thursday 16th November
- RTNM: Monday 20th November

Planning for Ward Level Engagement meetings in each of our 17 wards will take place at the November events, where Elected Members, residents, businesses and key stakeholders will come together to identify what assets exist in their areas and identify priorities, in terms of key issues, which they will work to address through a set of clearly identified outcomes for the year ahead.

Neighbourhood Engagement Coordinators have been engaging members of their communities and local stakeholders in the development of the new framework and communicating the important role our communities will play in its implementation and success. In some localities 'Sub Action Groups' have already been established to focus on cross cutting transformation themes such as recycling, behaviour change, community assets etc. Priorities and outcomes for the groups will be developed as part of the Annual Neighbourhood Engagement Events and Ward level meetings.

Implementing New Grant Funding Processes

The new framework is putting communities at the heart of the decision making process when investing grant funding. Through an innovative new Participatory Budgeting model, we are ensuring that local people decide which projects will make the biggest difference in their local area.

As part of the implementation of the new model, £30k under spend from 2016/17 community grants has been invested via two Participatory Budgeting events in July 2017. 'The Pitch' events and resulted in the following outcomes:

- 17 groups received investment at the Bury North event
- 16 groups received investment at the Bury South

Following the events the Neighbourhood Engagement Team received a number of compliments about 'the Pitch' events, where both constituted and non constituted groups had the opportunity to complete a 3 minute 'pitch' to detail how their projects will contribute to improving the health and wellbeing of people within their communities. Those in attendance then voted for their top five projects via an allocated ballot slip. The votes were then counted and winners announced on the evening.

The next phase of implementing the participatory budgeting process will involve launching either 2 x Ward level PB events per year for wards with their own identity or 2x Township level PB events per year in areas that identify with the Township as a whole. Each Ward will receive £2,500 per year on an ongoing basis which can be pooled together at Township Level, if agreed by Elected Members for that area.

Elected Members have access to a grant of £13,000 which will be invested as an Elected Member Discretionary Budget (EMDB) of £250 per Councillor.

Transformation monies have contributed to an additional one-off funding of £450k for three years in addition to the £56k annual funding. It is proposed that the additional monies is spent to 'top up' both PB events and EMDB for the next three years. Projects accessing these funding streams will be required to demonstrate how they positively impact the health & wellbeing of residents in their respective area.

	Existing Grant	Additional Monies Year 1	Total Year one	Additional Monies Year 2	Total Year two	Additional Monies Year 3	Total Year Three
PB	£43,000	£37,000	£80,000	£162,000	£205,000	£162,000	£205,000
EMDB	£13,000	£13,000	£26,000	£38,000	£51,000	£38,000	£51,000
Total	£56,000	£50,000	£106,000	£200,000	£256,000	£200,000	£256,000

This would equate to the following allocation per Ward and per Elected Member:

	Total Year one	Allocation Year 1	Total Year two	Allocation Year 2	Total Year Three	Allocation Year 3
PB	£80,000	£4,700 per Ward	£205,000	£12,000 per Ward	£205,000	£12,000 per Ward
EMDB	£26,000	£500 per EM	£51,000	£1,000 per EM	£51,000	£1,000 per EM
Total	£106,000		£256,000		£256,000	

Pre-paid cards will be utilized for both PB and Elected Member discretionary budgets, with governance outlined within the Operating Principles.

Following agreement with the Elected Member Engagement Leads Township level 'The Pitch' Events will take place across the month of November. The dates scheduled in for the November Pitch events are as follows:

- Saturday 4th November – Bury East
- Sunday 5th November – Whitefield & Unsworth
- Saturday 11th November – Radcliffe
- Saturday 18th November – Bury West
- Sunday 19th November – Prestwich
- Saturday 25th November – Ramsbottom, Tottington & North Manor

Monitoring & Evaluating Outcomes

The Neighbourhood Engagement Framework will now sit outside of the Council's Constitution but we will ensure that the monitoring of the outcomes achieved by the new framework is both robust and transparent.

The framework will be monitored via a set of clearly defined key performance indicators and outcomes that align with the Team Bury Single Framework. An annual performance review will be undertaken at the end of each municipal year and a report produced at Annual Council and to Team Bury.

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Agenda Item	
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MEETINGS: Strategic Leadership Team
Audit Committee
Cabinet
Council

DATE: 17th July 2017

SUBJECT: Risk Management Annual Report 2016/17

REPORT FROM: Councillor Eamonn O'Brien - Cabinet Member for Finance & Housing

CONTACT OFFICER: David Hipkiss, Risk & Governance Manager

TYPE OF DECISION: COUNCIL - KEY DECISION

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

SUMMARY: The Risk Management Annual Report provides Members with details of risk management activity that has taken place over the past 12 months. It outlines risk management policies and practices now in place and the key issues that will be addressed during the coming financial year.

OPTIONS & RECOMMENDED OPTION Members are requested to re-affirm their support for the Council's approach to Risk Management, and note progress made throughout 2016/17 and actions planned for 2017/18.

IMPLICATIONS:

Corporate Aims/Policy Framework: Do the proposals accord with the Policy Framework? **Yes**

Financial Implications and Risk Considerations: See Executive Director of Resources & Regulation comment below

Statement by Executive Director of Resources: There are no direct resource implications arising from this report.

Risk management is an integral part of the Council’s approach to Corporate Governance and service and financial planning and it is essential that robust risk management practices are put in place to safeguard the Council’s assets and its reputation.

Corporate, departmental and operational risk assessments have been undertaken and key elements of the resultant Management Action Plans are incorporated into Departmental Service Plans.

Equality/Diversity implications: No

Considered by Monitoring Officer: Yes (Governance Panel)

Are there any legal implications? No

Staffing/ICT/Property: There are no direct HR, IT or property implications arising from this report.

Wards Affected: All

Scrutiny Interest: Overview & Scrutiny

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Audit Committee	Partners
		18 th September 2017	
Overview & Scrutiny	Councillors	Cabinet	Council
		18 th October 2017	29 th November 2017

1.0 BACKGROUND AND RISK PRIORITIES DURING 2016/17

1.1 The Cabinet approved the Council's Risk Management Policy and Strategy in March 2006 which is reviewed annually.

Risk Priorities 2016/17

1.2 The Council continued to experience reduced funding, and increased demand for services, and responded to this through its "Plan for Change".

1.3 A number of challenges were presented to the Council during 2016/17 where effective business continuity and emergency response planning played a significant role in preventing disruption to the public and service continuity.

- On Boxing Day 2015, widespread floods were experienced across the Borough; this involved considerable damage, loss of structures and flooding of numerous properties. In addition to the significant human impact upon residents and local businesses, the Council faces a financial burden in respect of reinstatement, and recovery / clean up.
- The Council has continued to seek to recover costs in 2016/17 under the "Bellwin Scheme" and through wider Government support. The Bellwin scheme operates like an insurance policy, whereby the Council would be required to pay an "excess" amounting to approximately £250,000 before support is available.
- Discussions are ongoing with the Government in respect of wider infrastructure losses; damage to bridges, parks, and the Council's Housing Stock.

2.0 IMPLEMENTING RISK MANAGEMENT

2.1 Risk management forms an integral part of strategic planning in the Council, ensuring early intervention and management of uncertainty in delivering key strategic priorities.

2.2 Early intervention and assessment of risks ensures that departments are able to fully prepare for existing and emerging priorities, and manage their objectives effectively against financial, reputational and performance risks, whilst meeting Team Bury and the Council's Corporate Priorities.

2.3 This approach to risk management ensures a continuous and evolving process that runs throughout the council's core functional activities at all levels.

"Good risk management supports accountability, performance measurement and reward, thus promoting operational efficiency at all levels". A Risk Management Standard – Institute of Risk Management.

2.4 Risk Assessment Action Plan Registers (RAAP's) are used across departments to record identified risks and opportunities, and actions being

taken. RAAP Registers as they are referred to throughout this report are used at all levels throughout the Council to record information and help manage Corporate, Departmental, and Operational risks.

2.5 RAAP's are an effective tool to identify, evaluate and manage areas of uncertainty and exploit opportunities at corporate, departmental and operational levels and to ensure achievement of the Council's aims and objectives.

2.6 The Council's risk management framework is outlined in summary below;

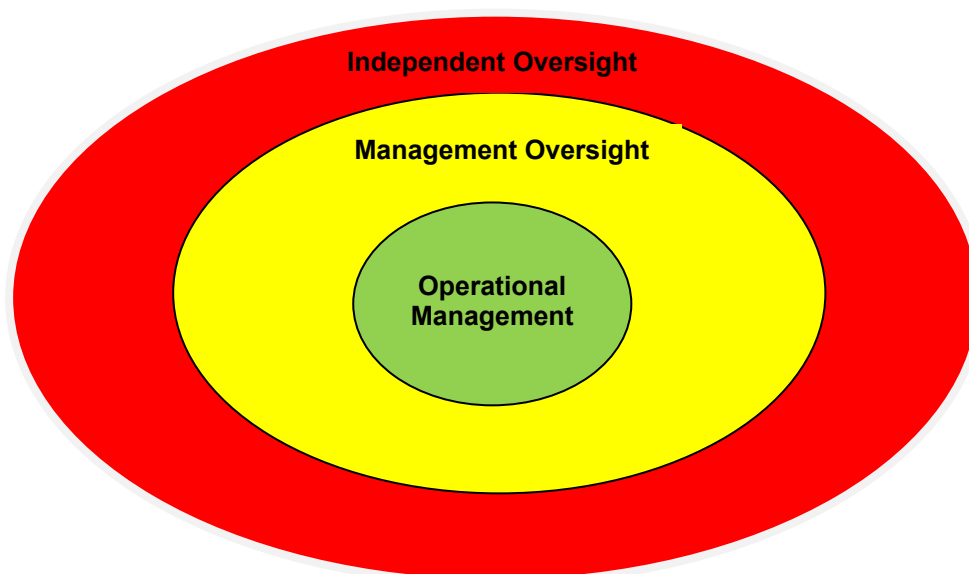
- An approved Corporate Policy & Strategy for Risk Management that can be read online or downloaded
- A Corporate Policy & Strategy that details the Council's approach to managing risk focussing on three key lines of defence that enables direct input, strategic overview and scrutiny at all levels from officers, senior management, governance groups and independent review bodies.

These three lines of defence ensure:

Effective Operational Management – Defence Level 1 - Having clear lines of responsibility/ownership, clear and accessible risk reporting and communication lines, up to date policies, procedures, guidance and training material and having in place a consistent approach to assessing and managing risk across the Council.

A clear management oversight – Defence Level 2 - That is clear about the risk management framework and actively taking place, oversees and manage risk both at strategic and operational levels.

Independent internal audit and scrutiny – Defence Level 3 – Actively engaged, involved and challenging current working practices at all levels having direct access at operational, senior management and governing team levels.



- Key strategic and corporate governing groups that are actively engaged in the risk management process ensure an objective review of

the effectiveness of risk management and internal control both at strategic and operational level.

- Senior Leadership Team (Senior Officers of the Council)
- Corporate Risk Management Group (Member Level)
- Operational Risk Management Group (Officer Level)
- Governance Panel comprising:
 - Executive Director of Resources & Regulation
 - Assistant Director for Legal & Democratic Services
 - Head of Financial Management
- The Risk Management Framework is supported by up to date guidance and training material, accessible to all staff:
 - Comprehensive Intranet Risk Management Website and Toolkit
 - Corporate Risk / Opportunity Assessment Action Plan Register
 - Departmental Strategic Risk Assessment Action Plan Registers
 - Operational Risk Assessment Action Plan Registers – held by service managers and maintained as part of the day to day management of service provision
 - A Common Risk Register (General good practice guide)
 - Dedicated Risk Management Section – Operating from Strategic Finance alongside but independent from Internal Audit
 - A working in Partnership Risk Assessment Model (PRAM) that provides a platform to manage risk working with other partners/organisations.

2.7 Also in place is an effective communication and risk reporting network, with regular reports to:

- Full Council (annual report)
- Audit Committee
- Strategic Leadership Team
- Corporate Risk Management Group (Members)
- Operational Risk Management Group (Officers)
- Business Continuity Management representatives
- All departments and Service Heads

2.7 The diagram at **Appendix A** has been drawn up to help demonstrate Bury Council's risk management processes, illustrating strategic and operational planning across the authority, also the delivery of service and the movement and reporting of risks associated with these two key risk drivers within each of the departments.

3.0 DEPARTMENTAL PROGRESS 2016/17

3.2 Children, Young People & Culture

2016/17 managed high risks focused upon;

- Demand pressures on available resources
- Budget constraints following large scale reductions
- Capacity to deliver services
- Legal challenges and reputational risks
- School roles changing – System Leadership Model
- Changing Government Legislation
- Impact of Academies

Document Pack Page 110

- Children & Young People in care
- Safeguarding mechanisms

Despite some success during 2016/17, the department is still highlighting a number concerns reflected by the final quarters result. Individual Departmental Risk Registers are available on request.

3.3 Communities & Wellbeing

2016/17 managed high risks focused upon;

- High cost packages relating to Children's transition cases
- Reducing budgets faced with increasing demands
- Lack of growth investment
- Cuts in Public Health Budgets
- Sickness and absence
- Alignment of commissioning functions
- Changes in legislation
- Growing demands – increasing population
- Safeguarding
- Change in service provision
- Changes in welfare reform
- Lease costs
- Partnership working

Despite some success during 2016/17 with managing these risks, the department is still highlighting a number of concerns reflected by the final quarters risk review. Individual Departmental Risk Registers are available on request.

3.4 Resources & Regulation

2016/17 focussed on a number of high risks, these include:

- Responding effectively to significant funding reductions
- Ongoing welfare reforms
- Acadamisation of schools
- Brexit
- Changes to Business Rates Retention Scheme
- Resident expectations
- Opportunities presented by the GM Devolution Agenda and wider Public Service Reform

Owing to the nature and wider impact of these risks on public service they are also reflected within the Corporate Risk Register.

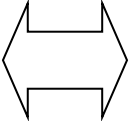
4.0 CORPORATE RISKS

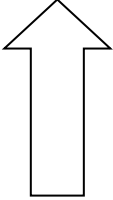
- 4.1 The Corporate Risk Assessment Action Plan records all risks posing the most serious threat to the Council, risks that would impact upon a wider range of services and that are not able to be managed effectively within a directorate. These risks are reviewed continually by the Strategic Leadership Team – both through quarterly reviews, and as agenda items in their own right. The Corporate Risk Register takes account of risk

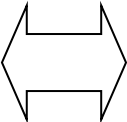
management activity taking place across departments allowing for the transfer of high risk and also of known future risk.

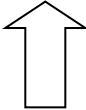
- 4.2 Member input is sought throughout the year via the Corporate Risk Management Group, and quarterly reports to the Audit Committee.
- 4.3 The table overleaf tracks the status of corporate risks throughout 2016/17.

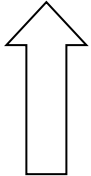
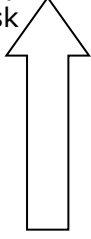
BURY COUNCIL
Corporate Risk Register 2016/17 – as at 31st March 2017

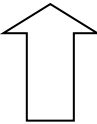
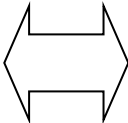
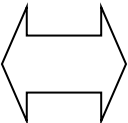
Risk	Risk Owner	Raw Risk Score				Target Risk Score	Mitigation Measures / Assurance Levels			Risk Conclusion	Residual Risk Score				Direction of Travel
		Likelihood	Impact	Proximity	Score		Level 1	Level 2	Level 3		Likelihood	Impact	Proximity	Score	
The Council doesn't agree a balanced budget	Cabinet / SLT	4	4	4	6 4	LOW	<p>The Council has a 4 year financial forecast covering 2016/17 to 2019/20 in line with the Government's 4 year funding offer.</p> <p>Budget options have now been approved (Feb 17) covering a 3 year period, recognising the lead in times for the development of options.</p>	<p>Budget options validated by the Councils Strategic Leadership Team, and through regular meetings with Portfolio Holders.</p> <p>Budget proposals were considered by the Overview & Scrutiny Committee prior to approval.</p>	<p>External Audit Opinion on VFM / Financial Standing</p>	Manage	1	4	4	16	<p>No Change</p> 

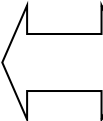
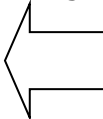
The Council cannot deliver cuts approved in the budget	Cabinet / SLT	4	4	4	6 4	LOW	<p>Once approved, cuts need to be delivered.</p> <p>Robust budget monitoring procedures are in place, given early warning of potential pressures.</p> <p>2016/17 in year monitoring highlighted the challenges of delivering continuous budget cuts with reduced organisational capacity.</p> <p>Control measures in place to mitigate overspend pressures where possible.</p> <p>Forecast is improving, however pressures still remain; Month 9 position showing +£2.8m (was +£6.4m)</p>	<p>Budget monitoring reports are considered every month by SLT, and reported quarterly to Cabinet.</p> <p>SLT and the Cabinet meet regularly to discuss progress with the in year budget.</p> <p>Monitoring reports are also considered quarterly at;</p> <ul style="list-style-type: none"> • SLT / Cabinet • Overview & Scrutiny • Audit Cttee <p>Increasingly considering "Invest to Save" options.</p> <p>Additional resources available for Adult Social Care – via precept & Government</p>	External Audit Opinion on VFM / Financial Standing.	Manage	4	4	4	64	<p>Previously 48</p> <p>Increased to reflect challenge of delivering continuous budget cuts</p> 
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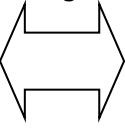
Resilience and capacity of services is jeopardised by ongoing funding reductions	SLT	4	4	4	6 4	LOW	<p>Budget options consider operational impact, and are subject to separate risk assessments.</p> <p>The Council undertakes workforce planning to ensure the right staff are in place, with the right skills at the time needed.</p> <p>Recruitment & Retention of staff presents a challenge in some service areas.</p>	<p>Business continuity plans exist for all services</p> <p>The Council received minimal transition funding from the Government compared to other GM authorities.</p> <p>The Council has access to transformation funding under GM Health & Social Care arrangements</p>	<p>External Audit Opinion on VFM / Financial Standing</p> <p>External reviews, e.g. OFSTED / CQC</p>	Manage	3	4	4	48	<p>No Change</p> 
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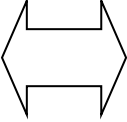
<p>Changes to the Business Rates Retention scheme (100%) impact adversely on the Council – e.g. appeals</p>	<p>Cabinet Member for Finance & HR / Interim Executive Director of Resources & Regulation</p>	<p>3</p>	<p>4</p>	<p>4</p>	<p>48</p>	<p>LOW</p>	<p>The Council makes “in year” provision for the impact of appeals when estimating yield (NNDR1), and also makes provision within the annual revenue budget.</p> <p>In addition, the Council holds a reserve to fund the backdating (i.e. one-off) effect of appeals.</p> <p>Risk of appeals is heightened under 100% retention (although protection for 2017/18 pilot); also likely to be increased incidence of appeals in light of 2017 revaluation</p> <p>Impact of business failure also increases, however mitigated through work of Business Engagement Team</p>	<p>The Council maintains an active dialogue with the Valuation Office Agency to ensure that appeals are dealt with in a timely manner.</p> <p>The Council participates in the GM Collection Fund Accounting Group</p>	<p>The Council’s External Auditors review the Council’s Collection Fund, and Appeals Provisions as part of the annual audit process.</p>	<p>Manage</p>	<p>3</p>	<p>4</p>	<p>4</p>	<p>48</p>	<p>Previously 36</p> <p>Risk increased to reflect 2017 revaluation</p> 
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Ongoing Welfare Reforms place additional pressure on both residents and the Council	Cabinet Member for Strategic Housing & Support Services / Interim Executive Director of Resources & Regulation	4	4	4	64	LOW	<p>Regular monitoring of the impact of reforms is undertaken.</p> <p>Increased risk due to revised CTS scheme, and increased Council Tax (necessary to fund Adult Social Care)</p> <p>Increasing reliance on 3rd Sector, which itself faces funding reductions</p> <p>Concerns over security of employment and uncertain economic outlook</p>	The impact of reforms is reported through the Welfare Reform Board.	There is close liaison with Partner organisations, e.g. CAB, Six Town Housing to assess and mitigate the impact of reforms.	Manage	4	4	4	64	<p>Previously 36</p> <p>Risk increased to reflect range of reforms now underway.</p> 
Ongoing academisation of schools impacts upon income levels for traded services	Cabinet Member for Children & Families / Executive Director of Children, Young People & Culture	3	4	3	36	LOW	<p>Traded services are currently undergoing a comprehensive review to assess the impact of academy conversions.</p> <p>Requires more proactive management as risk of schools not buying-back increases</p>	<p>The Council has a good relationship with schools, and a high level of buy-back.</p> <p>Where possible, and viable, services will continue to be traded to schools that undergo academy conversion.</p>	The relationship with schools is managed proactively through the Schools Forum.	Manage	3	4	3	36	<p>Previously 18</p> <p>Increased to reflect buy-back risk</p> 

Unknown implications of the Brexit referendum impact adversely upon the Council	Cabinet / SLT	4	4	4	6 4	MED IUM	The most significant risk is the uncertainty of the implications of Brexit – notably economic conditions. Potential impact on the pound, inflation, and impact upon Bury businesses	The Council makes use of external brokers (Capita) who offer advice on economic conditions and the Council’s Treasury Management.	Other professional networks are utilised, e.g. GM Treasurers Group	Accept	4	4	4	64	Previously 48 Risk increased to reflect level of uncertainty 
The Council is unable to manage customer / resident demands and expectations in the light of funding reductions	Cabinet / SLT	4	4	3	4 8	LOW	The Council has previously written to all residents advising them of the impact of funding reductions. Further communication required e.g. resident briefings	Public meetings are held each year as part of the budget consultation process.	The role of elected members is critical as they provide an interface between residents and the Council	Manage	3	4	3	36	No change 
The Council’s growth strategy is impeded by external influences, e.g. economic conditions	Leader / Chief Executive	3	4	3	3 6	LOW	The Council has a clear Growth Strategy in place GMSF will present opportunities for growth, however also create competition between Boroughs Economic uncertainty may stifle growth.	This has been agreed at both Council and Partner level (Bury Wider Leadership Group).	The Council actively promotes development opportunities nationally, and engages with GM activity to promote the region.	Manage	2	3	3	18	No change 

Population growth and age profile lead to service demands exceeding Council capacity / resources.	Cabinet / SLT	4	4	3	4 8	LOW	<p>The Council has adopted the Social Care Precept (2016/17) to channel additional resources to pressures in Adult Social Care.</p> <p>Continuing pressures in the NHS will impact upon the Council's services</p> <p>Further funding for Social Care now made available</p> <p>Complexity and long term nature of conditions an increasing pressure</p> <p>Fragile market of care providers</p>	A number of initiatives are in place aimed at early intervention, and self care e.g. reablement, wellbeing service	<p>Close working takes place with partners in the CCG and key providers to mitigate demand pressures.</p> <p>Development of LCO / OCO working model</p>	Manage	4	4	4	64	No Change 
Ability to maintain core statutory functions e.g. safeguarding is impeded by funding reductions.	Cabinet / SLT	2	4	3	2 4	LOW	<p>The budget setting process reflects the statutory nature of some services when allocating cuts targets</p> <p>Additional resources now available for Adult Social Care</p>	Directors prioritise spend to ensure statutory obligations are fulfilled – this is done through the Cash ceiling / virement scheme.	<p>External Audit Opinion on VFM / Financial Standing</p> <p>External reviews, e.g. OFSTED / CQC</p>	Manage	2	4	3	24	No Change 

Health & Social Care integration does not reform services and deliver required efficiency savings	Cabinet Member for Health & Wellbeing / Executive Director of Communities & Wellbeing	3	4	4	4 8	LOW	<p>The Council and CCG work closely together and operate pooled budgets in some areas (Better Care Fund).</p> <p>The Council and CCG management teams meet jointly on a regular basis.</p> <p>Capacity to develop arrangements is a risk, however the Council will access transformation funding to mitigate this</p>	<p>The Council is working towards development of a single commissioning organisation (OCO); this is expected to be in place by April 2017.</p> <p>Similarly, it is proposed to operate a Local Care Organisation (LCO) from April 2017.</p>	Partnership working takes place at a higher "North East Sector" level with Oldham and Rochdale Councils, recognising the broader footprint of key providers (Pennine Care & Acute).	Manage	3	4	4	4 8	No Change 
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GM approach to devolution does not reform services and deliver required efficiency savings	Leader / Chief Executive	2	4	3	2 4	LOW	<p>The Council is an equal partner in AGMA, and engages actively through regular GM meetings at officer level.</p> <p>Risk that reform takes place at the pace of the slowest partner</p> <p>Risk that Bury's low cost base rises to average GM levels</p> <p>Need to ensure democratic / governance processes preserve local accountability</p> <p>Election of Mayor to take place in 1st quarter of 2017/18</p>	This is supplemented by a comprehensive schedule of meetings at member level.	The Leader and Chief Executive lead on the Crime and Justice workstream.	Manage	3	4	4	4 8	No change 
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5.0 CHALLENGES FOR 2017/18

5.1 The challenge for the coming year will be to ensure risk and business continuity management form an integral part of the council's response to continued spending reductions, ensuring threats and opportunities to service provision is managed effectively and service resilience is maintained throughout.

5.2 Economic conditions continue to have an adverse impact on income levels in Departments, notably Resources & Regulation (Property and parking fees). The risk is recognised in the assessment of the minimum level of balances and will continue to be closely monitored throughout 2017/18.

5.3 Budgets in respect of Children's Social Care remain under pressure in the light of the increased emphasis on child protection nationally. Likewise, pressures remain in Adult Care Services in respect of an increasing elderly population and Learning Disability care packages. Controls are in place to ensure appropriate care packages are provided, and improved procurement activity ensures these are obtained at competitive rates. This situation will continue to be closely monitored during 2017/18.

- The Council faced two significant changes to the structure of Local Government Finance that took effect from April 2013 - the localisation of Council Tax Benefit and changes to the system for Business Rates. These challenges were once again addressed in setting the 2017/18 budget and monitoring / reporting arrangements are in place to track progress through the year.
- Significant numbers of staff continue to leave the Council under the Voluntary Early Retirement (VER) and Mutual Settlement scheme where a business case can be proven. It is essential that standards of governance and internal control are maintained going forward. This will be a key focus for the work of Internal Audit in 2017/18.

5.3 The following areas will be our main priority for 2017/18:

- Ensuring risk and business continuity management forms an integral part of service planning, performance and the delivery of objectives in light of increased agile working and public service reforms.
- Building upon the work started by Strategic Leadership Team where key corporate risks are considered in depth alongside the quarterly review process.
- Continuing to raise Member involvement in risk management and business continuity.
- Maintaining the Business Continuity Planning Database to ensure it maintains good quality information relating to service priorities and their continuity arrangements.
- Continuing to strengthen risk management arrangements in key strategies such as the Medium Term Financial Strategy, the Workforce Development Strategy, the Asset Management Strategy, and the Plan for Change.
- Continuing the development of risk reporting and monitoring processes.
- Strengthening risk management arrangements at operational level and with partnership arrangements.

- Ensure risk management focus is widened to better understand, manage and take advantage of opportunity risk as well as managing potential risk threats
- Benchmarking with other public and private sector organisations
- Strengthen service resilience against disruption through effective risk and business continuity management.
- Aligning the quarterly reporting of risk, performance and the Council's financial position.
- Proactively responding to the risks, challenges and opportunities presented by the GM devolution agenda, and ensuring Bury interests are safeguarded

6.0 **CONCLUSIONS**

Considerable progress continues to be made in the area of risk management and in embedding the approach to risk management into the authority's processes and culture. However there is no room for complacency and this subject will continue to be given significant attention over the coming twelve months.

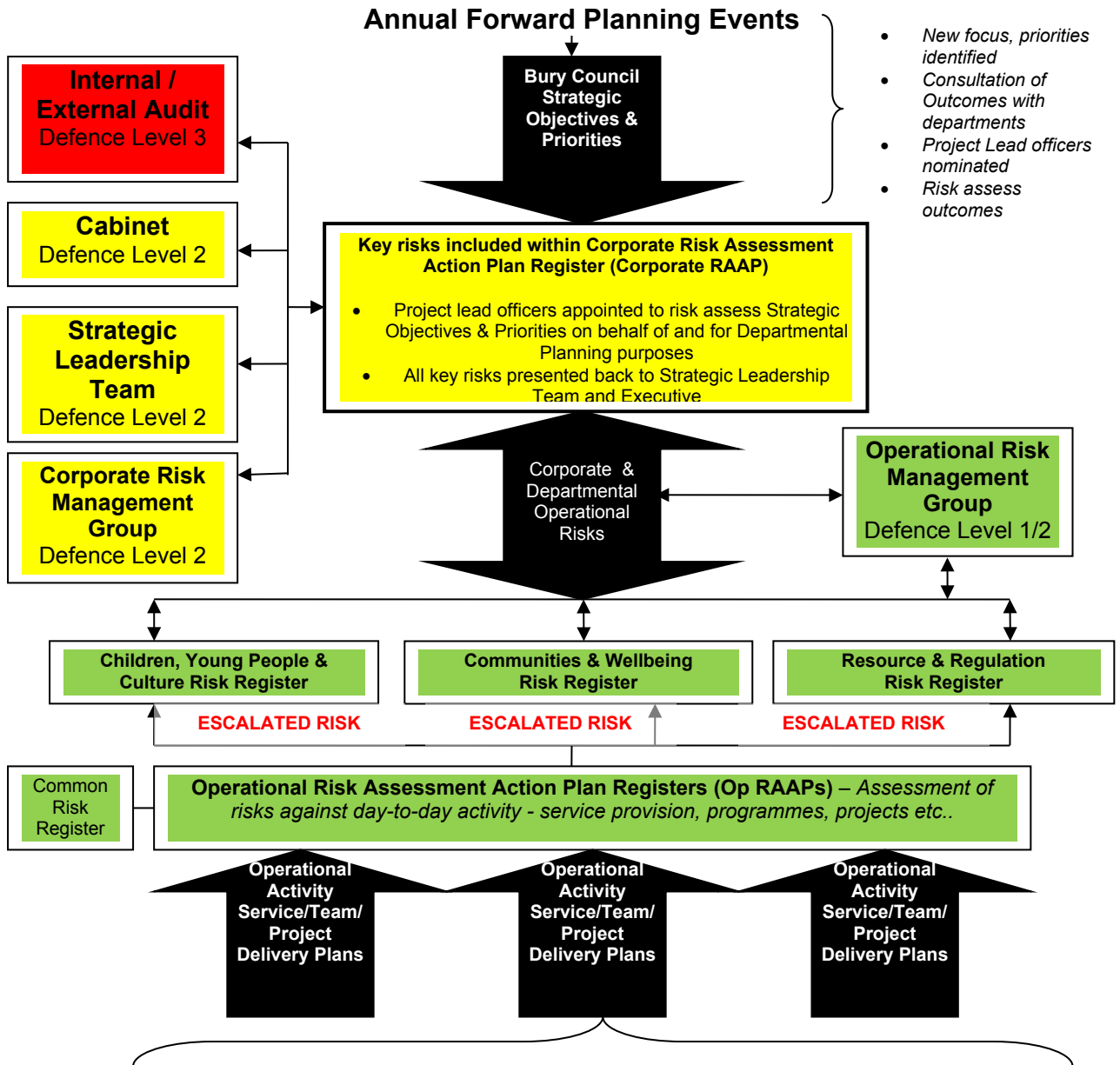
Background documents:

Risk Management Policy, toolkit & risk registers - maintained on Intranet.

For further information on the contents of this report, please contact:

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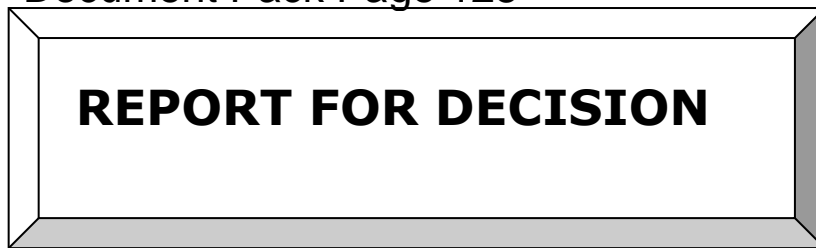
APPENDIX A



- New focus, priorities identified
- Consultation of Outcomes with departments
- Project Lead officers nominated
- Risk assess outcomes

Risks Internal & External Environment

External Drivers			
Financial	Strategic	Operational	Hazards
Interest Rates Credit	Competition Customer Change Industry change Customer Demand Political Change	Regulations Culture	Contractual Events Natural events Supply Chains Environmental
Internal Drivers			
Liquidity Cash Flow	Research Development	Accounting Information Systems	Employees Public Access Properties Products/Services



DECISION OF:	CABINET
DATE:	18TH OCTOBER 2017
SUBJECT:	TRANSPORT FOR THE NORTH: INCORPORATION AS A SUB-NATIONAL TRANSPORT BODY
REPORT FROM:	The Leader
CONTACT OFFICER:	JAYNE HAMMOND – ASSISTANT DIRECTOR – LEGAL AND DEMOCRATIC SERVICES
TYPE OF DECISION:	KEY DECISION
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Transport for the North (TfN) is an evolving partnership of Local Transport Authorities and Local Enterprise Partnerships across the North of England acting collectively and working with the Government, Highways England, HS2 and Network Rail to develop a Northern Transport Strategy.</p> <p>The purpose of the report is for the Cabinet to consent to the making of Regulations by the Secretary of State to establish TfN as a Sub-Regional Transport Body under Section 102(E) of the Local Transport Act 2008. The consent of each constituent authority is required.</p>
OPTIONS & RECOMMENDED OPTION	<p>That Cabinet approves:</p> <p>(i) The making by the Secretary of State of Regulations under Section 102(E) of the Local Transport Act 2008 to establish Transport for the North as a Sub-National Transport Body;</p> <p>(ii) That where the regulations propose to confer on TfN local transport functions, consent to include such concurrent powers be agreed subject to the consent of the Council, as set out in section 2 of the report.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk	There are no financial implications. The Submission Proposal provides that the

Considerations:	Constituent Authorities may all agree to contribute to the costs of TfN in the future. However, a decision to raise such contributions and the amount would require a unanimous decision of the Constituent Authorities.
Health and Safety Implications	There are no impacts in terms of Health, Safety and Welfare.
Statement by Executive Director of Resources (including Health and Safety Implications)	No wider resource issues arising from this proposal. Operation of the new framework will be monitored, with reports to Cabinet as required.
Equality/Diversity implications:	None
Considered by Monitoring Officer:	Yes The legal powers to make the Regulations are set out in this report and consent is sought to the making of these by the Secretary of State to establish a Sub Regional Transport Body. Other legal issues regarding functions and powers are detailed in this report (at paragraph 2) for members attention.
Wards Affected:	
Scrutiny Interest:	

JH

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
	The Leader		
Scrutiny Committee	Cabinet/Committee	Council	

1.0 INTRODUCTION

1.1 In 2014, Local Transport Authorities and Local Enterprise Partnerships across the North of England came together in partnership with the Department for Transport and the National Transport Agencies to form Transport for the North (TfN). TfN is an evolving partnership looking to develop a pan-northern transport strategy to drive economic growth in the North and to plan and deliver the improvements needed to connect the region with fast, frequent and reliable transport links.

- 1.2 To address concerns about transport connectivity across the North, Local Transport Authorities and Local Enterprise Partnerships across the North of England came together in 2014 in partnership with the Department for Transport and the National Transport Agencies to form Transport for the North (TfN). Together they have developed an ambitious pan-northern transport strategy to drive economic growth in the North. The purpose of TfN is to transform the transport system of the North of England and the aim of TfN is to plan and deliver the improvements needed to truly connect the region with fast, frequent and reliable transport links, driving economic growth and creating a “Northern Powerhouse”.
- 1.3 Getting transport right is central to achieving the Northern Powerhouse ambition which is itself central to a successful UK industrial strategy. A world class transport system linking towns and cities across the North will create a unified economic area, attracting new business, improving productivity in the North and thereby rebalancing the UK economy.
- 1.4 There has been long term underperformance of the Northern economy when compared with other parts of the UK. There is a significant economic performance gap between the North and the rest of the UK economy – a difference in income of £4,800 per person in 2014, compared with the national average, and £22,500 compared with London. Having been on a downward trend since the early 2000s, the gap has widened since the 2008/09 recession.
- 1.5 In October 2016, with the agreement of all Constituent Authorities (including the Greater Manchester Combined Authority), TfN submitted a proposal to the Secretary of State for Transport, that TfN should be established as the first Sub-national Transport Body under the provisions of Section 102(E) of the Local Transport Act 2008 (as amended by the Cities and Local Government Devolution Act 2016).
- 1.6 The proposal submitted by the Constituent Authorities included the following key provisions:
 - a) All Constituent Authorities will be entitled to appoint a representative to TfN, such representative to normally be the Elected Mayor or Leader;
 - b) Decisions will be expected to be unanimous, but where voting is required votes will be weighted in accordance with the populations of the Constituent Authorities;
 - c) Decisions in relation to the Budget, the adoption of a Transport Strategy and the Constitution will require a “Super Majority;”
 - d) Funding will be provided by the Secretary of State and no decision to require financial contributions from Constituent Authorities can be made without the agreement of each Authority;
 - e) There will be appropriate mechanisms for scrutiny of TfN’s decisions;
 - f) Rail North Limited will be wholly owned by TfN; and
 - g) A wider Partnership Board including representatives of government bodies and the Local Enterprise Board will be set up to inform TfN’s decision making.
- 1.7 TfN, with its partners, is developing a Strategic Transport Plan and accompanying long term Investment Programme, so that people and businesses can see a firm commitment to create a stronger, more diverse and resilient economy. Informed by important evidence, including Major Roads and Integrated Rail Reports, the plan will inform the Investment Programme required to transform economic performance.

- 1.8 Key dates for this process are as follows:
- June 2017: TfN publishes its Strategic Transport Plan “position statement” along with the evidence base, initial integrated rail and initial major roads reports;
 - Summer 2017: TfN to undertake initial engagement around the evidence base, which will then be used to produce the Strategic Transport Plan and long term, sequenced investment programme;
 - Autumn 2017: Publication of the Strategic Transport Plan and Integrated Sustainability Appraisal for public consultation;
 - Winter 2017/Spring 2018: Public consultation on the Strategic Transport Plan and Integrated Sustainability Appraisal. Publication of the Single Integrated Rail Plan;
 - Summer 2018: Publication of the final Strategic Transport Plan and Integrated Sustainability Appraisal. Adoption of the Strategic Transport Plan as the plan of the statutory body.

2.0 POWERS AND FUNCTIONS

Powers and Functions

- 2.1 This section sets out the powers and functions, which will be given to TfN through the Regulations and by legislation. These will be as follows:
- a) To prepare a Transport Strategy for the Combined Area in accordance with section 102(l) of the Local Transport Act 2008;
 - b) To provide advice to the Secretary of State about the exercise of the transport functions in the Combined Area;
 - c) To be a Statutory Partner with the Secretary of State in both road and rail investment processes and to be responsible for setting the objectives and priorities for strategic road and rail investments in the Combined Area;
 - d) To be consulted in relation to rail franchise agreements for services to and from or within its area;
 - e) To co-manage with the Secretary of State the TransPennine Express and Northern Rail Franchises;
 - f) To co-ordinate the carrying out of specified transport functions that are exercisable by its different Constituent Authorities with a view to improving the effectiveness and efficiency of the carrying out of those functions;
 - g) To promote and co-ordinate road transport schemes;
 - h) To make proposals to the Secretary of State for the transfer of transport functions to TfN;
 - i) To make other proposals to the Secretary of State about the role and functions of TfN;
 - j) To undertake Smart Ticketing within the Combined Area;
 - k) To promote and oppose local or personal bills in Parliament;
 - l) To pay Capital Grants to support the funding and delivery of joint projects; and
 - m) To exercise the powers of a highway authority to acquire land and to construct highways under Section 24.

Concurrent Functions

- 2.2 It should be noted, however, that some of the concurrent local transport functions included in the draft regulations are highway functions and that in the GMCA area, the CA, (although the Local Transport Authority), is not the local highway authority. As a result, the Department for Transport (DfT) is seeking the consent of GMCA's constituent councils (which are the local highway authorities) to TfN having certain concurrent highway functions.
- 2.3 The functions concerned which are set out in Regulation 11 of the draft Regulations are the following functions in the Highways Act 1980:

- Section 8(1) (power to enter agreements with local highways authorities etc for doing certain works)
- Section 24(2) (power of local highway authority to construct new highways)
- Section 25(i) (powers to enter into agreement for the creation of footpaths etc)
- Section 26 (i) (compulsory powers for creation of footpaths etc)
- Various functions (in sections 239, 240, 246 and 250) relating to the acquisition of land for highway purposes.

2.4 It should be stressed that functions are to be exercisable by TfN **concurrently** with the local highway authority - **no powers are being taken away from the local highway authority**. Moreover, regulations 14 and 15 provide additional safeguards for local highway authorities:

- TfN may not exercise the function in Section 24(2), unless the manner in which it proposes to exercise the function has been approved by:
 - a) each council through whose area the highway is to pass,
 - b) the person who is proposed to be highway authority for the highway
 - c) the highway authority for any highway with which the new highway will communicate, and
 - d) the Secretary of State
- TfN may not exercise the remaining highway functions in Regulation 11 in relation to an area of a local authority, unless the manner in which it proposes to exercise the function has been approved by the local authority.

2.5 The Secretary of State is requesting that the consent of all relevant authorities is provided by no later than Friday 20 October 2017.

2.6 Before exercising any transport powers or functions it holds concurrently with any of the Constituent Authorities or Highways Authorities within the TfN area, TfN will consult those Authorities and enter into a Protocol covering the way in which those functions will be exercised.

3.0 TRANSPORT FOR THE NORTH GOVERNANCE ARRANGEMENTS

3.1 The Secretary of State has responded to the proposals and has indicated that he is minded to make Regulations creating TfN as the first Sub-national Transport Body with the following functions:

- a) The preparation of a Northern Transport Strategy;
- b) The provision of advice of the North's priorities, as a Statutory Partner in the Department's investment processes; and
- c) The co-ordination of the TransPennine Express and Northern rail franchises through the acquisition of Rail North Limited.

3.2 Regulations are being drafted which will reflect the terms of the proposals in so far as they have been agreed by the Secretary of State and will give TfN the statutory powers to carry out these functions.

3.3 A draft Constitution has been drawn up which includes provisions which reflect and implement the Submission Proposals. The Constitution contains the following provisions:

Articles

3.4 The Articles set out the statutory basis for TFN and its membership. TfN is proposed to be made up of representatives from the 19 Constituent Authorities (including GMCA) who are the Transport Authorities who are the Transport

Authorities for the North of England. TfN will operate through a delegation to its Chief Officers of all its functions other than those specifically reserved to TfN.

- 3.5 The Articles contain an overview of the functions of TfN and the major partnerships through which it will exercise these functions, in particular its roles as Statutory Partner in determining priorities for road and rail and investment; and its role in managing the Transpennine Express and Northern Rail franchises.
- 3.6 TfN will establish a Partnership Board with representatives of all the Constituent Authorities, representatives of other authorities who were members of Rail North Limited, representatives of the 11 Local Enterprise Partnerships and representatives of the Department for Transport and of other Government Agencies. The Board will be responsible for setting the strategic agenda for transport in the North of England.
- 3.7 TfN will also engage with partners in the Rail North Partnership Board setting the strategic priorities for rail investment and in the Highways North Board setting the strategic priorities for road investment.
- 3.8 TfN will co-manage the TransPennine Express and Northern Rail Franchises through a Committee, which will include representatives of all other Authorities who were members of Rail North Limited.

Voting

- 3.9 The Articles provide for weighted voting in accordance with a metric, which will give the representative of each Constituent Authority a vote which is weighted to reflect the population of the area of the constituent authority.
- 3.10 A decision to approve the Budget, to approve the constitution or to adopt the Transport Strategy will require 75% of the weighted vote and a simple majority of the Members.
- 3.11 It is proposed that TfN should be entitled to co-opt Members and that such co-opted Members should have voting rights. It is further proposed that those authorities, which are members of Rail North Limited, but which will not be a constituent authority of TfN, should each be entitled to appoint a representative to be a co-opted members of TfN with a right to speak and vote on rail franchise matters. The voting in relation to rail franchises shall be weighted in accordance with a voting matrix which reflects the voting arrangements for Rail North Limited.

Responsibility for Functions

- 3.12 The Membership of TfN will together be responsible for approving the Budget, the Constitution and the Transport Strategy. Officers of TfN will have delegated responsibility to carry out all of TfN's day-to-day functions and to implement the strategic decisions made by TfN. In carrying out these functions TfN and its officers will have due regard to the views and advice of the Partnership Board, the Department for Transport and other Statutory Agencies.

Audit and Governance Committee

- 3.13 TfN will appoint an Audit and Governance Committee to provide independent review and assurance to Members on governance, risk management and control frameworks. It oversees financial reporting, the Annual Governance

Statement process and internal and external audit, to ensure efficient and effective assurance arrangements are in place.

Scrutiny Committee

- 3.14 Each of the Constituent Authorities will be entitled to appoint a representative (and a substitute) to the Scrutiny Committee.
- 3.15 The role of the Scrutiny Committee will include:
- a) reviewing the decisions of TfN and of officers of TfN under the scheme of delegations;
 - b) making reports or recommendations to TfN with respect to the discharge of the functions of TfN and on transport matters that affect the TfN area.

The Rail North Committee

- 3.16 TfN will establish a Rail North Committee, which will advise on TfN's statutory Partner role in relation to rail investment and will have oversight of the management of the TransPennine Express and Northern Rail Franchises.

Procedure Rules

- 3.17 This section sets out the procedures, which shall apply to meetings of TfN. The Rules of Debate reflect the nature of the business of TfN and that most decisions are expected to be consensual without the need for formal debating procedures.

Scrutiny Procedure Rules

- 3.18 The Scrutiny Procedure Rules provide for Scrutiny Committee to set up smaller Scrutiny Panels to review discreet topics and to allow these Panels to invite representatives of outside bodies to attend to inform their Reviews.

Financial Procedures

- 3.19 CIPFA provisions set out the financial rules and controls, which will govern all expenditure by TfN. It is expected that more detailed financial controls in relation to individual projects will be set out in the Funding Letter from the Secretary of State.

Codes and Protocols

- 3.20 It is not intended that TfN should have its own Code of Conduct for Members, but Members will be expected to adhere to the Code of Conduct of their appointing Authority in the conduct of TfN's business and any Standards issue would be referred back to the appointing Authority by the Monitoring Officer.
- 3.21 Although TfN is not required to adopt its own Code of Conduct for Members, it will need to have a separate Disclosure of Interests by each Member in respect of their interests within the whole of the TfN geographical area.
- 3.22 The Code of Conduct for Officers sets out the standards of behaviour expected from TfN's officers.
- 3.23 The Protocol on Member/ Officer Relations sets out guidance on the mutual respect, which should exist between officers and Members and the way in which they should interact with each other.
- 3.24 The Code of Corporate Governance sets out the core principles and values which will govern the way in which TfN operates.

- 3.25 The Anti-Fraud and Corruption Policy sets out the measures that TfN will put in place to avoid and address fraud and corruption in any of its dealings.
- 3.26 The Whistle blowing Policy sets out the ways in which whistle-blowers may bring their concerns to management and the protections that are in place to ensure that whistle-blowers are not victimised or discriminated against.

Role of the Partnership Board

- 3.27 TfN has evolved over the years, from the inception of TfN as a partnership representing all those with an interest in the improvement of transport in the North of England to the creation of TfN as the first Sub-Nation Transport Body. Although TfN as a corporate body will consist of the representatives of the 19 Constituent Authorities, there is an aspiration that it will continue to operate through the Partnership Board taking decisions in partnership with the representatives of the 11 Local Enterprise Partnerships as representatives of the business community and with representatives of the Department for Transport and other Government Agencies and will continue to have an independent chair.
- 3.28 The draft Constitution reflects the legal requirements for decision making within TfN as a corporate body, but it will be open to TfN to operate these constitutional arrangements in a way that is consistent with continuing the present arrangements of the Partnership Board if Members so agree.

Consent to the Regulations

- 3.29 Draft Regulations are being drawn up to create TfN as a Sub-National Transport Body. Before the Secretary of State may make these Regulations each of the Constituent Authorities, including the Council, must consent to the making of the Regulations. The Secretary of State is requesting formal consent to the making of the Regulations by the Constituent Authorities. The consent is requested by 20 October 2017.

List of Background Papers:

Transport for the North Report

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