

Minutes of: CABINET

Date of Meeting: 15 November 2017

Present: Councillor R Shori (in the Chair)
Councillors Simpson, S Briggs, J Kelly, E O'Brien, A Quinn,
T Tariq and M Hankey

**Also in
attendance:**

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

Apologies for Absence: Councillor J Daly and Councillor T Pickstone

CA.240 DECLARATIONS OF INTEREST

Councillor Shori declared a personal interest in any item which related to staffing as his partner is an employee of Bury Council.

CA.241 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.

Questions from members of the public present at the meeting, were considered under agenda item 5.

CA.242 MINUTES

Delegated decision:

That the minutes of the meeting held on 18th October 2017 be approved and signed by the Chair as a correct record.

CA.243 THE CONSIDERATION OF OBJECTIONS RECEIVED TO THE PROPOSED DISPOSAL OF PUBLIC OPEN SPACE TO THE REAR OF 131/133 HOLCOMBE ROAD TOTTINGTON, BURY BL8 4AY

The Cabinet Member (Finance and Housing) submitted a report that provides details of the objections received to the proposed disposal of public open space to the rear of 131/133 Holcombe Road, Tottington. The land comprises a mainly sloping site covering an area of approximately 442 square meters. The land is located within the green belt and forms part of Old Kays Park which is controlled and maintained by the Council's Parks and Countryside service.

Councillor Shori, Leader and Cabinet Chair invited those members of the public present to ask questions in respect of this item. Mrs Paula Fitzgerald, the applicant's agent addressed the meeting outlining the reasons for the application. The householder wishes to extend the garden and plant a beech hedge, the purchase will not interfere with any rights or way and that guidance

stipulates that each application in the greenbelt should be considered on its own merits.

Delegated decisions:

Members considered the objections received and determined that the sale of the public open land at the rear of 131/133 Holcombe Road, Tottington can proceed and property services can commence negotiations with the applicant to secure best consideration.

Reasons for the decision:

The land was declared surplus to the Parks and Countryside requirements following consultation with ward members. Notice advertising the intention to dispose of the Public Open Space were placed. It would be a condition of the sale that the land could only be used as a garden.

Other option considered and rejected:

To prevent the sale of the public open land.

CA.244 BURY GROWTH PLAN

The Leader of the Council and Cabinet Member (Economic Growth and Human Resources) submitted for consideration Bury's Growth Plan. The Plan recognises that Bury's population is growing and more jobs and homes are needed in the Borough to accommodate this growth

Delegated decision:

That Member's approve for onward consideration at the next Council meeting the Bury Growth Plan as a high level strategy setting out the Council's vision and key priorities for embracing future growth in a managed way.

Reason for the decision:

The Growth Plan provides a blueprint for the collective ambition for the Borough and will be supported by a suite of other strategies that will help deliver the strategic vision

Other options considered and rejected:

That Member's approve the Bury Growth Plan subject to revisions, members to specify the nature of any revisions to be sought.

CA.245 CORPORATE FINANCIAL MONITORING REPORT - APRIL 2017 TO SEPTEMBER 2017

The Cabinet Member (Finance and Housing) submitted a report. The report informs Members of the Council's financial position for the period April 2017 to September 2017 and projects the estimated outturn at the end of 2017/18.

The report also includes Prudential Indicators in accordance with CIPFA's Prudential Code. Members are asked to note the financial position of the Council as at 30 September 2017

Delegated decisions:

The report be noted.

CA.246 STRATEGIC INVESTMENT

The Cabinet Member (Finance and Housing) submitted a report which sets out the investment proposals of the Manchester Airport Group Companies to provide the airline with capacity and standard of facilities required to secure future business plan growth and the long term sustainability of the business

Delegated decisions:

That approval be given to:

- 1 note the proposals set out in the report, and in particular the recommendations for financial support to the Manchester and Stansted transformation programme through the form of further shareholder loans;
- 2 note that the Transformation Programme outlined is fully aligned to the strategic, economic and regeneration objectives for the Borough;
- 3 delegate to the Chief Executive in consultation with the Interim Executive Director of Resources and Regulation, Assistant Director of Legal and Democratic Services (in the role as the Council's Solicitor) and Executive Member for Finance and Housing to approve the funding package including the Borough Council shareholder loan;
- 4 authorise the Chief Executive, Interim Executive Director of Resources and Regulation, Assistant Director of Legal and Democratic Services (in the role as the Council's Solicitor) to negotiate and finalise the detailed arrangements in respect of the shareholder loan, and to progress the financial and legal work associated with it;
- 5 recommend that Council approves an increase in capital expenditure supported by prudential borrowing.

Reason for the decision:

The airport transformation programme that the loans are supporting should enable the future anticipated dividend rates to be paid. Without the capital investment there is a very real risk that the level of dividend payable will reduce considerably in future years. In 2017/18 £4.5m of airport dividend is supporting the revenue budget. Airport dividend income is used to support the budget a year in arrears and the budget assumes no future increase in dividend as it would not be prudent to do so. Any loan over 12 months has to be treated as capital expenditure under the Local Authority Accounting Code

The risks associated with the investment have been fully considered as part of the due diligence process.

The Council's legal team will continue to advise on the commercial arrangements in respect of the investment, to ensure that the most efficient arrangements are put in place to protect the return on the Council's capital investment.

Other option considered and rejected:

To reject the recommendation.

CA.247 EXCLUSION OF PRESS AND 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.248 STRATEGIC INVESTMENT (EXEMPT)

The Cabinet Member (Finance and Housing) submitted a report that sets out the investment proposals of the Manchester Airport Group companies to provide the airline capacity and standard of facilities required to secure future business plan growth and the longer term sustainability of the business. The report seeks approval to the recommendations set out below.

Delegated decisions:

That approval been given to:

1. note the proposals set out in the report, and in particular the recommendations for financial support to the Manchester and Stansted transformation programme through the form of further shareholder loans;
2. note that the Transformation Programme outlined is fully aligned to the strategic, economic and regeneration objectives for the Borough;
3. delegate to the Chief Executive in consultation with the Interim Executive Director of Resources and Regulation, Assistant Director of Legal and Democratic Services (in the role as the Council's Solicitor) and Executive Member for Finance and Housing to approve the funding package including the Borough Council shareholder loan;
4. note the extensive due diligence that has been completed and the conclusions of that exercise as set out in the Due Diligence section of the report;
5. recommend that Council approves an increase in capital expenditure of up to £11.3m supported by prudential borrowing;

6. approve the proposals for the shareholder loan, subject to Council approving capital expenditure of up to £11.3m supported by prudential borrowing;
7. authorise the Chief Executive, Interim Executive Director of Resources and Regulation, Assistant Director of Legal and Democratic Services (in the role as the Council's Solicitor) to negotiate and finalise the detailed arrangements in respect of the shareholder loan, and to progress the financial and legal work associated with it;
8. authorise the Interim Executive Director of Resources and Regulation to determine the detailed accounting arrangements for the loan, including the classification between revenue and capital; and
9. authorise the Assistant Director of Legal and Democratic Services (in the role as the Council's Solicitor) to enter into any necessary agreements or documents to give effect to the above recommendations.

Reason for the decision:

The investment proposals will provide the airport capacity and standard of facilities required to secure future business plan growth and the long term sustainability of the business.

Other option considered and rejected:

To reject the recommendation.

CA.249 APPROVAL OF A FURTHER EXTENSION TO THE HOUSING MANAGEMENT AGREEMENT BETWEEN THE COUNCIL AND SIX TOWN HOUSING PLUS RELATED MATTERS (EXEMPT)

The Cabinet Member (Finance and Housing) reported that the current Housing Management Contract between the Council and Six Town Housing expires on the 31st March 2018. The tenure of the Chair of Six Town Housing Board also ends on this date. A review of the Housing Management arrangements will commence in the next few weeks.

To enable this review to be completed and its recommendations implemented, approval is sought to extend the agreement and the Chair appointment for a further six months; until 30th September 2018.

Delegated decisions:

That approval be given to:

1. An extension to the current Housing Management Contract between Bury Metropolitan Borough Council and Six Town Housing Limited, on the same terms, to 30th September 2018 (subject to the matters in paragraph 3)
2. An extension of the tenure of Six Town Housing's Board Chair until 30th September 2018
3. That during this extended contract period:
 - There will be a freeze on the Management Agreement Fee provided to Six Town Housing Limited

- And that, without prior written permission from the Council, Six Town Housing will not:
 - Utilise reserves/surpluses of Six Town Housing Limited or the Housing Revenue Account
 - enter into any new contracts
 - enter into any new business areas
 - undergo any restructures or staffing restructures

Reason for the decision:

The Council require the contract to be fulfilled in the interim period, prior to the recommendations and implementation of the review of the housing management service.

Other option considered and rejected:

Cabinet do not approve an extension of the contract and the related aspects.

CA.250 CONSIDERATION OF THE GREATER MANCHESTER WASTE DISPOSAL LEVY ALLOCATION METHODOLOGY AND APPROVAL OF A REVISED LEVY ALLOCATION MODEL AGREEMENT

The Cabinet Member (Environment) submitted a report for consideration in respect of the Greater Manchester disposal levy allocation methodology an approval of a revised levy allocation model.

Delegated decisions:

That approval be given to:

1) The proposed revised Levy Allocation Methodology Agreement and the following recommendations:

i) That, having considered the proposed revised methodology, the revised Levy Apportionment Methodology Agreement be approved, which is being applied in full from 2019/20 with transitional arrangements in place during 2018/19.

ii) That authority be delegated to the Assistant Director - Legal and Democratic Services or her nominee to approve and/or make any minor amendments to the final Levy Apportionment Methodology Agreement, a current draft of which is appended to this report; and to enter into and finalise the Agreement, the transitional arrangements, and any associated documentation relating thereto.

Reason for the decision:

Following the decision to terminate the Recycling and Waste Management PFI Contract arrangements it is necessary for all constituent Districts to agree a new Levy which would replace the existing Inter Authority Agreement (IAA) with a revised Levy Allocation Methodology Agreement (LAMA) to reflect the revised financial arrangements to apply fully from 2019/20 financial year onwards with a year of transitional arrangements for the financial year 2018/19.

Other option considered and rejected:

Not to approve the proposed revised IAA and request some alternative arrangement be developed and which would have to be approved by all constituent districts.

Do nothing, in which case the statutory default scheme will take effect.

**CA.251 FOR INFORMATION - MINUTES OF ASSOCIATION OF GREATER
MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED
AUTHORITY**

COUNCILLOR R SHORI
Chair

(Note: The meeting started at Time Not Specified and ended at Time Not Specified)