

Pat Jones Greenhalgh
Interim Chief Executive

Our Ref LW
Your Ref OSC/LW
Date 21 November 2017
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Legal & Democratic Services
Division

Jayne Hammond LLB (Hons) Solicitor
Assistant Director of Legal &
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TO: All Members of Council

Councillors : P Adams, N Bayley, I Bevan, J Black, S Briggs, R Caserta, R.Cathcart, M C Connolly, T Cummings, M D'Albert, J Daly, E Fitzgerald, I Gartside, J Grimshaw, D Gunther, M Hankey, S Haroon, J Harris, R Hodgkinson, T Holt, K Hussain, M James, D Jones, G Keeley, J Kelly, Kerrison, O Kersh, J Lewis, J Mallon, A McKay, S Nuttall, E O'Brien, T Pickstone, C Preston, A Quinn, Schofield, R Shori, D Silbiger, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, R Walker, S Walmsley, Whitby, S Wright and Y Wright

Dear Member/Colleague

Council

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

Date:	Wednesday, 29 November 2017
Place:	Council Chamber Bury Town Hall
Time:	7.00 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

The Agenda for the meeting is attached.

Reports are enclosed only for those attending the meeting and for those without access to the Council's Intranet or Website.

Electronic service of legal documents accepted only at:
E-mail: legal.services@bury.gov.uk
Fax: 0161 253 5119

Town Hall
Knowsley Street
Bury BL9 0SW
www.bury.gov.uk

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and also on the Council's Website at www.bury.gov.uk – click on **Agendas, Minutes and Forward Plan**.

Copies of printed reports can also be obtained on request by contacting the Democratic Services Officer named above.

Yours sincerely

Pat Jones Greenhalgh

Interim Chief Executive

AGENDA

1 DECLARATIONS OF INTEREST

Members of the Council are requested to declare any interests which they have in any items or issues before the Council for determination.

2 MINUTES (Pages 1 - 12)

To approve as a correct record the Minutes of the last Meetings of the Council held on 13 September 2017 and 17 October 2017 (Copies attached)

3 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

To receive communications from the Mayor and any announcements by the Leader of the Council or the Chief Executive on matters of interest to the Council.

4 PUBLIC QUESTION TIME

To answer questions from members of the public, notice of which has been given, on any matter relevant to the Council or its services to the community. Up to 30 minutes will be set aside for this purpose. If time permits, further questions will be invited from members of the public present.

5 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES (Pages 13 - 138)

Committee /Date	Subject	Recommendation
Cabinet – 18 October 2017	Risk Management Annual Report (Report attached).	Members re-affirm support for the Co approach to risk manage and note progress throughout 2016/17 actions planned for 2017/
Cabinet – 15 November	Bury Growth Plan (Report attached).	That Member's approve for onward consideration next Council meeting the Growth Plan as a high strategy setting out Council's vision and priorities for embracing growth in a managed way
Cabinet – 15 November	Consideration Of The Greater Manchester Waste Disposal Levy Allocation Methodology And Approval Of A Revised Levy Allocation Model (Report attached)	i) That, having considered proposed revised method the revised Apportionment Method Agreement be approved, is being applied in full

		2019/20 with trans arrangements in place 2018/19. ii) That authority be dele to the Assistant Director - and Democratic Services nominee to approve ; make any minor amend to the final Levy Apportio Methodology Agreeemer current draft of whi appended to this report; enter into and finalisi Agreement, the trans arrangements, and associated documer relating thereto.
Planning Control Committee – 21 November	Development Management – Scheme of Delegation (Report attached)	Recommendation to follow

6 LEADER' STATEMENT AND CABINET QUESTION TIME (Pages 139 - 158)

To receive a Statement from the Leader of the Council on the work of the Cabinet and to answer written questions from Members of the Council to the Leader and Cabinet Members on any matter in relation to which the Council has powers or duties which affect the Borough, provided the necessary written notice has been given.

Verbal questions on the work of the Cabinet since the last Council meeting will be allowed subject to a limit of one question per Councillor.

7 JOINT AUTHORITIES - REPORT BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS (Pages 159 - 162)

(A) A report from the Council's representative on the work of GM Police and Crime Panel, Councillor Tariq.

(B) Questions (if any) on the work of the Joint Authorities to be asked by Members of the Council for which the necessary notice has been given in accordance with Council Procedure Rule 11.2

8 APPOINTMENT OF INDEPENDENT PERSON (Pages 163 - 166)

Report attached.

9 NOTICES OF MOTION

The following Notices of Motion have been received:-

(i) Dignity in Social Care - Improving Social Care Services and

Jobs

This Council notes with alarm the continuing crisis of social care underfunding that makes it hard for local authorities and provider organisations to ensure decent jobs and quality services.

This Council supports in principle the provisions of UNISON's Ethical & Residential care charters. The Council intends to implement the charters at the earliest practicable opportunity, recognising that some aspects of the charters may require additional funding.

This Council welcomes the additional short term funding that the government pledged for social care in the 2017 budget but notes that this does not go far enough and does not represent a sustainable solution.

This Council welcomes UNISON's *Care Workers for Change* campaign initiative which aims to expand union membership within the sector to give care workers the support and confidence to lead the public-facing campaign to increase central government funding, improve employee relations and raise standards within the sector.

This Council undertakes to encourage those care providers that we currently commission or purchase provision from and to require those care providers that we commission or purchase provision from in future to:-

- 1) Respect the right of care staff to organise a union in their workplace and do nothing to undermine the reasonable efforts of staff to organise a union.
- 2) Allow access to accredited union representatives and officials for membership recruitment activity. Provider organisations should engage positively with union requests for access to staff and, where necessary, agree arrangements that do not disrupt service delivery
- 3) Pursue a partnership approach to employment relations. We would expect the provider to engage constructively with the union including a recognition and facilities agreement to underpin collective working.
- 4) Work with the providers and unions to pursue our shared objective of achieving the provisions of the UNISON Ethical and Residential Care Charters

The Council will write to all current providers of council-commissioned care services at the earliest opportunity to advise them of our expectation

that they will comply positively with the above points (1-4). These principles will be enshrined in our future commissioning processes and procedures.

In the names of Councillors P Adams, N Bayley, J Black, S Briggs, R Cathcart, A Cummings, E FitzGerald, J Grimshaw, S Haroon, T Holt, M James, D Jones, J Kelly, S Kerrison, K Leach, A Mckay, J Mallon, E O'Brien, C Preston, A Quinn, R Shori, A Simpson, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby.

(ii) Public Sector Pay

Council notes the freeze and then cap on public sector pay rises that meant most staff only received an increase of 4.4% from 2010 to 2016, compared to a cost of living increase of 22%.

This Council Meeting believes that the continuation of the public sector pay cap is having an unreasonable effect on the living standards of many public sector staff, and that it is affecting recruitment and retention across the sector.

This Council Meeting therefore resolves to ask the Chief Executive to write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that:

- the cap is lifted to allow Pay Review Bodies to produce new recommendations and allow fresh negotiations with employers and worker representative bodies to go forward; and
- subsequent pay increases be fully funded via central government settlement.

In the names of Councillors M D'Albert, T Pickstone and S Wright.

(iii) Suspension of Bus Lane

This Council notes that the suspension of the Bus Lane on Rochdale Road, Bury has resulted in quicker and smoother traffic flows and accordingly resolves to suspend the Bus Lane along Bolton Road, Bury by the 15th January 2018.

In the names of Councillors I Bevan, R Caserta, J Daly, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, O Kersh, S Nuttall, I Schofield, D Silbiger, R Walker, and Y Wright

Report attached

11 **SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS "CALLED IN" BY SCRUTINY COMMITTEES**

12 **QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS**

Questions on the work of Outside Bodies or partnerships on which the Council is represented to be asked by Members of the Council (if any).

13 **DELEGATED DECISIONS OF THE COUNCIL COMMITTEES**

Questions on the delegated decisions made by the Regulatory Committees and Scrutiny Committees contained in the Digest of Decision 3 published since the last ordinary meeting of the Council, providing four clear working days' notices has been given of the question.

14 **URGENT BUSINESS**

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Minutes of: **AN ORDINARY MEETING OF THE COUNCIL**

Date of Meeting: 13 September 2017

Present: The Worshipful the Mayor (Councillor D L Gunther), in the Chair; Councillors P Adams, N Bayley, I Bevan, J Black, R A Caserta, R Cathcart, Councillor M Connolly, A J Cummings, M D'Albert, J Daly, I B Gartside, J Grimshaw, M Hankey, S Haroon, J Harris, R Hodgkinson, T Holt, K Hussain, M A James, D Jones, G Keeley, J Kelly, S Kerrison, O Kersh, K Leach, J Lewis, J Mallon, E O'Brien, T D Pickstone, C Preston, A Quinn, I Schofield, R Shori, D Silbiger, A Simpson, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, R E Walker, S Walmsley, M Whitby and S Wright

Apologies from: Councillors K S Briggs, E Fitzgerald, A McKay, J Walker and Y Wright.

Public attendance: 15 members of the public attended the meeting

C.156 ORDER OF BUSINESS

Under Standing Order 13.7, it was moved by Councillor Black and seconded by Councillor Jones and it was:-

Resolved:

That the order of business be changed to consider the Transitional State Pension Arrangements Notice of Motion as the first agenda item.

C.157 DECLARATIONS OF INTEREST

1. Councillor Jones declared a personal interest in any item which related to staffing as his wife is an employee of Bury Council.
2. Councillor Bevan declared a personal interest in any item which related to staffing as his wife is an employee within a Bury School. Councillor Bevan further declared a prejudicial interest in respect of the Conservative Notice of Motion as a Director of a Company specialising in highway injury claims (Note – Councillor Bevan left the Chamber during consideration of this item).
3. Councillor Mallon declared a personal interest in any item which related to staffing as his wife is an employee within a Bury High School. Councillor Mallon further declared a personal interest in respect of the Labour Notice of Motion as his wife was born after 6 April 1951
4. Councillor S Wright declared a personal interest in any item which related to staffing as his wife is an employee within a Bury School.
5. Councillors Black, D'Albert, Preston and Whitby declared a personal interest in respect of the Labour Notice of Motion as they were born after 6 April 1951.

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6. Councillor Shori declared a personal interest in any item which related to staffing as his partner is an employee of Bury Council.
7. Councillor Hodgkinson declared a prejudicial interest in respect of the Labour Notice of Motion as his wife was born after 6 April 1951.
(Note – Councillor Hodgkinson left the Chamber during consideration of this item).
8. Councillor Gartside declared a personal interest in questions and matters relating to Tottington Library as a member of the “Friends of Tottington Library”.
9. Councillor Kelly declared a personal interest in matters relating to health as an employee of the Care Quality Commission.
10. Councillor Connolly declared a personal interest in matters relating to Tottington Library as a volunteer for Bury Pipeline.

C.158 MINUTES

RESOLVED:

That the Minutes of the Meetings of Council held on 5 July 2017 and 20 July 2017 be signed by the Mayor as a true and correct record.

C.159 MAYORAL COMMUNICATIONS

The Mayor reminded everyone of the Mayoral Charity Fashion Show on Thursday 21st September in the Drill Hall.

The Mayor encouraged all Members to visit the Greater Manchester Fire and Rescue Service's Training and Safety Centre on Hinds Lane.

The Mayor announced announce that it is the intention of this Council to confer Freedom of the Borough status to Mrs Lilly Reid, Mr Alan Matthews and the 207 (Manchester) Field Hospital. A Special Ceremony will be held on 17 October at 6pm in this Chamber

C.160 NOTICE OF MOTION

Make Fair Transitional State Pension Arrangements for Women Born in the 1950's

A motion had been received and set out in the summons in the names of:

In the names of Councillors P Adams, N Bayley, J Black, S Briggs, R Cathcart, A Cummings, E FitzGerald, J Grimshaw, S Haroon, T Holt, M James, D Jones, J Kelly, S Kerrison, K Leach, A Mckay, J Mallon, E O'Brien, C Preston, A Quinn, R Shori, A Simpson, R Skillen, S Smith, Sarah Southworth, Susan Southworth, T Tariq, J Walker, S Walmsley and M Whitby.

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It was moved by Councillor Preston and seconded by Councillor Black:

Hundreds of thousands of women had significant pension changes imposed on them by the Pension Act 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six year increase to their state pension age.

Many women born in the 1950's are living in hardship. Retirement plans have been shattered and discarded. Many of these women are out of the labour market, caring for elderly relatives, providing childcare for grandchildren. These women also suffer from age discrimination in the workplace as they struggle to find employment.

It is not the pension age that is in dispute, it is widely agreed that men and women should retire at the same age. The issue is that the rise in women's state pension age has been too rapid and without sufficient notice, leaving women with little notice to make alternative arrangements.

These women have worked hard, raised families and paid their tax and national insurance.

This council calls upon the government to reconsider transitional arrangements for women born on or after 6th April 1951, so that women affected by these changes do not live in hardship and poverty brought about by an unfair transition.

On being put to the vote, with no one voting against and no abstentions, the Mayor declared the motion carried unanimously.

C.161 PUBLIC QUESTION TIME

On inviting questions from members of the public present, the following issues were raised:-

No.	Issue	Questioner	Answered By
1.	Resignation of Chief Executive	Mrs A Boroda	Councillor Shori

C.162 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Meeting of the Health and Wellbeing Board held on 19 July 2017 – Annual report 2016/17

It was moved by Councillor Simpson and seconded by Councillor Shori and it was:-

RESOLVED:

That the Health and Wellbeing Board Annual Report 2016/17 be approved.

C.163 LEADER'S STATEMENT AND CABINET QUESTION TIME

(a) Written question (Notice given)

The Leader of the Council, Councillor Shori, made a statement on the work undertaken by him since the date of the last Council meeting.

The Leader and the relevant Cabinet Members answered questions raised by Councillors on the following issues:

No.	Issue	Questioner	Answered by
1.	Care at Home Services	Councillor Black	Councillor Simpson
2.	NHS Health Checks	Councillor Preston	Councillor Simpson
3.	Street Cleaning	Councillor Silbiger	Councillor Quinn
4.	Burrs Sculpture	Councillor Kerrison	Councillor Kelly
5.	Poverty	Councillor Leach	Councillor Kelly
6.	Roadworks	Councillor Nuttall	Councillor Quinn
7.	Uplands Health Centre	Councillor Mallon	Councillor Simpson
8.	Parklife Community Fund	Councillor James	Councillor Tariq
9.	A56 Works	Councillor D'Albert	Councillor Quinn
10.	Utilities in Tottington Library	Councillor Keeley	Councillor Shori
11.	Strategic School Improvement Bid	Councillor Haroon	Councillor Cathcart
12.	Flooding Elton Ward	Councillor Hankey	Councillor Quinn
13.	Millwood Special School	Councillor Holt	Councillor Cathcart
14.	Deposit Return Scheme	Councillor James	Councillor Quinn

Due to the lack of time to answer questions 15 to 31 inclusive, the Leader gave an undertaking that copies of those questions and responses will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

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(b) Oral questions on Leader's Speech and the work of the Cabinet since the last Council meeting (without Notice)

1.	Special Educational Needs report	Councillor Daly	Councillor Shori
2.	Early Years Provision	Councillor Jones	Councillor Shori
3.	Greater Manchester Spatial Framework (GMSF)	Councillor Hussain	Councillor Shori
4.	GMSF	Councillor Pickstone	Councillor Shori
5.	Corporate Financial Report – HRA investigation costs	Councillor Caserta	Councillor Shori
6.	Child Safeguarding	Councillor Harris	Councillor Shori
7.	Flooding	Councillor Bevan	Councillor Shori
8.	GMSF	Councillor Hankey	Councillor O'Brien
9.	GMSF – Conservation Areas	Councillor Kersh	Councillor Quinn

C.164 JOINT AUTHORITIES – REPORTS BY THE COUNCIL'S REPRESENTATIVE AND QUESTIONS

- (a) Councillor Grimshaw, the Council's representative on the Greater Manchester Fire and Rescue Authority gave a verbal report on the work of the Authority to all Members of the Council.
- (b) The following questions had been received in accordance with Council Procedure Rule 11.2.

No.	Issue	Questioner	Answered by
1.	X35 Bus Service	Councillor Bevan	Councillor Bayley (Representative on Transport for Greater Manchester)
2.	MO bike Initiative	Councillor D'Albert	Councillor Bayley (Representative on Transport for Greater Manchester)
3.	Virridor Contract	Councillor Pickstone	Councillor Quinn (Representative on Greater Manchester Waste Disposal Authority)

4.	Virridor Contract	Councillor Bevan	Councillor Quinn (Representative on Greater Manchester Waste Disposal Authority)
5.	NHS PFI Contract Payments	Councillor Pickstone	Councillor Shori (Representative Greater Manchester Combined Authority)

C.165 NOTICES OF MOTION

Tackling Dangerous Potholes in our Towns and Villages

A motion had been received and set out in the Summons in the names of:

Councillors I Bevan, R Caserta, J Daly, I Gartside, D Gunther, M Hankey, J Harris, R Hodgkinson, K Hussain, G Keeley, O Kersh, S Nuttall, I Schofield, D Silbiger, R Walker, and Y Wright

It was moved by Councillor Hodgkinson and seconded by Councillor Gartside that:

This Council notes:

1. The tragic death of Ramsbottom resident, Mr Roger Hamer who lost his life last year when his bicycle hit a pothole on Bury New Road in Ramsbottom.
2. The recent inquest verdict into the death of Mr Hamer. The jury concluded that Mr Hamer probably hit a large pothole which caused him to come off his bike in March 2016 and caused a fatal brain injury.
3. The recent report in the Bury Times that Bury has more vehicles damaged by potholes than any other Borough in Greater Manchester. A total of 292 claims for damage to vehicles being made during the period 2015/16.
4. The continued concern of Bury residents over the unsatisfactory state of highways within the Borough and the prevalence of dangerous potholes in our towns and villages.

This Council is committed to:

- Doing everything possible to improve the Council's highway inspection and maintenance programme to ensure that it is fit for purpose and has the confidence of local residents.
- Ensure that reports of potholes from residents are actioned at the earliest opportunity to mitigate the danger they pose to pedestrians, cyclists and motorists.

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This Council therefore resolves to:

- Instruct the Cabinet Member for Environment to carry out a full review of the Council's highway inspection and maintenance programme to ensure it is delivering an efficient service in tackling the blight of potholes and minimising the risks posed to road users and pedestrians.

- Request the Cabinet Member for Environment complete the aforementioned review prior to the next Full Meeting of Council on the 29th November and report it's findings to Members at the said meeting.

- Request the Cabinet Member for Environment consider the following ways of improving residents' satisfaction with road maintenance within the Borough as part of the review:

- a. Better communication of achievements in reducing accidents, pothole filling and maintaining roads, e.g through social media, posters and local newspaper stories.

- b. Greater clarity on decision-making by Highway Officers in terms of residents having a better understanding of the timescale for repairs.

- c. Increased use of technology so that Inspectors can spend more time assessing and commissioning repairs together with checking the quality of work, and less time dealing with correspondence or complaints.

- d. Involving and encouraging both residents and Councillors to report potholes and provide feedback on the quality of work and length of time it has taken for repairs to be completed. To ensure local satisfaction through feedback surveys, local forums and volunteer "street champions".

It was moved by Councillor Quinn and seconded by Councillor Shori as an amendment to:-

Retain:

This Council notes:

1. The tragic death of Ramsbottom resident, Mr Roger Hamer who lost his life last year when his bicycle hit a pothole on Bury New Road in Ramsbottom.
2. The recent inquest verdict into the death of Mr Hamer. The jury concluded that Mr Hamer probably hit a large pothole which caused him to come off his bike in March 2016 and caused a fatal brain injury.
3. The recent report in the Bury Times that Bury has more vehicles damaged by potholes than any other Borough in Greater Manchester. A total of 292 claims for damage to vehicles being made during the period 2015/16.
4. The continued concern of Bury residents over the unsatisfactory state of highways within the Borough and the prevalence of dangerous potholes in our towns and villages.

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Add:

5. The £10m investment in the borough's road network announced by Bury's Labour Council earlier this year.

Retain:

This Council is committed to:

- Doing everything possible to improve the Council's highway inspection and maintenance programme to ensure that it is fit for purpose and has the confidence of local residents.
- Ensure that reports of potholes from residents are actioned at the earliest opportunity to mitigate the danger they pose to pedestrians, cyclists and motorists.

This Council therefore resolves to:

Add:

- **Bring in a new code of practice using a Greater Manchester framework to review inspection and repair procedures prior to 18th October 2018.**

Remove:

- *"Instruct the Cabinet Member for Environment to carry out a full review of the Council's highway inspection and maintenance programme to ensure it is delivering an efficient service in tackling the blight of potholes and minimising the risks posed to road users and pedestrians"*
- *"Request the Cabinet Member for Environment complete the aforementioned review prior to the next full meeting of Council on the 29th November and report its findings to Members at said meeting."*

Retain:

- Request the Cabinet Member for Environment consider the following ways of improving residents' satisfaction with road maintenance within the Borough. (omit "as part of the review"):

Amend a.) to read: " Better communicate achievements in maintenance, repairs and investment in our network e.g. through the council's website, social media and the press."

Retain b.) Greater clarity on decision-making by Highway Officers in terms of residents having a better understanding of the timescale for repairs.

Replace c.) with " Continue to invest where affordable in modern technology such as GPS & IT to enable our street inspectors to quickly and efficiently report repairs. Ask officers to investigate and report back to council the feasibility and cost of on line reporting systems such as CONFIRM so residents can report repairs online and monitor progress of repairs."

Retain d.) Involving and encouraging both residents and Councillors to report potholes and provide feedback on the quality of work and length of time it has

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taken for repairs to be completed. To ensure local satisfaction through feedback surveys, local forums and volunteer "street champions.

Add:

e. Continue to prudently invest in the borough's road network with a focus on proactively renewing the public highway

f. Lobby Central Government to give Bury Council a fairer settlement regarding highway maintenance and investment budgets.

On being put, with 45 voting for and 0 voting against and the Mayor abstaining the Mayor declared the amendment carried.

On being put, with 45 voting for, 0 voting against, and with the Mayor abstaining, the Mayor declared the substantive motion carried.

Count Them In Campaign.

A motion had been received and set out in the Summons in the names of:

Councillors M D'Albert; T Pickstone and S Wright

It was moved by Councillor Wright and seconded by Councillor Pickstone that:

This Council once more wishes to place on record its admiration for the courage, service and sacrifice of members of Her Majesty's armed forces, past and present, during military conflicts, in countering terrorism and in carrying out peacekeeping and humanitarian duties.

This Council notes:

1. The obligations it owes to the Armed Forces community within the Bury MBC as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most.
2. The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Bury MBC. This includes serving Regular and Reserve personnel, veterans, and their families.
3. That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Bury MBC.

This Council therefore resolves to:

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1. Support and promote The Royal British Legion's campaign 'Count Them In' to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community.

2. Urge elected members for this Authority to sign up as individual supporters to the 'Count Them In' campaign.

3. Ask the Cabinet Member with responsibility for the Community Covenant to write to the Secretary of State for Defence, The Rt. Hon Michael Fallon MP, setting out the Council's position that we wish to see the UK Parliament approve a final census questionnaire in 2019, which includes questions concerning our Armed Forces community, for use in the 2021 Census.

4. Ask the Interim Chief Executive to write to the Borough's two Members of Parliament asking them to also make representations on this matter to the Secretary of State for Defence.

On being put to the vote, with 44 voting for, 0 voting against and 2 abstentions including the Mayor, the Mayor declared the motion carried.

C.166 SCRUTINY REPORTS AND SPECIFIC ITEMS "CALLED IN" BY SCRUTINY COMMITTEES

There were no Scrutiny Review Reports or specific items "called in" by the Overview and Scrutiny Committee to be considered at this Council meeting.

C.167 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no questions received in accordance with Council Procedure Rule 11.2.

C.168 DELEGATED DECISIONS OF COUNCIL COMMITTEES

There were no written questions asked on the delegated decisions of the Committees or Scrutiny Committee contained in the Digest of Decision 2 (2017/18).

THE WORSHIPFUL THE MAYOR

NOTE: The meeting started at 7.00 pm and ended at 10.05 pm

Minutes of: SPECIAL MEETING OF THE COUNCIL OF THE METROPOLITAN BOROUGH OF BURY

Date of Meeting: 17 October 2017

Present: The Worshipful the Mayor (Councillor D Gunther) in the Chair;
Councillors P Adams, R Cathcart, M Connolly, M D'Albert, J Daly, E FitzGerald, J Grimshaw, M Hankey, J Harris, R Hodgkinson, T Holt, K Hussain, D Jones, G Keeley, J Kelly, A McKay, J Mallon, E O'Brien, C Preston, I Schofield, R Shori, A Simpson, Susan Southworth, T Tariq, R E Walker, S Walmsley, M Whitby, S Wright and Y Wright

Apologies: Councillors N Bayley, I Bevan, J Black, S Briggs, R Caserta, A Cummings, I Gartside, S Haroon, M James, S Kerrison, O Kersh, K Leach, J Lewis, S Nuttall, T Pickstone, A Quinn, D Silbiger, R Skillen, S Smith, Sarah Southworth and J Walker

Public attendance: 60 members of the public attended the meeting including the personal guests of the Honorary Freeman.

C.199 HONORARY FREEDOM OF THE BOROUGH – MRS LILY REID; MR ALAN MATTHEWS; AND THE 207 (MANCHESTER) FIELD HOSPITAL

It was moved by Councillor Y Wright and seconded by Councillor Holt and:-

RESOLVED UNANIMOUSLY

That the Council, in exercise of its powers under Section 249(5) of the Local Government Act 1972, admit Lily Reid, to the Honorary Freedom of the Metropolitan Borough in recognition of the valuable and devoted services which she has rendered to the town of Bury for over forty years and, in recognition of the work she has tirelessly carried out to raise the profile of mental health issues and support people living with mental illness and their carers across the Borough of Bury. In recognition also that due to her selfless work she was given the title of the very first 'Bury Woman of the Year' in 1998 and was awarded an MBE by her Majesty Queen Elizabeth II in 2007.

It was moved by Councillor Whitby and seconded by Councillor Fitzgerald and:-

RESOLVED UNANIMOUSLY

That the Council, in exercise of its powers under Section 249(5) of the Local Government Act 1972, admit Mr Alan Matthews, to the Honorary Freedom of the Metropolitan Borough in recognition of the eminent, valuable and devoted services which he has rendered to the Bury Metropolitan Borough as a Member

of the Council for thirty eight years and in recognition of the service he has provided the residents of Besses Ward with distinction and dedication including holding the office of Mayor of the Borough from May 1989 to May 1990.

It was moved by Councillor Shori and seconded by Councillor D'Albert and:-

RESOLVED UNANIMOUSLY

That the Council, in exercise of its powers under Section 249(5) of the Local Government Act 1972, admit the 207 (Manchester) Field Hospital, to the Honorary Freedom of the Metropolitan Borough in recognition of the service given to support National Security Requirements and the hard work and dedication to recruit, train and provide Medical Professionals and other volunteers from the Borough of Bury to British Military Operations in times of conflict or humanitarian need. In recognition of the strong links forged with local businesses and the local community to provide developmental opportunities and community based activities.

The worshipful the Mayor asked each to sign the Freeman's Declaration and presented each with an illuminated Scroll and Medallion.

COUNCILLOR DOROTHY GUNTHER

THE WORSHIPFUL THE MAYOR

(NOTE: The meeting started at 6.00 pm and ended at 6.55 pm)



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;

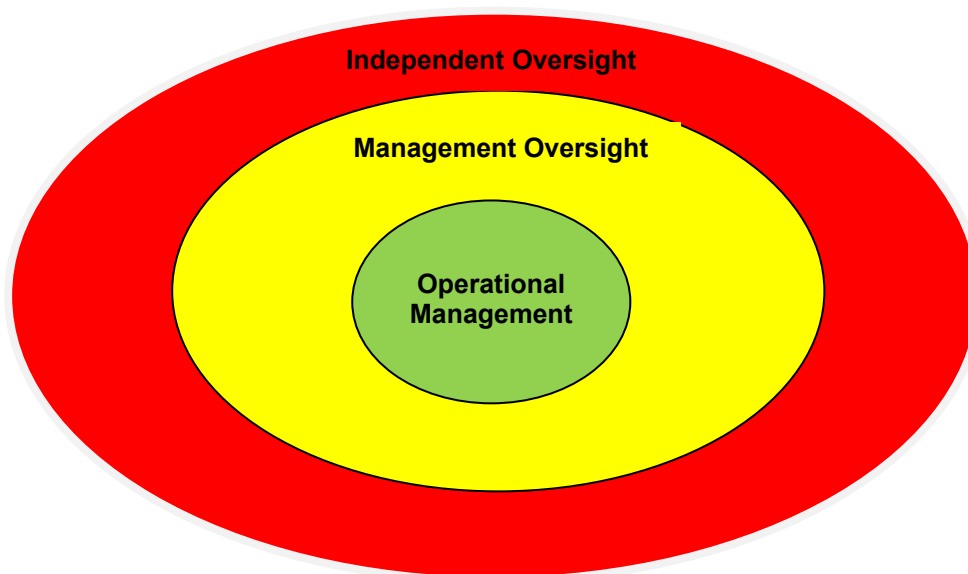
- An approved Corporate Policy & Strategy for Risk Management that can be read online or downloaded
- A Corporate Policy & Strategy that details the Council's approach to managing risk focussing on three key lines of defence that enables direct input, strategic overview and scrutiny at all levels from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

- 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.

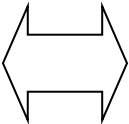
4.0 CORPORATE RISKS

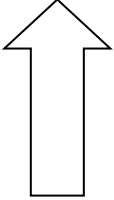
- 4.1 The Corporate Risk Assessment Action Plan records all risks posing the most serious threat to the Council, risks that would impact upon a wider range of services and that are not able to be managed effectively within a directorate. These risks are reviewed continually by the Strategic Leadership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

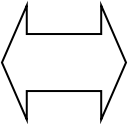
management activity taking place across departments allowing for the transfer of high risk and also of known future risk.

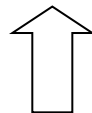
- 4.2 Member input is sought throughout the year via the Corporate Risk Management Group, and quarterly reports to the Audit Committee.
- 4.3 The table overleaf tracks the status of corporate risks throughout 2016/17.

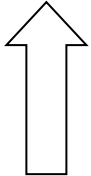
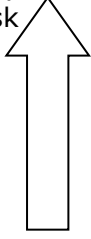
BURY COUNCIL
Corporate Risk Register 2016/17 – as at 31st March 2017

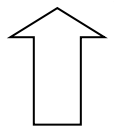
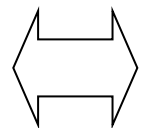
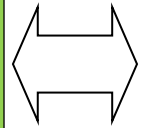
Risk	Risk Owner	Raw Risk Score				Target Risk Score	Mitigation Measures / Assurance Levels			Risk Conclusion	Residual Risk Score				Direction of Travel
		Likelihood	Impact	Proximity	Score		Level 1	Level 2	Level 3		Likelihood	Impact	Proximity	Score	
The Council doesn't agree a balanced budget	Cabinet / SLT	4	4	4	64	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>	External Audit Opinion on VFM / Financial Standing	Manage	1	4	4	16	<p>No Change</p> 

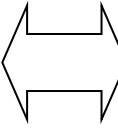
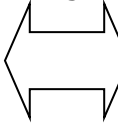
The Council cannot deliver cuts approved in the budget	Cabinet / SLT	4	4	4	64	LOW	<p>Once approved, cuts need to be delivered.</p> <p>Robust budget monitoring procedures are in place, given early warning of potential pressures.</p> <p>2016/17 in year monitoring highlighted the challenges of delivering 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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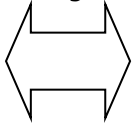
Resilience and capacity of services is jeopardised by ongoing funding reductions	SLT	4	4	4	6 4	LOW	<p>Budget options consider operational impact, and are subject to separate risk assessments.</p> <p>The Council undertakes workforce planning to ensure the right staff are in place, with the right skills 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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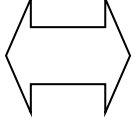
Changes to the Business Rates Retention scheme (100%) impact adversely on the Council – e.g. appeals	Cabinet Member for Finance & HR / Interim Executive Director of Resources & Regulation	3	4	4	48	LOW	<p>The Council makes “in year” provision for the impact of appeals when estimating yield (NNDR1), and 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>	The Council’s External Auditors review the Council’s Collection Fund, and Appeals Provisions as part of the annual audit process.	Manage	3	4	4	48	<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	48	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	24	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	<p>No Change</p> 
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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	<p>No change</p> 
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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**

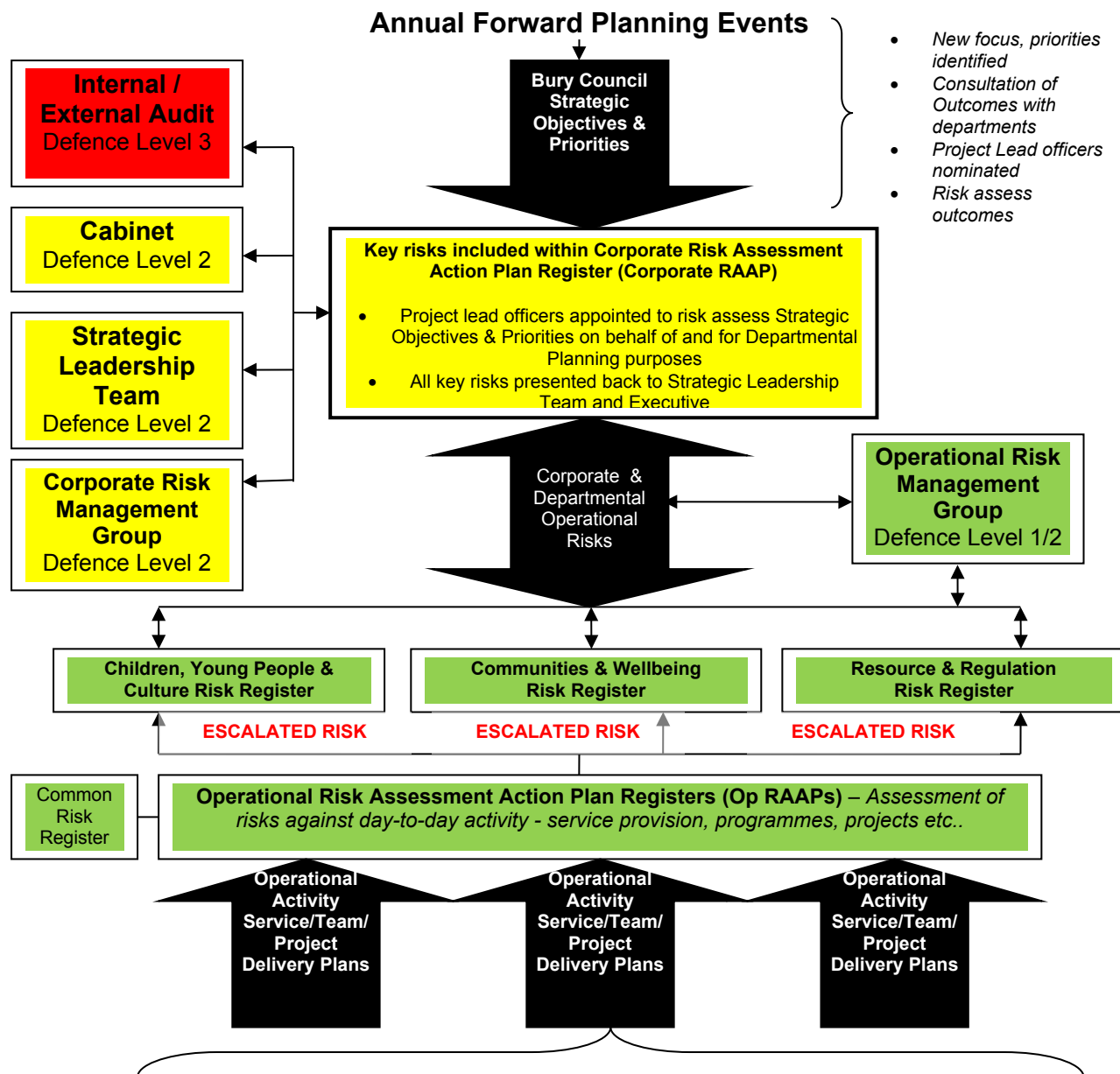
Considerable progress continues to be made in the area of risk management and in embedding the approach to risk management into the authority's processes and culture. However there is no room for complacency and this subject will continue to be given significant attention over the coming twelve months.

Background documents:

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

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

David Hipkiss, Risk and Information Governance Manager
Tel: 0161 253 6677 e-mail: D.Hipkiss@bury.gov.uk

APPENDIX A**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

REPORT FOR DECISION



DECISION MAKER:	CABINET
DATE:	15 NOVEMBER 2017
SUBJECT:	BURY GROWTH PLAN
REPORT FROM:	COUNCILLOR RISHI SHORI LEADER OF THE COUNCIL & CABINET MEMBER FOR ECONOMIC GROWTH AND HUMAN RESOURCES
CONTACT OFFICER:	DAVID WIGGINS – UNIT MANAGER: DEVELOPMENT PLANNING
TYPE OF DECISION:	CABINET (KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>The Bury Growth Plan recognises that Bury’s population is growing and more jobs and homes are needed in the Borough to accommodate this growth. The Plan is a high level strategy setting out how Bury can embrace future growth in a managed way. It sets out how we will harness the creativity and entrepreneurial potential of our residents and businesses, how we will strengthen our infrastructure to benefit the economy and the environment, and how we will empower and strengthen our communities and reduce inequalities.</p> <p>At the same time, the Plan stresses that growth will require interventions to mitigate against the cause and effects of climate change and negative environmental impacts.</p> <p>Members previously approved the draft Growth Plan for targeted consultation with key stakeholders. This has now taken place and the document has been amended to take account of comments raised and changing circumstances.</p>
OPTIONS	<p>Option 1</p> <p>That Members approve the Bury Growth Plan as a high</p>

	<p>level strategy setting out the Council's vision and key priorities for embracing future growth in a managed way.</p> <p>Option 2</p> <p>That Members approve the Bury Growth Plan subject to revisions – Members to specify the nature of any revisions to be sought.</p> <p>Recommended Option</p> <p>Members are recommended to approve option 1 in order to ensure that future growth in the Borough is managed in a co-ordinated way.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	The proposals are in accordance with the Policy Framework.
Statement by the S151 Officer: Financial Implications and Risk Considerations:	<p>There are no direct financial implications arising from the preparation of the plan.</p> <p>However, going forward the Council's funding will comprise exclusively of Council Tax and Business Rates; clearly in this context it is essential that the Council has a growth plan covering both housing and business sectors.</p>
Statement by Executive Director of Resources:	There are wider resource implications associated with growth, e.g. infrastructure / additional service costs, and these will be assessed as the Plan is implemented.
Equality/Diversity implications:	No. 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.
Considered by Monitoring Officer:	Yes There are no direct legal or governance implications arising from the approval of this high level strategy.
Wards Affected:	All

Scrutiny Interest:	
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TRACKING/PROCESS**INTERIM DIRECTOR: STEVE KENYON – RESOURCE & REGULATION**

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Growth Programme Board 15/11/17	18/10/17 15/11/17		
Scrutiny Committee	Cabinet/Committee	Council	

1.0 BACKGROUND

- 1.1 Bury is standing at the threshold of a new era in its rich and diverse history and it is through collaborative working that we can achieve our ambitions for healthy, inclusive, sustainable and managed growth.
- 1.2 This Growth Plan articulates our direction of travel, providing a blueprint for our collective ambition for the Borough. It will be supported by a suite of other detailed strategies that will help deliver the strategic vision. These strategies will be owned by partnerships that specialise in the various areas of work covered by the Plan. Many of the key growth priorities for the Borough are interlinked and partnership working will be crucial to the success of the plan.
- 1.3 At the heart of our growth ambitions sits the goal to maximise the quality of life for all our residents. Our collective aim is to ensure that growth is planned for in a managed way that embraces all the key ingredients that make each township unique.
- 1.4 Growth involves much more than just physical development that caters for an increasing population. It is also about creating the right circumstances for fostering growth through economic development initiatives, supporting social growth and creating thriving, healthy and equitable communities. At the same time, it requires interventions to address issues associated with climate change and to mitigate against negative environmental impacts.

2.0 ISSUES

- 2.1 The Bury Growth Plan recognises that Bury's population is growing and more jobs and homes are needed in the Borough to accommodate this growth. The Plan is a high level strategy setting out how Bury can embrace future growth in a managed way. It sets out how we will harness the creativity and entrepreneurial potential of our residents and

businesses, how we will strengthen our infrastructure to benefit the economy and the environment, and how we will empower and strengthen our communities and reduce inequalities.

- 2.2 At the same time, the Plan stresses that growth will require interventions to mitigate against the cause and effects of climate change and negative environmental impacts.

Vision for Growth

- 2.3 There are strong ambitions to transform northern growth, rebalance the country's economy and establish the north as a global powerhouse. The Growth Plan shows a commitment that Bury intends to play an integral part in growing the economic strength of the north of England.
- 2.4 To do so, the Borough must embrace and promote managed growth in a planned and coordinated way in order to ensure that it is sustainable and has positive benefits for the local economy and for Bury's residents. This growth will need to be balanced with the need to protect the Borough's most important environmental assets – a key ingredient that makes Bury the great town it is today.
- 2.5 The Plan's Vision for growth in Bury is consistent with the Council's own corporate vision, purpose and values and supports Team Bury's Single Outcomes Framework:

'Through effective partnership working, Bury will have embraced growth in a managed way and become a well connected place with a sustainable and competitive local economy, vibrant and healthy communities and a high quality environment'.

Key Contributors to Growth

- 2.6 The following diagram reflects the key areas that will contribute towards this growth. The Growth Plan sets out some key facts relating to each component of growth, what the key priorities are for each and what will be the key mechanisms for delivering growth.
- 2.7 It is important to note that these key contributors to growth do not always work in isolation and that many elements are interrelated to and dependent on others.



Physical Growth

- 2.8 Physical growth requires the promotion of housing and economic growth of the right type and in the right location, supporting our town centres and safeguarding and strengthening our tourism and cultural assets.
- 2.9 The Government is predicting that Bury's population will grow from its current level of 187,500 to 208,000 by 2039. There is a need, therefore, for new housing and employment opportunities for this growing population and the identification of sites through the planning process enables this to be done in a managed way. Similarly, planning policies require developers to make provision for affordable housing and these will be updated in Bury's Local Plan to ensure that this provision is maximised.
- 2.10 In order to encourage investment, development and jobs in the right locations, high quality employment sites will also need to be identified that will be attractive to the Borough's key sectors and will ultimately provide high quality employment opportunities for Bury's residents.
- 2.11 The Borough's town centres are at the heart of their communities and provide a wide range of shops, services, leisure, tourism, culture, healthcare, education and employment. It is important that this remains the case and that their vitality and viability is maintained and enhanced including, for example, maintaining the 'town centres first' approach and resisting inappropriate out-of-centre development that would adversely affect our existing centres.

- 2.12 It is clear that any growth and development cannot happen without the necessary infrastructure to support it including improved transport, healthcare, education, water supply, energy and digital and communications infrastructure.

Economic Growth

- 2.13 The long-term sustainability of Bury's economy will depend on its ability to stimulate entrepreneurial activity. Developing an environment that supports our key employment growth sectors will stimulate the provision of new and expanded businesses and increase inward investment.
- 2.14 Improving Bury's business base requires a focus on both skills and business support in order to create a sustainable and forward-looking business community. Bury also needs to sustain and nurture its key sectors.
- 2.15 Skills are a key driver of productivity, economic participation and competitiveness. The capacity of Bury's firms to transform their work processes and create new products in the face of fierce competition depends on the size and quality of its workforce. As such, the importance of ensuring that our current and future workforces have the skills that the economy needs is crucial for inclusive growth and a healthy and vibrant economy.
- 2.16 However, it is not enough to increase the skills of Bury's resident population - it is also important to create the right environment to attract external talent and ensure that this talent is retained and encouraged to thrive.
- 2.17 At present, there are a number of key sectors that make a significant contribution towards the strength and competitiveness of Bury's wider economy. Digital, health, textiles, business services and the visitor economy are particularly key at present. Going forward, some parts of the Borough are considered to have the characteristics to be attractive to additional sectors such as advanced manufacturing and logistics. It is important to create the conditions to support these current and potential future key sectors.

Social Growth

- 2.18 Many factors affect our health and wellbeing including access to employment, environmental conditions, opportunities for physical activity, social circumstances and housing. Everyone has the right to good health. Unfortunately, there are huge differences in levels of physical health, mental health and wellbeing across our Borough. The greatest challenge we face is to tackle inequalities and this remains central to all that we do.
- 2.19 A growing and ageing population will increase demands on social infrastructure such as healthcare, education and community facilities. It is important to ensure that there is the necessary supporting social infrastructure in place to cater for the needs and demands of Bury's current and future residents and businesses.

- 2.20 Tackling economic inactivity and unemployment is part of the Borough's ambition to reduce inequality in our communities. This endeavour cross cuts all of the Council's priorities. Crucially, our joint efforts must help reduce inequality and the barriers which prevent some of our residents from achieving their full potential. Sustainable growth is impossible without addressing the gap between our most affluent and poorest residents. Whilst Bury experiences less deprivation overall than other parts of Greater Manchester and the UK, there are pockets of multiple deprivation (largely in areas of east Bury, Radcliffe, Besses in Whitefield and Rainsough in Prestwich) and significant numbers of people who experience the inter-related problems of unemployment, low income, poor skills, inadequate housing, ill health and family breakdown.

Environmental Growth

- 2.21 Adapting and becoming more resilient to the cause and effects of climate change will help to improve air quality, support reliable low carbon energy and create resilient and energy efficient places to live and work.
- 2.22 A good quality environment has cross-cutting social and economic benefits such as improving people's health and wellbeing and helping to attract and retain talented residents. In order to maintain a good quality environment, the Growth Plan specifies a need to manage flood risk, to ensure that there is no net loss of valuable natural assets, to manage air quality and to preserve our built heritage.

Next Steps

- 2.23 The Bury Growth Plan sets out a broad and high-level outline of the key priorities for growth that we intend to pursue over the next twenty years or so and the key methods of delivering this. It will be supported by a range of other key Council Strategies, Plans and Programmes that will collectively work towards delivering the Council's ambitions for growth. These are set out in an accompanying document entitled 'Delivering Bury's Growth Plan'.
- 2.24 The Growth Plan will be continually monitored to ensure that its key priorities are being delivered.

3.0 CONCLUSION

- 3.1 The Growth Plan aims to prioritise, encourage and manage the growth of our Borough as a key driver in ensuring that Bury is highly competitive, resilient and able to cope with the challenges of a changing climate and economic shocks.
- 3.2 The Plan will be supported by a wide range of other Strategies, Plans and Programmes that influence the growth of the Borough and Members are requested to approve it as a high-level and overarching strategy that draws these together and sets out in one place how the work of the Council can embrace growth in a managed and coordinated way.

List of Background Papers:

Bury Growth Plan – November 2017

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BURY GROWTH PLAN

Ramsbottom / Tottington / Bury / Radcliffe / Whitefield / Prestwich



November 2017



FOREWORD

Bury really is a great place to live, work and study and invest. Effective partnerships built through mutual ambitions for the Borough, the place, the people and the businesses have guided and supported our joint efforts to secure a stronger, resilient and competitive Borough that is prepared for the future. However, it is now time to take stock, celebrate what has been achieved and strategically plan for positive, inclusive and sustainable growth.

It is important to acknowledge that Bury plays an important role within the wider Greater Manchester economic engine. We contribute a highly skilled workforce and a diverse and entrepreneurial business community.

We welcome visitors from far and wide to sample our shopping, tourism and cultural experience. We are also a popular and safe place to live with an attractive offer of town and countryside alongside good schools and a thriving evening and night time economy.

Greater Manchester's local councils have a history of working together. This record of co-operation, and the creation of the GMCA, helped us lead the way on city-region devolution through the 2014 Devolution Agreement. The agreement gives the region additional powers, and greater accountability through an elected mayor. These include new powers over local transport, planning, housing, health, training and business support.

As part of Greater Manchester we will also play our part in realising the ambitions of the Northern Powerhouse, a collective force of northern city regions that could and should rival that of London and the South East. Prioritising, encouraging and managing the growth of our Borough will be a key driver in realising that ambition and in ensuring that Bury will be highly competitive, resilient and able to cope with the challenges of a changing climate and economic shocks.

Government household projections indicate that there will be a significant increase in new households in Bury by 2035. This growth will require new homes, places to work and the supporting transport and social infrastructure.

However, it is important that growth is carefully planned for and, together with other key plans and strategies such as the Greater Manchester Spatial Framework, the Greater Manchester Transport Strategy 2040, the Greater Manchester Strategy and Bury's Local Plan we can begin to shape Bury's own economic destiny and success.

We do not start with a blank canvas. We start from a position of strength. Bury has a unique sense of place, based around popular local attractions like Bury Market, areas of natural beauty and the cosmopolitan suburbs in the north and south of the Borough.

We have welcomed significant public and private sector investment into Bury in the recent past. This has brought more visitors, more jobs and public spaces we can be proud of. We have more work to do to ensure all our townships and all of our residents can benefit and thrive as a result of sustainable growth.

This is a high level plan that sets out a broad framework on how Bury can embrace growth in a managed way. It sets out how we will harness the creativity and entrepreneurial potential of our residents and businesses, how we will strengthen our infrastructure to benefit the economy and the environment, and how we will empower and strengthen our communities and reduce inequalities.



**Cllr Rishi Shori,
Leader of Bury Council**

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EXECUTIVE SUMMARY

Bury is standing at the threshold of a new era in its rich and diverse history and it is through collaborative working that we can achieve our ambitions for healthy, inclusive, sustainable and managed growth.



This Growth Plan articulates our direction of travel, providing a blueprint for our collective ambition for the Borough. It will be supported by a suite of other detailed strategies that will help deliver the strategic vision. These strategies will be owned by partnerships that specialise in the various areas of work covered by the Plan. Many of the key growth priorities for the Borough are interlinked and partnership working will be crucial to the success of the plan.

At the heart of our growth ambitions sits the goal to maximise the quality of life for all our residents. Our collective aim is to ensure that growth is planned for in a managed way that embraces all the key ingredients that make each township unique.

Growth involves much more than just physical development that caters for an increasing population. It is also about creating the right circumstances for fostering growth through

economic development initiatives, supporting social growth and creating thriving, healthy and equitable communities. At the same time, it requires interventions to address issues associated with climate change and to mitigate against negative environmental impacts.

The following diagram illustrates the key interrelated areas that will contribute towards the Borough's growth ambitions.



OUR VISION FOR GROWTH

Our vision for growth in the Borough is:

THROUGH EFFECTIVE PARTNERSHIP WORKING, BURY WILL HAVE EMBRACED GROWTH IN A MANAGED WAY AND BECOME A WELL CONNECTED PLACE WITH A SUSTAINABLE AND COMPETITIVE LOCAL ECONOMY, VIBRANT AND HEALTHY COMMUNITIES AND A HIGH QUALITY ENVIRONMENT.

There are strong ambitions to transform northern growth, rebalance the country's economy and establish the north as a global powerhouse. We are keen to ensure that Bury plays an integral part in growing the economic strength of the north of England.

To do so, the Borough must embrace and promote managed growth in a planned and coordinated way in order to ensure that it is sustainable and has positive benefits for the local economy and for Bury's residents. This growth will need to be balanced with the need to protect the Borough's most

important environmental assets – a key ingredient that makes Bury the great town it is today.



This Plan sets out a broad and high-level outline of the Council's key priorities for physical, economic, social and environmental growth that we intend to pursue over the long-term and the key methods of delivering this. The priorities set out in this Growth Plan align with the Council's corporate priorities and are consistent with Team Bury's Single Outcomes Framework.

Although important, this Plan is only the first stage of Bury's ambition to embrace growth. It will be supported and delivered through a range of plans, strategies and programmes produced and operated by the Council and its partners that will drive the Borough towards the growth priorities identified in this Plan.

IN PROGRESSING THE GROWTH PLAN, THE COUNCIL WILL:

- KEEP THE GROWTH PLAN AND ACCOMPANYING ACTION PLAN UNDER REGULAR REVIEW.
- CONTINUE TO IDENTIFY FUNDING, RESOURCE REQUIREMENTS AND ACCOUNTABILITIES TO IMPLEMENT THE KEY INTERVENTIONS.
- COORDINATE AND MANAGE THE TRANSITION TO THE PROGRAMME ROLL OUT PHASE OF THE ACTION PLAN.
- MEASURE RESULTS AND PERFORMANCE, THROUGH HIGH-LEVEL AND INTERVENTION BASED MEASURES.
- DEVELOP AND IMPLEMENT ROBUST EVALUATION CRITERIA TO SEE THE DIFFERENCE WE ARE MAKING IN THE LIVES OF BURY'S BUSINESSES AND RESIDENTS.



1

PHYSICAL GROWTH

1.1 Promoting Housing Growth

Bury is a place where people want to live. Its attractiveness relates to the close proximity and ease of access to Manchester city centre to the south and the countryside to the north.

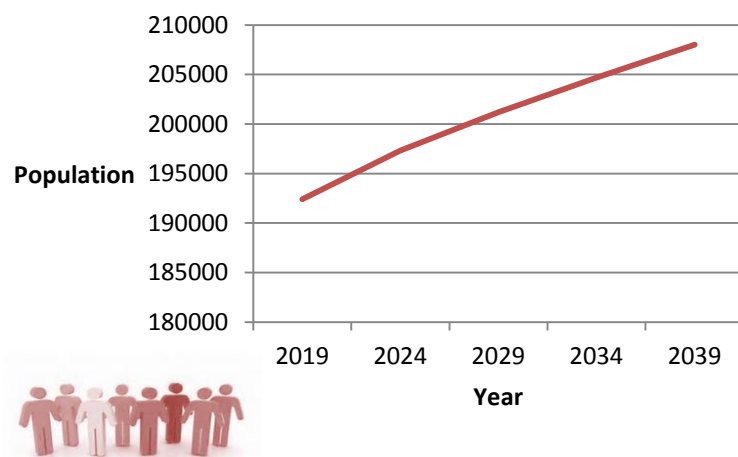
Population Growth

In 2014, the total population of the Borough was 187,500. The Government predicts that this will grow by 20,500 by 2039.

**BURY'S
POPULATION IS
FORECAST TO
GROW BY 20,500
BY 2039 (+11%)**

It is estimated that thousands of new homes will be needed to house this population increase. One of the key priorities will therefore be to identify sufficient land to deliver planned sustainable residential growth in the right locations and of the right type, size and tenure.

Population Projections 2014



An Ageing Population

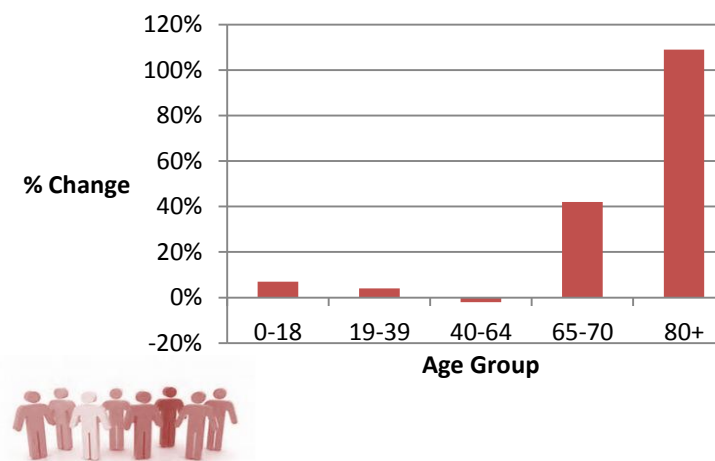
One of the key drivers for this population expansion is the fact that people are living longer. It is predicted that there will be 16,900 more people above 65 in 2039 than in 2014. The increase in the number of people aged 80 or above will more than double over the same period (8,700 more 80+ people).

**8,700 MORE
PEOPLE AGED
80+ BY 2039**

Whilst longevity indicates improved health and wellbeing, it brings with it growing demands on housing that meets the needs of older people, including specialist accommodation, with this age group more likely to require assisted living more than any other age group.

Therefore there is a need to ensure that adequate housing provision is made through both existing and new housing to cater for this increased demand.

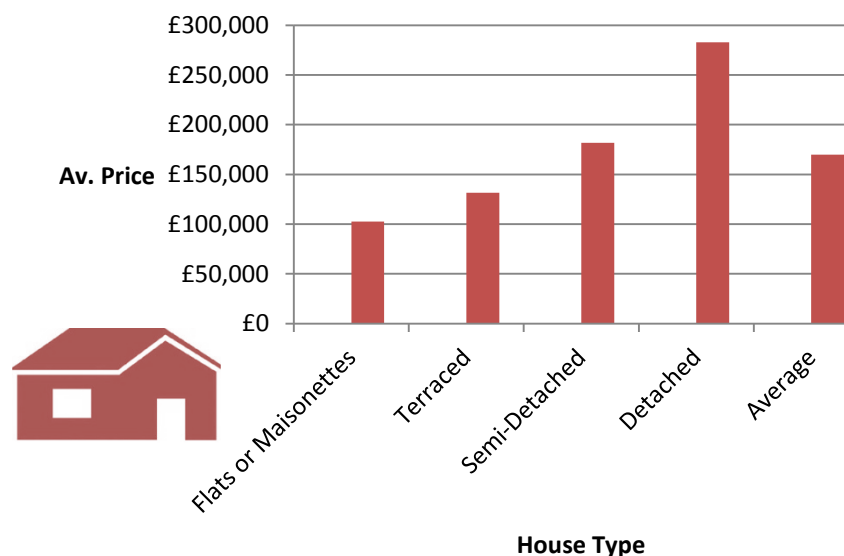
Population Change 2014 – 2039



Affordability

The affordability of housing is a big issue facing many of Bury's residents. At July 2017, the average house price in the Borough was £169,750. This is more than 10.7 times the annual wage of one in four working residents in the Borough.

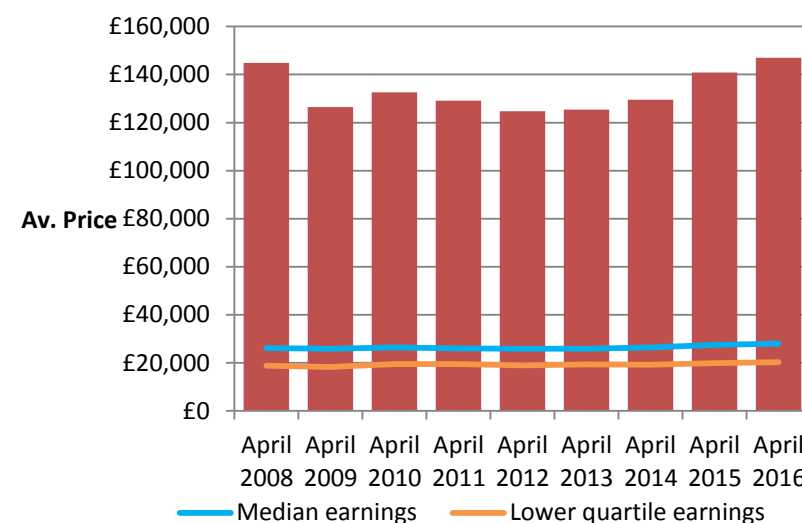
Average House Prices in Bury



House prices are steadily increasing again after a period of fluctuation. The affordability gap is likely to increase as a result, meaning a significant proportion of our households will be unable to secure home ownership without assistance.

A key priority for the Growth Plan is to pursue measures to increase the number of affordable homes across the Borough to meet local demand.

Comparison of Average House Prices and Full Time Earnings of Bury Residents



KEY GROWTH PRIORITIES FOR HOUSING

- Identify potential residential development land through the planning system to help meet the demands of a growing population, including sites for specialist accommodation.
- Update planning policies to maximise the provision of affordable housing through private developments.
- Maximise opportunities for housing development to meet housing needs in sustainable locations.



Key Delivery Mechanisms for Promoting Housing Growth

The following are considered to be key strategies, plans and programmes for the delivery of housing growth:



1.2 Promoting Employment Growth

Bury forms an integral part of Greater Manchester which is the commercial, financial, educational and cultural capital of the North and is home to the UK's strongest economic centre outside London and the South East.



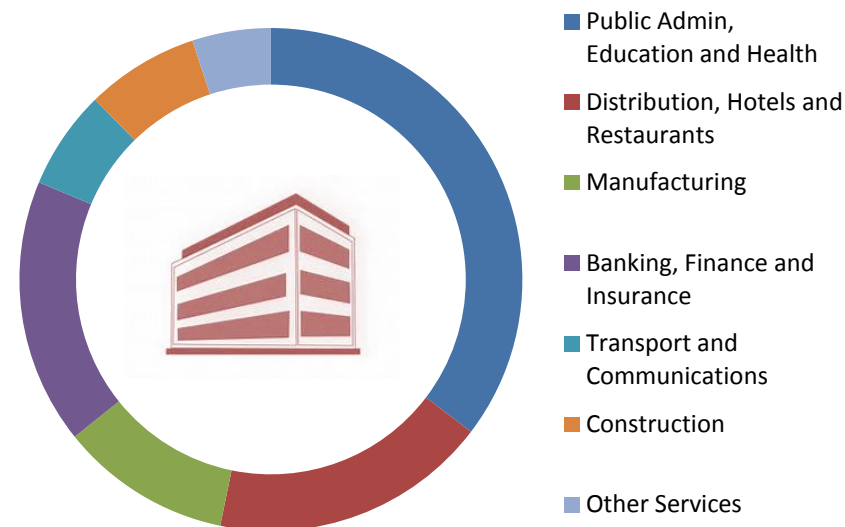
Aspirations to rebalance the country's economy through the 'Northern Powerhouse' initiative means that there is an opportunity for Greater Manchester to consolidate and strengthen its economy and Bury will have a key role to play in this.

Employment Sectors

As with other economies in the north of Greater Manchester, Bury grew up around the textile industry, resulting in an economy that was heavily reliant on manufacturing industries.

The Borough still has an expertise in the textiles industry. However, as manufacturing declined over the last 50 years, Bury has restructured to a predominantly service-based economy.

Employee Jobs in the Borough

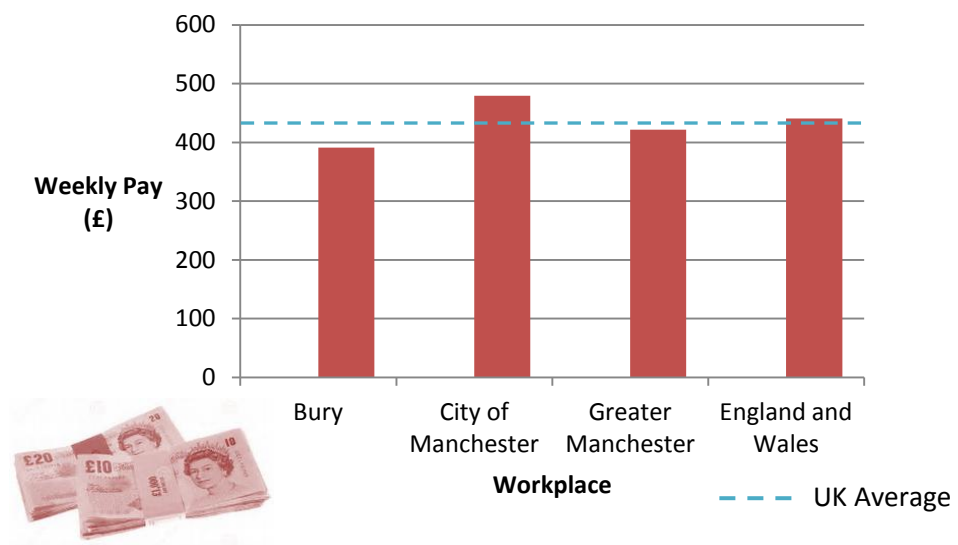


Job Quality

Bury has relatively low quality jobs on offer with median gross weekly pay 18.4% lower than in the city of Manchester. This is also significantly lower than Greater Manchester as a whole and England and Wales. This is undoubtedly a contributory factor in high levels of out-commuting where residents travel outside the Borough to access better quality employment.

MEDIAN GROSS WEEKLY PAY IN BURY IS 18.4% LOWER THAN IN THE CITY OF MANCHESTER

Comparison of Median Gross Weekly Pay



Employment Land

The Borough's existing supply of employment land is restricted not only in terms of quantity, but also in terms of quality, with a distinct lack of large, high profile sites with good access to the motorway. This has, without doubt, acted as a deterrent to economic growth and investment in Bury.



KEY GROWTH PRIORITIES FOR EMPLOYMENT

- Identify potential land for employment development through the planning system to help Bury to make a significant contribution towards economic growth aspirations in Greater Manchester and the north of England.
- Update planning policies to protect suitable existing employment sites.
- Proactively work to promote and encourage the delivery of development on key employment sites.



Key Delivery Mechanisms for Promoting Employment Growth

The following are considered to be key strategies, plans and programmes for the delivery of employment growth:



1.3 Supporting Our Town Centres

Town centres sit at the heart of our communities and provide a wide range of facilities such as shops, services, leisure, tourism, culture, health care, education and work places. The Borough has 4 town centres with Bury being the principle centre and Ramsbottom, Radcliffe and Prestwich performing a more localised function.



Vitality and Viability

Our town centres have seen varying levels of success. Bury town centre has bucked the trend seeing significant investment and regeneration in recent years to the point where it is now the third highest

**BURY IS THE THIRD
HIGHEST RANKED
RETAIL DESTINATION
IN GREATER
MANCHESTER**

ranked retail destination in Greater Manchester behind only Manchester city centre and the Trafford Centre. Bury is also the only centre within Greater Manchester to have achieved Purple Flag status in recognition of its evening and night time economy.

Ramsbottom is a strong centre with a focus on independent and specialist retailing, food and drink and tourism. Radcliffe and Prestwich are showing encouraging signs of investment and

regeneration, with further opportunities being planned for in both centres.

Regeneration Opportunities

It is important that we do not become complacent about our town centres and continually look to exploit opportunities to regenerate key sites and other regeneration initiatives that will serve to strengthen them.

In doing so and where appropriate, there is an opportunity to seek to introduce more innovative design solutions to new development that create attractive landmark features in our town centres.

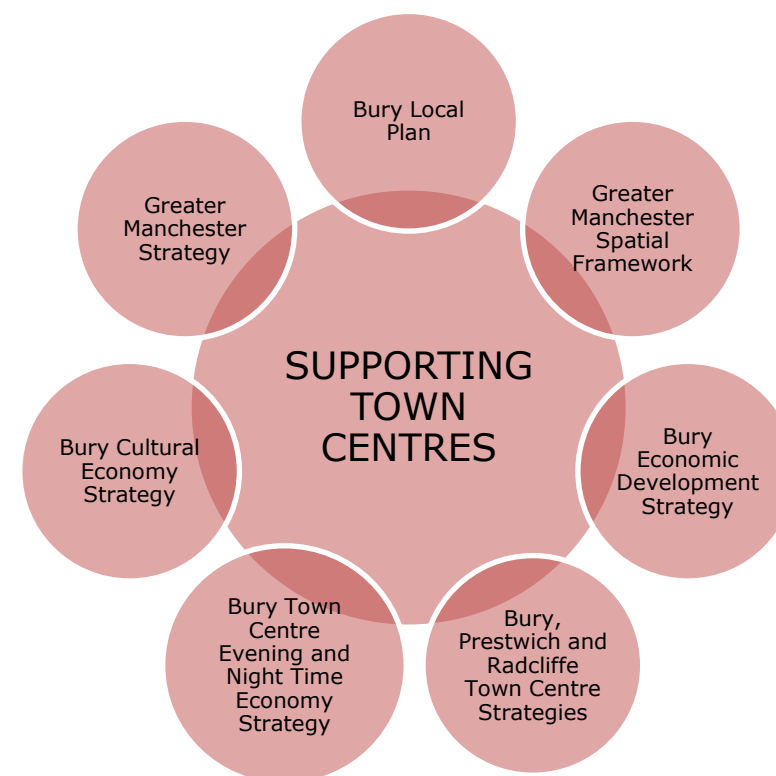


KEY GROWTH PRIORITIES FOR TOWN CENTRES

- Identify potential town centre development opportunities for main town centre uses.
- Proactively work to promote and encourage the delivery of development on key town centre sites.
- Update planning policies to prioritise town centres as the location for main town centre uses.
- Pursue other key strategies and action plans such that seek to promote and enhance our town centres.
- Develop/refresh site specific town centre development frameworks.
- Actively engage with and support key town centre stakeholders, groups and businesses.

Key Delivery Mechanisms for Supporting Town Centres

The following are considered to be key strategies, plans and programmes for the delivery of successful town centres:



1.4 Supporting Our Tourism and Cultural Assets

The Borough's tourism and cultural assets play an important role in the wider local economy both in terms of visitor spend and in creating a vibrant living environment that will be attractive to a highly skilled workforce.



Supporting Tourism and Culture

Tourism and culture is an increasingly important element of the Bury economy. At present its key components are the East Lancashire Railway, the West Pennine Moors, Bury's Market, the Irwell Valley, Transport Museum, the Fusiliers Museum, Sculpture Centre and the recently refurbished MET independent arts and entertainment venue. These assets are supplemented by a programme of town centre events that attract additional footfall.

Tourism and cultural assets and a vibrant living environment are important in attracting more talented people to reside in the Borough and

**5.4 MILLION
VISITORS WITH
AN ANNUAL
VISITOR SPEND OF
£302 MILLION**

consequently, in supporting the delivery of a modernised and knowledge-based economy. While Bury's areas of natural beauty are an asset, there is still scope for improvement in the number and range of cultural and 'lifestyle' amenities in the Borough which hinders the attraction of this talent to some degree.



KEY GROWTH PRIORITIES FOR TOURISM & CULTURE

- Support and promote tourism and cultural assets in order to make the Borough a more popular visitor destination.
- Identify potential opportunities for tourism development and tourism support facilities in the Bury Local Plan.
- Develop and implement a marketing strategy for the Borough and for its town centres.
- Encourage investment in the evening economy and growth in cultural and 'lifestyle' amenities.
- Pursue other key strategies and action plans that aim to support the Borough's tourism and cultural sectors.



Key Delivery Mechanisms for Supporting Tourism and Cultural Assets

The following are considered to be key strategies, plans and programmes for supporting tourism and cultural assets:



1.5 Addressing Transport Issues

Bury benefits from good transport links with the rest of Greater Manchester and beyond which has contributed towards the Borough's attractiveness as a commuter area. The M60, M62 and M66 motorways run through the Borough, providing access to the regional and national motorway network, along with easy access to Manchester Airport.

Metrolink currently runs from Bury town centre, travelling through the south of the Borough to Manchester city centre, Salford Quays and south Manchester. There are plans for Metrolink to be further expanded opening up new opportunities for associated growth and more sustainable travel across a wider area of Greater Manchester.



Reducing Congestion and Reliance on the Private Car

The private car is the most popular mode of travel to work and to school and 74% of households in Bury own at least one car, which is a higher rate than the regional and national average.

**74% OF
HOUSEHOLDS
OWN AT LEAST
ONE CAR**

Congestion is most prevalent in the east and west of Bury town centre and also in Prestwich and Radcliffe during the morning peak (08:00-09:00).

Pollution from road traffic is the most significant cause of poor air quality in Greater Manchester. The two pollutants of most concern are nitrogen dioxide (NO₂) and particulates less than 10 microns (PM₁₀). The target for nitrogen dioxide is exceeded in Greater Manchester at roadside locations and in busy town centres. In Bury this includes sections of the A58, the A56 and the M60.

There are higher rates of public transport usage in the south of the Borough, largely due to the availability of Metrolink services. Levels of accessibility are poorer in the north of the Borough.

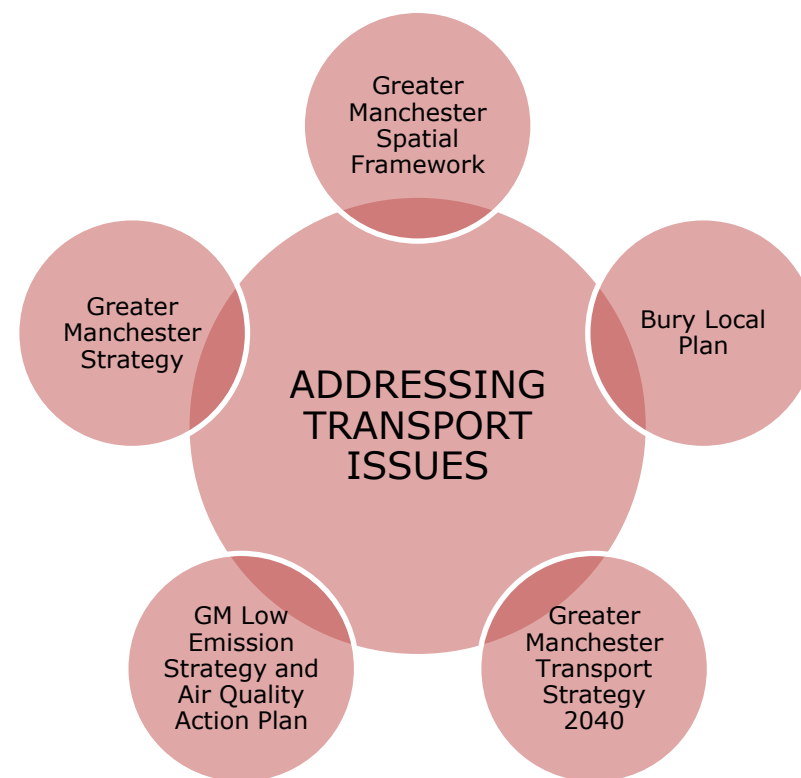


KEY GROWTH PRIORITIES FOR TRANSPORT

- Work in partnership with Transport for Greater Manchester (TfGM) and Highways England to identify opportunities for improved transport infrastructure to support current and future needs.
- Encourage greater use of public transport, walking and cycling.
- Encourage the provision of infrastructure for the refuelling of low and ultra low emission vehicles.
- Work with TfGM to develop a fully inclusive, integrated and affordable sustainable transport system for all.
- Work with TfGM to secure the delivery of a modern, attractive transport interchange in Bury town centre.
- Explore key transport opportunities as part of the TfGM 2040 vision and incorporate these into development frameworks.

Key Delivery Mechanisms for Addressing Transport Issues

The following are considered to be key strategies, plans and programmes for addressing transport issues:

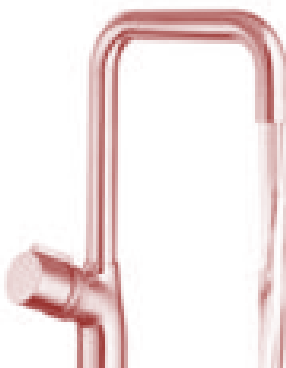


1.6 Providing Other Infrastructure

In addition to transport infrastructure, it is important to ensure that there is other supporting infrastructure in place to cater for the needs and demands of Bury's current and future residents and businesses.

Water Supply and Waste Water

Water infrastructure covers the supply of potable water and the treatment of foul water, services which are essential for the health and well being of the community. New development will clearly increase demands for these services and there will be a need to ensure that new development incorporates adequate provision, where required. This may, for example, include the provision of sustainable urban drainage (SuDS) to reduce the input of water into the drainage system.



Energy

New development will also increase demands for electricity and gas and it is important to ensure that the necessary infrastructure is in place to meet these increased demands. At the same time,

**NEW
DEVELOPMENT
INCREASES
DEMANDS FOR
ENERGY**

however, there is a drive to take Bury in the direction of becoming a low carbon Borough, for example, encouraging appropriate renewable energy and decentralised energy networks.

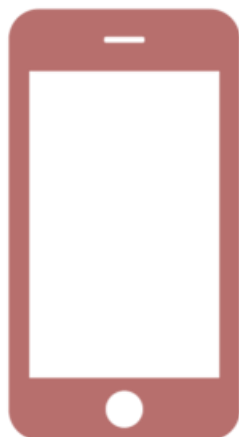
Communications and Digital

Strengthening Bury's economy and attracting 'knowledge based' industries will be assisted by the availability of advanced digital infrastructure as an important element in creating the conditions necessary to attract investment.



KEY GROWTH PRIORITIES FOR OTHER INFRASTRUCTURE

- Ensure that new development seeks to reduce its demand for water through a variety of water saving measures, including the incorporation of sustainable urban drainage.
- Work with energy providers to ensure that new development is adequately served and take steps towards the creation of a low carbon borough.
- Continue to support the delivery of communications and digital infrastructure through our joint working and Association of Greater Manchester Authorities (AGMA) governance structures.



Key Delivery Mechanisms for Providing Other Infrastructure

The following are considered to be key strategies, plans and programmes for delivering other infrastructure:





2

ECONOMIC GROWTH

2.1 Supporting Business Development

The long-term sustainability of Bury's economy will depend on its ability to stimulate entrepreneurial activity. Developing an environment

that supports our key employment growth sectors will stimulate the provision of new and expanded businesses and increase inward investment.

There are 6,380 businesses operating within the Borough – an increase of 19.25% from 5,350 in 2010.



Improving Bury's business base requires a focus on both skills and business support in order to create a sustainable and forward-looking business community. Bury also needs to sustain and nurture its key sectors.

Business Start-ups

In recent years, Bury has seen a considerable increase in the number of business start-ups. In 2015, Bury was home to 1,090 business start-ups compared to 695 in 2010. This represents an increase of

**BURY HAS SEEN A
57% INCREASE IN
THE NUMBER OF
BUSINESS START-
UPS BETWEEN 2010
AND 2015.**

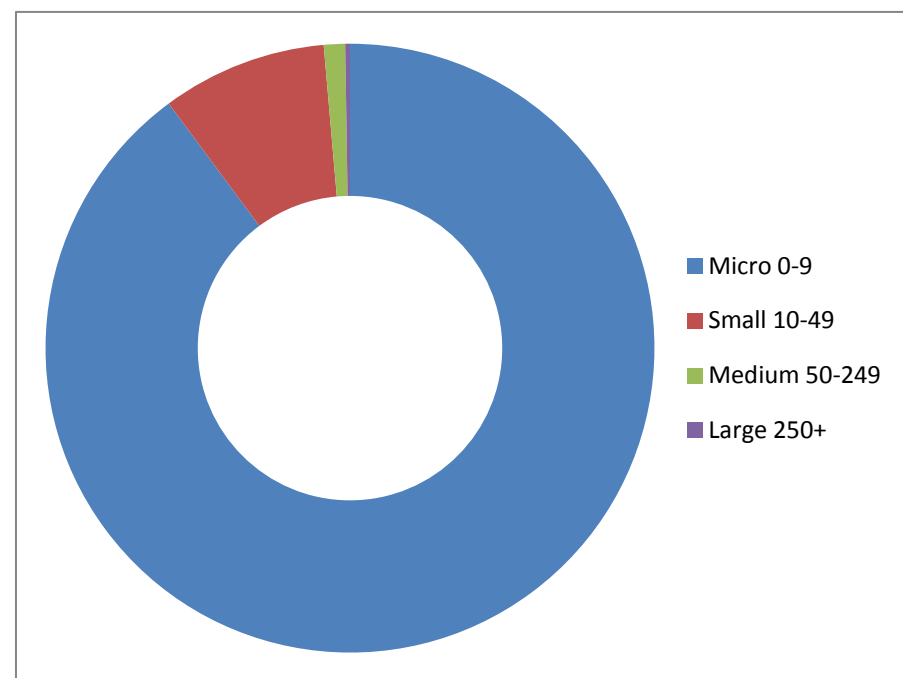
57% between 2010 and 2015.

Business Size

Bury's existing business base predominantly consists of micro businesses of between 0 to 9 employees with only a relatively small number of large businesses employing 250 or more people.

The current lack of large scale and good quality sites for economic growth and development is likely to be a contributory factor in the low number of large scale employers in Bury.

Business Sizes in Bury (2017)



KEY GROWTH PRIORITIES FOR BUSINESS DEVELOPMENT

- Develop the key sectors of Bury's economy with a strong integrated support offer.
- Ensure that business start-ups and growth potential organisations in Bury realise their potential by facilitating business support services.
- Work with Bury's educational institutions to build relationships between schools, colleges, adult learning centres and businesses to encourage an understanding of the skills and attributes employers require.
- Develop linkages to business-related activity undertaken at a national, regional and local level.
- Encourage and support employers to recognise the opportunities and business advantage of apprenticeships within the workforce.
- Encourage business networking and mentor support to encourage a strong supported business base.

Key Delivery Mechanisms for Business Development

The following are considered to be key strategies, plans and programmes for developing businesses:



2.2 Promoting Skills Development

Skills are a key driver of productivity, economic participation and competitiveness. The capacity of Bury's firms to transform their work processes and create new products in the face of fierce competition depends on the size and quality of its workforce.

The importance of ensuring that our current and future workforces have the skills that the economy needs is crucial for inclusive growth and a healthy and vibrant economy.

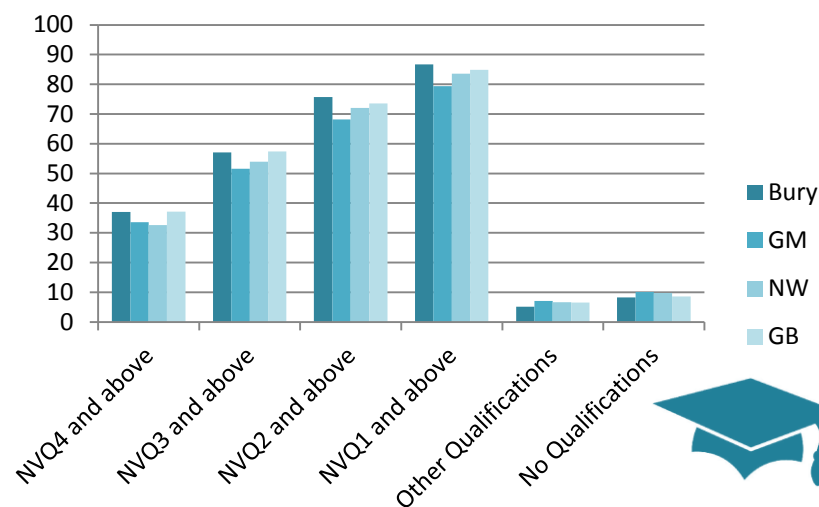
Skill Levels

One of Bury's main strengths lies in the skills of its residents, with the Borough being the location of choice for many of Greater Manchester's



high-level workers, making it an essential part of the success of the conurbation. However, there are attainment inequalities across the Borough that prevent access to economic participation and financial dependence.

Comparison of Educational Attainment



Excellent schools and educational attainment is one factor behind the attractiveness of the Borough and its ability to retain population.

Over the past 11 years there has been an increase in the proportion of the population with NVQ Level 4 and above (or equivalent) from 25.0% in 2004 to 37.0% in 2015 and a decline in the proportion of the population with no qualifications, from 13.5% in 2004 to 8.2% in 2015.

**BURY HAS THE
THIRD HIGHEST
PERCENTAGE OF
HIGH LEVEL SKILLS
ACROSS GREATER
MANCHESTER**

Bury has the third highest percentage of high level skills across Greater Manchester. However:

- Bury is slightly below the national average for high level skills.
- Bury's highest skilled workers commute out of the borough to work.
- Across the Borough there are low skill levels prevalent in wards with concentrations of deprivation. Inequality and poverty continue to affect educational attainment.
- 8.2% of Bury residents aged 16 – 64 have no qualifications.

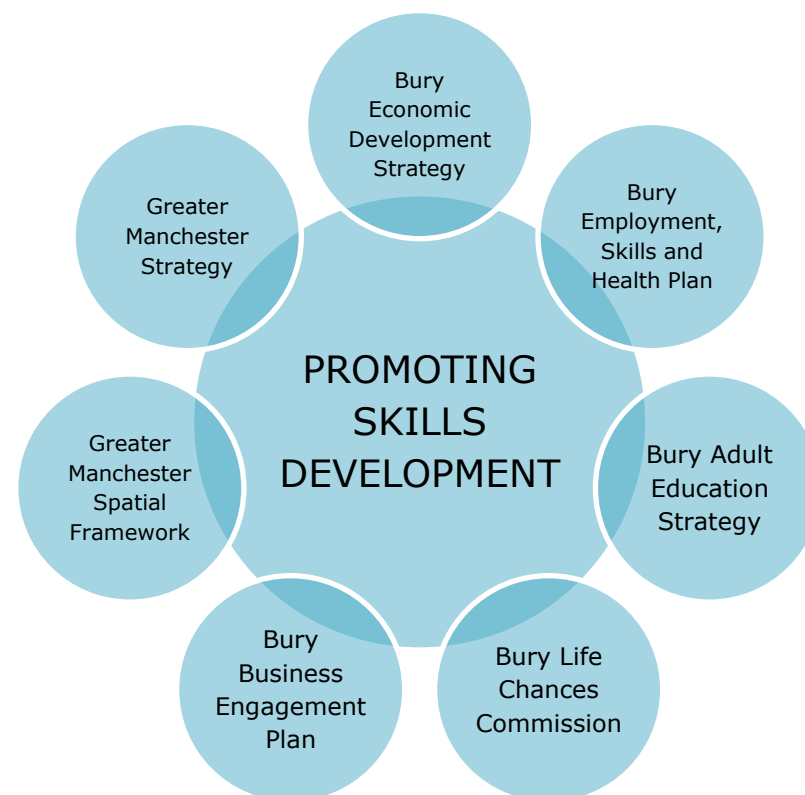
This plan will work towards ensuring that all our residents have access to good quality skills provision in order to succeed in the labour market.

KEY GROWTH PRIORITIES FOR PROMOTING SKILLS DEVELOPMENT

- Support the delivery of an integrated employment and skills system and ensure that the people of Bury have the right skills to meet the future needs of the economy.
- Encourage Bury's businesses to invest in the skills of their workforce.
- Ensure Bury's young people and adults have access to high quality careers information, advice and guidance.
- Promote apprenticeships and skills development across all sectors.

Key Delivery Mechanisms for Promoting Skills Development

The following are considered to be key strategies, plans and programmes for developing skills:



2.3 Attracting and Retaining Talent

It is not enough to increase the skills of Bury's resident population - it also important to create the right environment to attract external talent and ensure that this talent is retained and encouraged to thrive.

In particular, for the Borough's economy to fulfil its potential there is a need to seek to attract and retain highly skilled knowledge workers.

Decisions of creative, high skilled workers to locate in one place versus another are driven by quality of place (including public services, cultural offer, housing and environmental conditions), economic prospects and social factors.

There is scope and opportunity to improve awareness of Bury's quality of place. Bury can leverage and encourage the development of 'lifestyle amenities' by celebrating and promoting the Borough's unique blend of town and country.

**QUALITY OF PLACE,
ECONOMIC
PROSPECTS AND
SOCIAL FACTORS
ARE KEY TO
ATTRACTING AND
RETAINING TALENT**



KEY GROWTH PRIORITIES FOR ATTRACTING AND RETAINING TALENT

- To work alongside MIDAS and Marketing Manchester to promote Bury's offer as a high-quality place to live for skilled professionals, and to locate a business.
- To encourage educational institutions to work in partnership with employers to attract and retain talent.
- Encourage a high quality, diverse and responsive housing, transport, culture and environment offer.
- Stimulate quality provision of public goods and services that work in harmony with the needs of a population.
- Ensure that Bury benefits from current and future funding opportunities to support the attraction and retention of talent.

Key Delivery Mechanisms for Attracting and Retaining Talent

The following are considered to be key strategies, plans and programmes for attracting and retaining talent:



2.4 Attracting and Supporting Key Sectors

At present, there are a number of key sectors that make a significant contribution towards the strength and competitiveness of Bury's wider economy. Digital, health, textiles, business services and the visitor economy are particularly key sectors for the borough.

PARTS OF THE BOROUGH HAVE THE CHARACTERISTICS TO BE ATTRACTIVE TO THE **LOGISTICS** AND **ADVANCED MANUFACTURING** SECTORS

Furthermore, some parts of the Borough are considered to have the characteristics to be attractive to the logistics and advanced manufacturing sectors.

Attracting Key Sectors

There is a need to sustain and nurture Bury's key sectors and to capitalise on opportunities for future growth.

One of the key ways of attracting businesses into the Borough is to identify a range of good quality and well located development sites that have the characteristics to engender indigenous business growth and new investment in growth sectors.



KEY GROWTH PRIORITIES FOR KEY SECTORS

- Create conditions to attract key growth sectors into the borough.
- Ensure that Bury is integral to the city region offer when promoting Greater Manchester as a place to invest.
- Identify potential land for employment development through the planning system that would be attractive to Bury's existing and potential key sectors.
- Promote network of shared intelligence across our identified key sectors.



BURY GROWTH PLAN – NOVEMBER 2017

Key Delivery Mechanisms for Attracting and Supporting Key Sectors

The following are considered to be key strategies, plans and programmes for attracting and supporting key sectors:



3 SOCIAL GROWTH



3.1 Promoting Health and Wellbeing

Many factors affect our health and wellbeing including access to employment, environmental conditions, opportunities for physical activity, social circumstances and housing.

Everyone has the right to good health. Unfortunately, there are huge differences in levels of physical health, mental health and wellbeing across our Borough. The greatest challenge we face is to tackle inequalities and this remains central to all that we do.

Risks to Health and Wellbeing

The proportion of Bury's population aged over 65 is projected to rise and this will lead to an increased demand for health and social care. Smoking related deaths in Bury are significantly higher than the England average. Over two thirds of the adult population is overweight or obese, and nearly one in five 5 year olds and one in three 10 year olds are overweight or obese.



Life Expectancy

Since 2000, Bury has seen a steady increase in life expectancy at birth with the latest ONS data (2012-2014) showing life expectancy for females is 81.5 years and males at 78 years – an increase of 1.7 and 3 years respectively. These are largely consistent with life expectancy rates in Greater Manchester as a whole.

MEN IN THE MOST DEPRIVED AREAS ARE EXPECTED TO LIVE 10 YEARS LESS THAN THOSE IN THE LEAST DEPRIVED

Nevertheless, there are concerning disparities in life expectancy within the Borough depending on the level of deprivation. Life expectancy for men is over 10 years lower in the most deprived areas than in the least deprived and for women there is a 7 year difference.



KEY GROWTH PRIORITIES FOR HEALTH AND WELLBEING

- Promote the development of measures to support prevention, early intervention and self care.
- Support a reduction in social and economic inequalities that have an impact on health and wellbeing.
- Simplify access to health and social care and ensure that people can access health and wellbeing services in a timely way.
- Develop plans to take account of an ageing population and changing customer expectations.
- Seek to create and develop healthy and sustainable places and communities.



Key Delivery Mechanisms for Promoting Health and Wellbeing

The following are considered to be key strategies, plans and programmes for health and wellbeing:



3.2 Providing Social Infrastructure

A growing and ageing population will increase demands on social infrastructure such as healthcare, education and community facilities.

It is important to ensure that there is the necessary supporting social infrastructure in place to cater for the needs and demands of Bury's current and future residents and businesses.



Educational Facilities

A key ambition is to improve our educational and training offer. Achieving this ambition is fundamental to the future residents of Bury being able to gain appropriate employment and achieve economic and social wellbeing.

Educational attainment is generally good across the Borough with the level of attainment in Bury's schools appearing consistently above the national average,

**A GROWING AND
AGEING POPULATION
WILL INCREASE
DEMANDS ON SOCIAL
INFRASTRUCTURE**

and in the upper quartile of performance when compared with similar authorities.

In order to maintain this position, it will be necessary to ensure that population growth is supported by high quality education provision for all age groups from childcare to adult education.

Healthcare Facilities

Similarly, a growing and ageing population will place increased demands on healthcare facilities in Bury and it will be important that any growth is supported by the provision of additional facilities to cater for the needs of Bury residents.

Other Social Infrastructure

Again, an increased population means increased demands for social facilities such as leisure facilities, community facilities, recycling centres and other service areas. It will be important to ensure that Bury's residents are also adequately served all forms of social infrastructure.



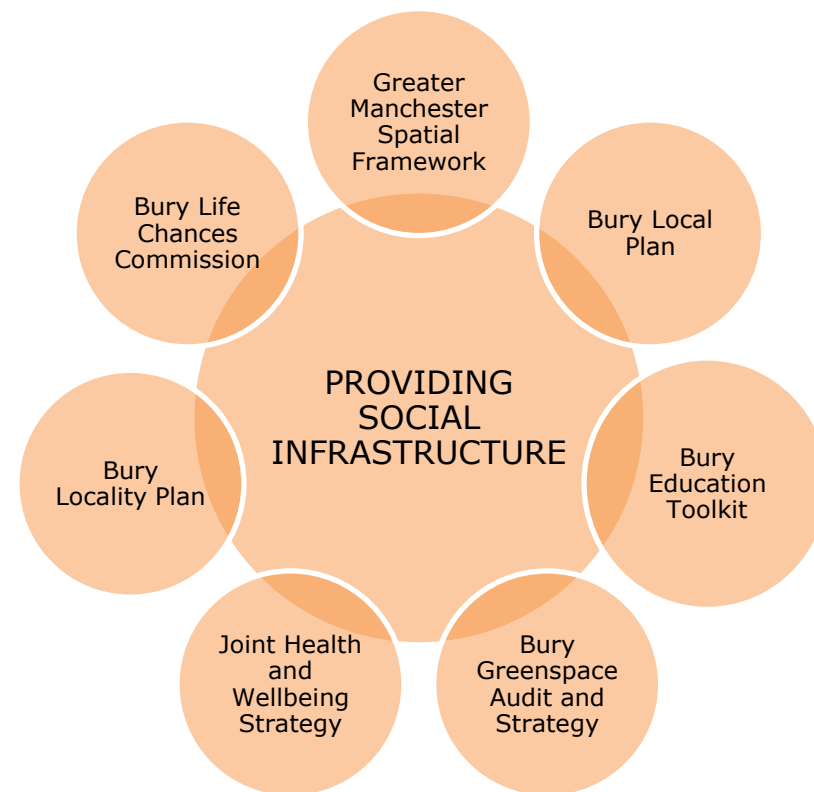
KEY GROWTH PRIORITIES FOR SOCIAL INFRASTRUCTURE

- Ensure that the growth within the Borough is accompanied and supported by the necessary social infrastructure to meet the needs of future residents, including education and healthcare provision.
- Seek opportunities to make improvements to existing social infrastructure within the Borough.



Key Delivery Mechanisms for Providing Social Infrastructure

The following are considered to be key strategies, plans and programmes for providing social infrastructure:



3.3 Creating an Inclusive Borough

Tackling economic inactivity and unemployment is part of the Borough's ambition to reduce inequality in our communities. This endeavour cross cuts all of the Council's priorities. Crucially, our joint efforts must help reduce inequality and the barriers which prevent some of our residents from achieving their full potential.

**TACKLING
ECONOMIC
INACTIVITY AND
UNEMPLOYMENT IS
KEY TO REDUCING
INEQUALITIES IN OUR
COMMUNITIES**

Sustainable growth is impossible without addressing the gap between our most affluent and poorest residents.

Whilst Bury experiences less deprivation overall than other parts of Greater Manchester and the UK, there are pockets of multiple deprivation (largely in areas of east Bury, Radcliffe, Besses in Whitefield and Rainsough in Prestwich) and significant numbers of people who experience the inter-related



problems of unemployment, low income, poor skills, inadequate housing, ill health and family breakdown.

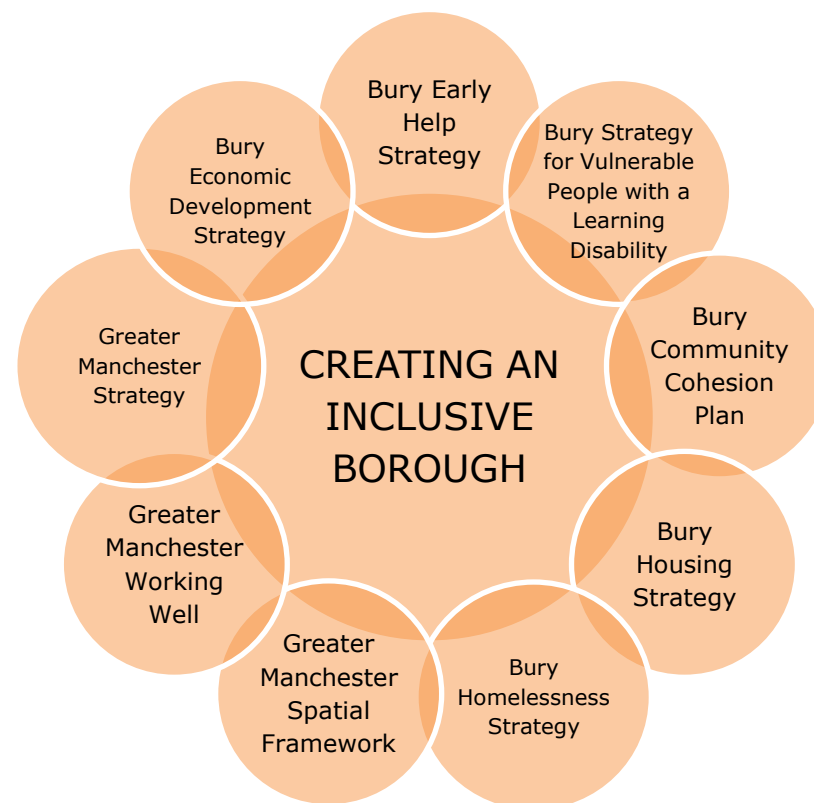


KEY GROWTH PRIORITIES FOR AN INCLUSIVE BOROUGH

- Support employment and health programmes within the wider reform agenda.
- Support programmes designed to address issues connected to economic inactivity and unemployment.
- Develop plans that seek to deliver regeneration and growth in all of our townships.
- Improve transport access to employment opportunities within the Borough and the wider city region.
- Actively develop programmes and actions to enhance the attractiveness of Bury to inward investors and facilitate business support activity to support job growth.

Key Delivery Mechanisms for Creating an Inclusive Borough

The following are considered to be key strategies, plans and programmes for creating an inclusive Borough:



4

ENVIRONMENTAL GROWTH



4.1 Addressing Climate Change and Improving Air Quality

Adapting to climate change and delivering carbon reductions will help to support reliable low carbon energy and create resilient and energy efficient places to live and work.

Carbon Reduction

Current objectives are to deliver a 48% reduction in Greater Manchester's carbon emissions by 2020 (compared to 1990 levels). This will require a significant reduction in the use of fossil fuels and a major shift in how we live our lives.

This may include measures such as retrofitting low-carbon features to our homes and workplaces, developing low-carbon skills, developing our capacity to deliver renewable energy and energy efficiency and helping the low carbon business sector flourish and grow.

THERE ARE AMBITIONS TO DELIVER A 48% REDUCTION IN CARBON EMISSIONS ACROSS GREATER MANCHESTER BY 2020

Flood Risk

Climate change has the potential to increase the risk of flooding through increased winter rainfall and the occurrence of more extreme rainfall events. Areas in Ramsbottom, to the west of

Bury town centre and between Bury and Radcliffe are particularly vulnerable to flooding.

In managing future growth, flood risk should not be made worse and, where possible, achieves reductions in flood risk overall. In partnership with the Environment Agency and United Utilities, the Council will explore opportunities for the provision of additional or improved infrastructure that will help to mitigate the risk of flooding.

Air Quality

Air quality in some areas of the Borough fails to meet recognised standards, particularly in areas around the Borough's main road network.

AIR QUALITY IN SOME AREAS OF THE BOROUGH FAILS TO MEET STANDARDS

If pollution is not adequately controlled, it can have significant consequences for human health and amenity as well as natural resources and uses that are sensitive to the effects of pollution.

Consequently, controlling potential sources of pollution is an important aspect of sustainable development.



KEY GROWTH PRIORITIES FOR ADDRESSING CLIMATE CHANGE AND IMPROVING AIR QUALITY

- Support businesses, residents and the public sector to improve their resource efficiency.
- Support appropriate businesses to diversify into low carbon business activities and seek to attract and promote businesses involved in low carbon goods and services.
- Develop and integrate the skills required for low carbon businesses into existing and future workforces.
- Seek to ensure that new developments are designed and built to be low carbon and to encourage the use of sustainable low emission transport.
- Seek to ensure that new developments will be resilient to the impacts of climate change.
- Seek to manage and minimise flood risk from all sources.
- Implement plans and strategies that reduce harmful emissions and improve air quality.

Key Delivery Mechanisms for Addressing Climate Change and Improving Air Quality

The following are considered to be key strategies, plans and programmes for helping to address climate change and improve air quality:



4.2 Environmental Protection and Management

A good quality environment has cross-cutting social and economic benefits such as improving people's health and wellbeing and helping to attract and retain talented residents.

Natural Assets

Ensuring that there is no net loss of valuable natural assets is a key component of sustainable development, underpinning economic development and prosperity and has an important role to play in maintaining locally distinctive and sustainable communities.

By ensuring that new development does not have an adverse impact on and, where opportunities arise, makes a contribution towards the enhancement of the natural environment, biodiversity and geological assets, the Council can make an important contribution towards the management of the Borough's environmental assets.

It is important that the Borough's historic assets, such as Conservation Areas, Listed Buildings and Scheduled Ancient Monuments continue to be protected.



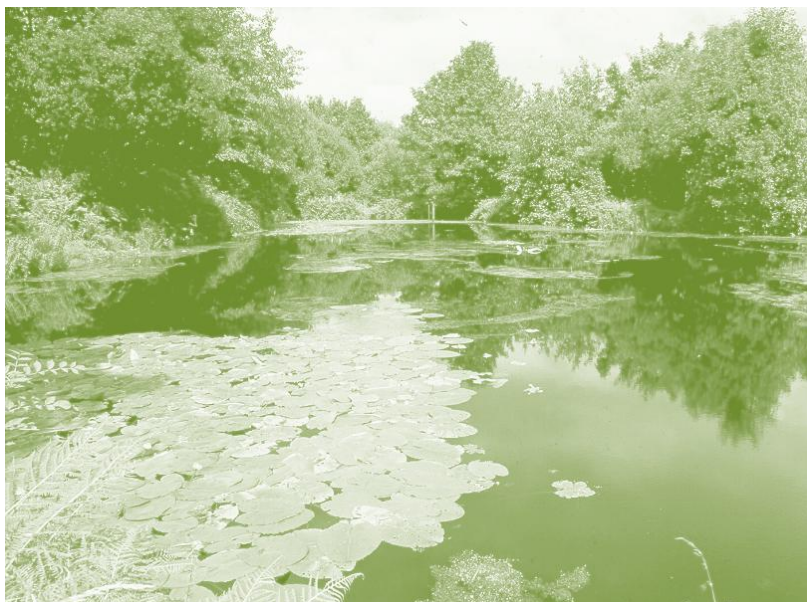
Built Heritage

The Borough's heritage resource includes not only buildings and historic remains but also the links between these and education, leisure, economic and cultural development and tourism, and with local identity and community involvement.



KEY GROWTH PRIORITIES FOR THE ENVIRONMENT

- Update planning policies that support the protection and management of the Borough's natural and built environment.
- Identify, protect and enhance a network of multifunctional 'green infrastructure' throughout the Borough.
- Protect, maintain and restore biodiversity resources and heritage assets with particular reference to local character, distinctiveness and sense of place.



Key Delivery Mechanisms for Environmental Protection and Management

The following are considered to be key strategies, plans and programmes for environmental protection and management:



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DECISION OF:	CABINET COUNCIL
DATE:	15 November 2017 29 November 2017
SUBJECT:	CONSIDERATION OF THE GREATER MANCHESTER WASTE DISPOSAL LEVY ALLOCATION METHODOLOGY AND APPROVAL OF A REVISED LEVY ALLOCATION MODEL AGREEMENT
REPORT FROM:	Councillor Quinn Cabinet Member – Environment
CONTACT OFFICER:	Steve Kenyon, Interim Executive Director Resource and Regulations
TYPE OF DECISION:	Cabinet - Key
FREEDOM OF INFORMATION/STATUS:	For publication
SUMMARY:	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.
OPTIONS & RECOMMENDED OPTION	<p>Options</p> <p>1) To approve the proposed revised LAMA and the following recommendations:</p> <p>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.</p> <p>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,</p>

	<p>and any associated documentation relating thereto.</p> <p>2) 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.</p> <p>3) Do nothing, in which case the statutory default scheme will take effect.</p> <p>Recommended Option</p> <p>Option 1) is the preferred option</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:	The new contract should generate savings / avoid future costs for the Council. The extent of these will be confirmed in December when final tonnage calculations are undertaken.
Health and Safety Implications	There are no Health and Safety implications
Statement by Executive Director of Resources (including Health and Safety Implications)	The revised Inter Authority Agreement seeks to simplify the levy charging model, reflect current market conditions, incentivise recycling and reduce volatility of charges.
Equality/Diversity implications:	There are no equality/diversity implications
Considered by Monitoring Officer:	<p>Yes</p> <p>The legal implications are set out in the report and the Levy Apportionment Methodology Agreement, which the Council is being asked to sign.</p>
Wards Affected:	All
Scrutiny Interest:	

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	
	15.11.2017	29.11.2017	

1.0 BACKGROUND

- 1.1 The GMWDA is responsible for the disposal of waste collected by the constituent Waste Collection Authorities, for the provision and maintenance of household waste recycling facilities and for compliance with recycling requirements.
- 1.2 The current arrangements for the disposal of household waste in Greater Manchester (save for Wigan) were established in 2009 with the signing of the

Recycling and Waste Management (PFI) Contract (the PFI Contract) with Viridor Laing (Greater Manchester) limited (VLGM). The GMWDA acquired VLGM (for £1) in October 2017 which will allow existing arrangements to be formally terminated so as to address issues that had arisen within the operation of the Contract and to enable significant efficiency savings to be released. The current IAA, which was signed by all Districts in 2009, falls away with the termination of the PFI Contract and it is therefore necessary to reconsider the Levy apportionment within GM and for all Districts to approve and enter into a revised Levy Allocation Methodology Agreement (LAMA) which reflects the new arrangements. That Agreement is designed to apply for 10 years, and would be applied in full for the 2019/20 financial year onwards, with transitional arrangements being proposed for the financial year 2018/19.

- 1.3 The GMWDA is a levying body. In February 2009 the GMWDA and its nine constituent councils, entered into an Inter Authority Agreement (IAA) regulating the levy. The IAA was entered into pursuant to the Joint Waste Disposal Authorities (Levies) (England) Regulations 2006 (SI 2006/248).
- 1.4 The existing IAA was agreed unanimously by all constituent Districts as part of a suite of documents at the time the PFI Contract was adopted in 2009. That moved the Levy allocation method to one that supported Greater Manchester's commitment to both the four waste stream collection system and also to incentivise recycling. That IAA was designed to stay in place for the duration of the Recycling and Waste Management (PFI) Contract arrangements with VLGM, to 2034, but has a provision that it would 'fall away' on termination of the PFI. A new locally agreed basis to apportion the Levy is therefore needed to be applied from the 2018/19 financial year onwards.
- 1.5 Whilst the original principles upon which the IAA were founded, in practice, it is considered that the IAA should be revised to address a number of issues that have arisen as a result of the current methodology:
 - a) the cost of residual waste is now set at punitive levels. That in turn means that IAA tonnage declarations are not always as accurate as they should be;
 - b) due to changes in income levels for recyclates there is now a subsidy on both the paper/ card (pulpables) and cans/ plastic bottles/ glass (commingled) recycling waste streams, which is added to the cost of residual waste.
 - c) The IAA exaggerates the benefits for one District, over wider savings and benefits for the conurbation;
 - d) there is a lack of transparency; and
 - e) a number of perverse results are caused by application of bandings.
- 1.6 All constituent Districts have very recently reached the same capacity for residual waste collections. This therefore provides an opportunity, along with the new operating contract(s) arrangements, to move to a different and more stable agreement.

2.0 CURRENT POSITION

- 2.1 Following extensive consultation with Districts the GMWDA made a decision to terminate the existing PFI arrangements in order to reduce costs and to attain operational improvements in order to fulfil the required budget savings.
- 2.2 Upon Termination of the PFI the existing IAA becomes obsolete. Once the PFI Contract is formally terminated in accordance with the decision to this

effect, the existing IAA will no longer be binding, and a new IAA must be unanimously agreed by all nine constituent Districts. Failure to agree a new methodology will result in the national default mechanism being applied. That default position allocates cost based upon a mixture of Council Tax Base and overall tonnages. All District Treasurers and Waste Chief Officers recognise that the default basis would not deliver either our savings or environmental aspirations.

- 2.3 Accordingly, an extensive and inclusive process of consultation has now been concluded within Greater Manchester about the replacement process and set out below are the broad proposals for the new levy allocation methodology agreement.

3.0 PROPOSALS

- 3.1 The key design characteristics for a 10 year duration LAMA and reasoning for their inclusion in the methodology are set out in the table below:

A. District Collected Waste_ (c £136m, 78.6% of net costs)		
1.	Retain 4 waste stream approach, based upon:- i. Commingled/pulpables (as one); ii. Organics (food and Garden); iii. Trade Waste, and iv. Residual Waste.	To Reflect collection working practices and to ensure costs and environmental benefits from recycling improvements remain.
2.	Retain year-end adjustments for tonnages (introduced from 2017/18). Adjustments to be at a pre-agreed annual rate, reflecting marginal processing costs (subject to items A3 below).	Ensures a direct link to performance and encourages direct link to benefits of improving recycling performance. Marginal costs are used to match any cost/reductions at a District level with broadly corresponding changes in costs paid to the providing contractor. Increases transparency and stops a mere cost reallocation exercise (as changes in levy are broadly matched by corresponding changes in costs paid to the contractors). Also provides a more stable budget position year on year at district level.
3.	Allocate costs on the basis of an Apportionment Model (AM) which comprises:- i. fixed element (i.e. are related to costs which do not vary, such as debt charges). These will be allocated to Districts based	

	<p>on adjusted¹ 2017/18 actual tonnages, and will be reviewed after 5 years for 2022/23</p> <p>ii. variable costs – which reflect marginal processing cost.</p> <p>4. For Districts whose recycling falls below 1% of current levels, residual waste to be charged at full cost (i.e. fixed and variable). The 1% assessment to be from the 2017/18 base position.</p> <p>5. Common assumptions to be used in tonnage estimates.</p>	<p>This provision ensures that one District cannot adversely impact others by reducing its recycling efforts. 1% variation is proposed to reflect seasonality/past changes etc. (i.e. not a hair trigger) and to have an exception override (to the GMCA Treasurer) in case of exceptional circumstances</p> <p>This provision ensures that all future year increases are based upon common factors, such as expected changes in housing type/numbers and population. It will also ensure re-procurement facilities/capacity are correctly sized.</p>
	B. Household Waste Recycling Centres (HWRC) (c. £31m, 17.9% of net costs)	
	<p>Cost allocation moved to be based upon:</p> <p>i. 50% Council Tax Base</p> <p>ii. 50% Car Ownership (2011 Office of National Statistics census) but subject to a survey of users (in 2018/19) to establish the district in which they live.</p>	<p>Move is away from 100% based on Council Tax Base and better reflects that usage will be linked to access by cars.</p> <p>To allay any concern that these 'proxy' measures may still not reflect usage there is a proposed review, following a survey of uses, in the 2018/19 financial year (as part of the Waste Composition Analysis work stream).</p>
	C: Authority Own costs (c. £5m, 2.9% of net costs) – including direct costs (such as salaries/running costs)	
	Equal share	Costs do not vary significantly by activity, and are thus linked to an 11.1% each District allocation basis.
	D: Non-Key Services (c. £1m, 0.6% of net costs) – this comprises specialised waste services, such as asbestos, plasterboard, clinical waste, dog waste, etc.	
	Waste arisings	No change from the existing basis.

¹ An adjustment may be made to Salford and Trafford figures (only) to reflect the part year impact of reduced waste capacity roll out and potential impact of charging for Garden Waste (respectively).

		It is intended that the majority of 'regular' waste will in future be included in the reprocurd contracts and thus the value of this will fall further.			
3.2	District tonnages need to be revised on an annual basis, to reflect changes in both volumes and in the level of recycling that local residents are achieving. In previous years an inconsistent approach has been taken to those projections, particularly in relation to the possible impacts of population and housing growth. Through the Waste Chief Officers Group, led by Bolton Council, a common approach to growth has bene adopted, and has been included in the projections for future years levy. That approach has advantages both in projecting future requirements (for the new operating contracts) and also in minimising the potential for significant in-year fluctuations (which are now a district level risk). Figures used in projections thus take account of 5 months actuals, which is essential given the scope of collection changes made in the last 12 months by many districts, but will still require further refinement and challenge before being finalised in December 2017.				
3.3	Based on the revised LAM principles (para. 3.2), and updated tonnages (para. 3.3) the impact on the 2019/20 financial year would be: -				
	District	Sept 2017 projected levy requireme nt, revised LAM methodolo gy and Sept 2017 tonnages	February 2017 projection (old IAA and Dec. 2016 tonnages)	Cost/ Saving due to tonnag e change s	Cost/ Saving due to levy allocation methodology changes
		£m	£m	£m	£m
	Bolton	20.430	20.534	-0.136	0.032
	Bury	14.076	13.879	-0.086	0.283
	Manchester	30.417	32.985	-0.955	-1.613
	Oldham	17.944	17.567	0.515	-0.138
	Rochdale	15.743	15.849	0.023	-0.129
	Salford	20.526	21.133	-0.132	-0.475
	Stockport	20.958	20.659	-0.196	0.495
	Tameside	15.524	13.951	0.357	1.216
	Trafford	16.858	15.721	0.579	0.558
	Total	172.476	172.278	-0.031	0.229
3.4	It is further proposed that, after taking account of tonnage changes year on year, that the levy allocation in 2018/19 be based upon a 'half the difference' (i.e. average of 2017/18 revised estimate and 2019/20 estimates) and will be adjusted at year end to reflect actual tonnages at the marginal tonnage rate change basis.				

- 3.5 Subject to the above methodology being approved it is necessary for each GM District to obtain formal agreement before the 31st December 2017 of the new LAM. That in turn will allow the 2018/19 Levy to be set by the GMWDA (8th February 2018) using the new LAM basis.

Background Paper:

WASTE MANAGEMENT LEVY ALLOCATION METHODOLOGY (LAMA) AGREEMENT

Contact Details:-

Steve Kenyon, Interim Executive Director of Resource and Regulation Tel: 0161 253 6922 email: S.Kenyon@bury.gov.uk

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DATED

2018

- (1) Greater Manchester Waste Disposal WDA
- (2) Bolton Borough Council
- (3) Bury Metropolitan Borough Council
- (4) The Council of the City of Manchester
- (5) Oldham Metropolitan Borough Council
- (6) Rochdale Metropolitan Borough Council
- (7) Salford City Council
- (8) Stockport Metropolitan Borough Council
- (9) Tameside Metropolitan Borough Council
- (10) Trafford Borough Council

WASTE MANAGEMENT LEVY ALLOCATION METHODOLOGY (LAMA) AGREEMENT

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THIS LEVY ALLOCATION METHODOLOGY AGREEMENT (LAMA) is made on the

2018

BETWEEN

- (1) Greater Manchester Waste Disposal Authority of 1st Floor, Churchgate House, 56 Oxford Street, Manchester, M1 6EU (“the WDA”);
- (2) Bolton Borough Council of Town Hall, Victoria Square, Bolton, BL1 1RU;
- (3) Bury Metropolitan Borough Council of Town Hall, Knowsley Street, Bury, BL9 0SW;
- (4) The Council of the City of Manchester, PO Box 532, of Town Hall, Albert Square, Manchester, M60 2LA;
- (5) Oldham Borough Council of Civic Centre, West Street, Oldham, OL1 1UG;
- (6) Rochdale Metropolitan Borough Council of Rochdale OL16 1LQNumber One Riverside, Smith Street, Rochdale, OL16 1XU
- (7) Salford City Council of Civic Centre, Chorley Road, Swinton, Salford, M27 5DA;
- (8) Stockport Metropolitan Borough Council of Town Hall, Edward Street, Stockport, SK1 3XE
- (9) Tameside Metropolitan Borough Council of; and Dukinfield Town Hall, King Street, Dukinfield, Tameside, SK16 4LA
- (10) Trafford Borough Council of Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0TH;

EACH (other than the WDA) being a Waste Collection Authority and which are (other than the WDA) collectively referred to as “the WCAs”.

RECITALS

- (A) The WDA is a Waste Disposal Authority and has a statutory duty to dispose of waste. From 1st April 2018 the WDA will be abolished and all its functions will transfer to the Greater Manchester Combined Authority (GMCA) under the Greater Manchester Combined Authority (Functions and Amendment) Order 2017. From that time forwards all references to WDA in this agreement will be read as references to GMCA.
- (B) The WCAs have a statutory duty to collect waste and deliver it to the WDA.
- (C) The LAMA is designed to support delivery of the WDA's Waste Management Strategy, delivery of the English 50% minimum recycling target and to promote diversion from landfill in a way that maximises financial and environmental benefits. Policy on waste management is currently being reviewed at a European level, and as such whilst the LAMA is intended to reflect an expected increase in the levels of recycling performance and diversion from landfill that will be required, it will need to be reviewed over its 10 year period to ensure it reflects final policy decisions.
- (D) The Joint Waste Disposal Authorities (Levies) (England) Regulations 2006 established the WDA's power to issue levies on its constituent councils (the WCAs) to meet all liabilities falling to be discharged by the WDA.
- (E) The WDA has continued with a Viridor Operating Contract (VC) and will enter into new Replacement Operating Contracts for the disposal of residual waste and treatment of recyclates, pulpables and green waste (amongst other things). The WCAs have agreed, subject to the terms of this LAMA, to support the WDA in fulfilling its responsibilities under these arrangements, which includes a commitment to deliver recyclable material to VC and the Replacement Operating Contracts.
- (F) For the 10 year duration of the LAMA the WDA is: -
1. Continuing the existing *Operating Contract* with the operator Viridor Waste (Greater Manchester) Limited (VC) which provides a short term 'run off' contract, which is estimated to cease in April 2019;
 2. Proposing to enter into Replacement Operating Contracts which are expected to be awarded covering: -
 - Lot 1 - known as the "Waste and Resource Management Services" (WRMS).
 - Lot 2 - known as the "Household Waste Recycling Centre management services" (HWRCMS).
 - Lot 3 - known as the "Biowaste Management Services" (BMS).

AND

In consideration of £1.00 given by the WDA to each of the WCAs (receipt of which is hereby acknowledged) it is agreed as follows:-

1. DEFINITIONS

1.1 In this Agreement, unless the context otherwise requires terms with an initial capital shall have the meanings set out below.

“2019/20 Base Financial Model”	This is a cost allocation model developed by the WDA and made available to WCA Treasurers, to support the levy allocation process. The model contains commercially sensitive information and is not therefore part of this Agreement
“Administrative Area”	The administrative area(s) of the Parties at the date of this Agreement
“Agreement”	This agreement and the Schedules hereto
“Best Value”	The obligation continuously to improve both the quality and cost of the collection of Residual Waste and Recycling pursuant to the provision of the Local Government Act 1999
“Best Value Duty”	The duty of continuous improvement in relation to, inter alia, the collection of Residual Waste and Recycling imposed on WCAs by Section 3 (1) of the Local Government Act 1999
“Bulky Waste”	District collected waste that by its nature will not fit in the usual residual waste receptacles (such as large items of furniture etc.), often referred to as Bulky Waste
“Change”	Any change agreed in accordance with clauses 6 (WCA Best Value) or 7 (Change) and Schedule 4 (Change Control Procedures)
“Change in Law”	<p>The coming into effect, after the date of this Agreement, of:-</p> <ul style="list-style-type: none">(a) Legislation, other than any Legislation which on the date of this Agreement has been published<ul style="list-style-type: none">(i) in a draft Bill as part of a Government Departmental Consultation Paper;(ii) in a Bill;(iii) in a draft statutory instrument;(iv) as a proposal in the official Journal of the European Union;(b) any Guidance; or(c) any applicable judgement of a relevant court of law which establishes or changes a binding

	precedent
“Commencement Date”	1 st April 2018
“Comingled Waste”	Dry recycling that is usually collected as mixed materials by WCA; initially comprising cans, plastic bottles, and glass
“Delivery Points”	The delivery points for waste to be deposited by type to be agreed by the WCAs on an annual basis as provided for by the process set out in Schedule 2 (Facilities) or such other delivery points as the Parties shall agree.
“EIR”	The Environmental Information Regulations 2004
“EPA”	The Environmental Protection Act 1990
“Exceptional Circumstances”	<p>A decision to be made by the GMCA Treasurer to exercise his/her discretion in circumstances that are outside the direct decision making control of the WCAs under which Recycling Minimum Performance Level is triggered.</p> <p>In these Exceptional Circumstances the GMCA Treasurer shall apply a tonnage adjustment rate that is at the LAM Variable costs, rather than the total cost rate.</p>
“Expiry Date”	Subject to any earlier termination of this Agreement the expiry date shall be 31 st March 2028, and “Expiry” shall be construed accordingly
“Facility”	Each and any facility for the reception of Waste from WCAs including the Delivery Points provided and/or operated or to be provided under the VC or the Replacement Operating Contracts with all supporting infrastructure and equipment
“FOIA”	The Freedom of Information Act 2000 and any subordinate legislation (as defined in Section 84 of the Freedom of Information Act 2000) made under the Freedom of Information Act 2000 from time-to-time together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government Department in relation to such Act
“GMCA”	Greater Manchester Combined Authority
“HWRC”	Household Waste Recycling Centre
“IVC”	In-vessel Composting Facility
“LAM fixed costs”	<p>The LAM model costs which are not expected to vary by volumes of tonnages processed, and are by definition mostly fixed by their nature. The 2019/20 Base Financial Model applied the following elements as fixed:</p> <ul style="list-style-type: none"> • Finance charges, in respect of the TPSCo and VLGM Compensation Sum; • Facility modification financing costs; • Other Financing costs (including former GMCDAF);

	<ul style="list-style-type: none"> • National Non Domestic Rates (NNDR); and • Insurance
“LAM variable costs”	The LAM model costs which are expected to vary by volumes of tonnages processed. The 2019/20 Base Financial Model applied the following elements as variable: <ul style="list-style-type: none"> • Replacement Operating Contracts; • Runcorn RVC; and • landfill costs
“Legislation”	Any Act of Parliament or subordinate legislation within the meaning of Section 21(1) of the Interpretation Act 1978, any exercise of the Royal Prerogative, and any enforceable community right within the meaning of Section 2 of the European Communities Act 1972, in each case in the United Kingdom
“Levy”	The charge to the WCAs in accordance with Schedule 3
“Levy Allocation Model (LAM)”	A financial model that is used to allocate cost between fixed, variable and WDA own costs as set out Schedule 3
“Levy Requirement”	The annual budget requirement, less any contributions for reserves, that the WDA needs to raise from WCA by the Levy to produce a balanced budget.
“MBT”	Mechanical and Biological Treatment Facility, which is expected to be utilised for the financial year 2018/19 only
“MT”	Mechanical Treatment Facility, which is expected to operate from 2019/20 onwards
“Parties”	The WDA and the WCAs, and “Party” shall mean any of them
“Partnering Ethos”	The aspirational aims set out at clause 3.2
“Performance Deductions”	As defined in the VC and the Replacement Operating Contracts
“Performance Standards”	The criteria set out in the VC and the Replacement Operating Contracts as agreed or amended from time-to-time
“Planned Maintenance”	Planned maintenance by VC and Replacement Operating Contractors at any of the Delivery Points
“Recyclable Materials”	Any materials collected separately or otherwise separated from Residual Waste for the purposes of Recycling (and including materials collected and delivered comingled), including the materials listed below: <ul style="list-style-type: none"> (a) paper and cardboard; (b) plastics; (c) ferrous and non-ferrous metals;

	<p>(d) textiles;</p> <p>(e) glass;</p> <p>(f) wood;</p> <p>(g) organic kitchen and garden waste;</p> <p>(h) tyres; and</p> <p>(i) waste electrical equipment,</p> <p>or such other materials as shall be agreed in writing between the Parties from time-to-time</p>
“Recycle”	The delivery of Recyclable Materials for Reprocessing (as evidenced by a Defined Audit Trail) but excluding Energy Recovery or Beneficial Use for inclusion in a reprocessing process, and the terms “Recycling” and “Recycled” shall be interpreted accordingly
“Recyclate Performance Adjustment”	Below the Recyclate Minimum Performance level the level of adjustment applied per tonne shall be the total of LAM fixed and LAM variable costs (both expressed in £ per tonne levels)
“Recyclate Base Performance level (RBP)”	<p>This is the actual level of recycling achieved in 2017/18 at an individual district level expressed as a percentage of total waste arisings less trade waste, as set out in the formula below: -</p> $\text{District RBP} = \frac{dg+dc+dp}{dw-dt}$ <p>where;</p> <p>dg = district food and garden waste tonnes</p> <p>dc = district comingled recycling tonnes</p> <p>dp = district pulpables tonnes</p> <p>dw = district total waste arisings tonnes</p> <p>dt = district trade waste</p>
“Recyclate Minimum Performance level”	<p>This is the level by which recycling levels can reduce, below which the Recyclate Performance Adjustment is applied.</p> <p>It is expressed as shown in the formula below:</p> $\text{RBP} - 1\%$
“Replacement Operating Contracts”	<p>Three waste management operating contracts to be let around April 2019 comprising: -</p> <ul style="list-style-type: none"> • Lot 1 - known as the “Waste and Resource Management Services” (WRMS). • Lot 2 - known as the “Household Waste Recycling Centre management services” (HWRCMS). • Lot 3 - known as the “Biowaste Management Services” (BMS).
“Residual Waste”	All Waste delivered to the WDA that is not recycling, or

	Trade Waste
“Runcorn RVC”	The Residual Value Contract entered into by the Authority and Thermal Power Station (Runcorn) Limited (TPSCo) for the end disposal in a combined heat and power plant by thermal means of the refuse derived fuel produced from residual waste.
“Service Delivery Plans”	The plans in VC and the Replacement Operating Contracts which sets out how the Residual Waste and Recycling services and certain of the standards to which the services must be performed in respect of the relevant Facilities
“Smoothing Factor”	An adjustment to the 2018/19 Levy only to reflect the adjustments caused by methodology changes from the 2017/18 Inter Authority Agreement (IAA) basis, and the 2019/20 LAMA, as set out in Schedule 3, para. 9
“Trade Waste”	Waste of similar composition to Residual Waste which is collected from commercial and office premises for or by the Districts and is treated in accordance with Schedule 3, para. 6
“TRF”	The Thermal Recovery Facility located at Raikes Lane, Bolton
“Transport Levy Base”	The mid-year 2016 population base, as applied to the 2018/19 levy year.
“TLS”	Transfer Loading Station
“Unavailable/Un-availability”	That a Delivery Point is for a period of time or permanently unavailable for the reception of Residual Waste and Recycling, as further defined in VC and the Replacement Operating Contracts
“Waste”	The types of waste described in Schedule 1 (WCA Forecast) to be delivered by the WCAs to the WDA pursuant to this Agreement and other provisions relating thereto
“WCA Collection Contractor”	Any collection contractor engaged by a WCA to collect Contract Waste
“WCA Forecast”	<p>The forecast, made by each WCA, of all Waste arising, for a five year forward period that takes account of expected increase in housing and population, and which is set out at Schedule 1 (WCA Forecast).</p> <p>Each district will prepare at least two forecasts annually, which will be subject to scrutiny by the WDA. Those forecasts will be required each year in: -</p> <ul style="list-style-type: none"> • September - to complement the initial budget forecast and inform the initial allocation of levy at district level; and • December - which will be used as the basis of setting the annual Levy at a district level
“WCA Operations”	The methods of operation from time-to-time of each

	WCA in collecting and delivering its Waste to Delivery Points
“WDA”	The Greater Manchester Waste Disposal Authority
“WET Act”	The Waste and Emissions Trading Act 2003

2. COMMENCEMENT AND DURATION

This Agreement will commence on the Commencement Date and continue in full force and effect until the earlier of:-

- 2.1 the Expiry Date; or
- 2.2 earlier if all of the WCAs and the WDA agree to amend or terminate this Agreement.

3. PARTNERING ETHOS

- 3.1 The Parties will work in good faith and in accordance with the Partnering Ethos.
- 3.2 Partnering Ethos shall mean that each party shall:-
 - 3.2.1 act reasonably and co-operatively with the other Parties;
 - 3.2.2 provide information to each other which they consider (acting reasonably) to be relevant relating to waste collection and waste disposal;
 - 3.2.3 use reasonable endeavours to mitigate any losses arising from a Party's failure under this Agreement and to reduce the detrimental impact on the other Parties (or the council tax payers of any one of them) of any failure to carry out its obligations under this Agreement;
 - 3.2.4 use reasonable endeavours working together and in co-operation with VC and the Replacement Operating Contractors, to minimise waste, to educate the public and the commercial sector about recycling schemes and why their participation in these schemes is crucial, and to ensure that as much Waste as possible is (in order of priority) reduced, re-used, recycled or recovered; and
 - 3.2.5 without prejudice to the express rights, remedies and obligations of the WCAs under this Agreement and Legislation

the WCAs shall (using reasonable endeavours) not knowingly do anything under their reasonable control which would put the WDA in material breach of VC and the Replacement Operating Contracts.

4. PRINCIPAL OBLIGATIONS OF THE WDA

- 4.1 The WDA will discharge its statutory duties and contractual obligations to the WCAs (to receive and dispose of Waste at the Delivery Points) through VC and the Replacement Operating Contracts referred to in the Recitals.
- 4.2 The WDA will apportion the costs incurred in relation to these obligations pursuant to Schedule 3 (Levy Allocation to WCAs Methodology).
- 4.3 Where an act or omission of the WDA or any relevant Contractor of the WDA, including a failure of VC and the Replacement Operating Contractors to achieve any of the Performance Standards, causes any loss to one or more WCAs, the WDA will use its best endeavours to pursue any appropriate remedies available to it including the recovery of Performance Deductions under the VC and Replacement Operating Contracts referred to in the Recitals and pay such monies to the affected WCA. Where more than one WCA has suffered the same performance failure the payment of any compensation or the Performance Deduction shall be shared between the affected WCAs pro-rata based upon the amount of losses incurred by each WCA arising out of the performance failure. The payment shall be made to WCAs by the WDA through the LAMA in the month following the month in which the Performance Standard was not achieved.
- 4.4 Any money compensation obtained or payable by the WDA pursuant to clause 4.3 will be returned to the WCAs in appropriate proportions through the LAM.
- 4.5 Subject to clauses 4.7 the WDA will use its reasonable endeavours to notify a WCA of any changes within the VC and the Replacement Operating Contracts set out in the Recitals which might be of relevance to it or affect its obligations flowing from that contract or this Agreement.
- 4.6 The WDA shall use its reasonable endeavours to ensure that the VC and the Replacement Operating Contractors achieves the Performance Standards and shall ensure that each WCA is made aware of the Performance Standards and of the current Service Delivery Plans and, where relevant, is consulted about them.

- 4.7 The WDA shall agree the basis for the new contractual arrangements with the Replacement Operating Contractors and the WCAs and once agreed shall use its best endeavours to ensure that any material change to the Replacement Operating Contracts shall be agreed with the WCAs in advance and shall use its best endeavours to mitigate any impact on the WCAs

5. PRINCIPAL OBLIGATIONS OF THE WCAs

- 5.1 Each WCA will deliver or cause to be delivered all Waste to the Delivery Points for that WCA set out in Schedule 2 (Facilities).
- 5.2 Without prejudice to clauses 6 (WCA Best Value) and 7 (Change to the VC and the Replacement Operating Contracts), each WCA shall commit Residual Waste and Recycling (to the extent set out in Schedules 1 & 2) to the WDA.
- 5.3 If any act or omission of a WCA causes loss to the WDA (including, without limitation, through entitling the VC or the Replacement Operating Contractors of the WDA to increase its charges or seek any other remedy from the WDA) or to any other WCA, then that WCA will bear the cost of the relevant losses, so that they do not fall equally, through the LAM, on those WCAs which were not at fault.
- 5.4 The WCAs will pay the WDA for the waste disposal services it provides to the WCAs pursuant to the Levy Regulations as defined in Schedule 3 in accordance with the principles set out in Schedule 3 (Levy Allocation to WCAs Methodology).
- 5.5 Prior to the start of the initial WCA Forecast projections (annually in September) the WDA will facilitate the production of guidance on the impact of population and housing growth on potential levels of waste arisings. Each WCA shall, in preparing the WCA Forecast for its Administrative Area, take account of those expected impacts. The WDA will act as a 'critical friend' to challenge the WCA Forecasts produced, and seek explanations that it deems appropriate. Comments by the WDA will be given due consideration by the WCA and if no changes are proposed the WCA will be required to supply a written explanation of why changes have not been made to the WCA Forecast. The WCA Forecast shall be provided annually and will cover a 5-year rolling period, or other shorter period as the WDA deems appropriate.
- 5.6 Nothing contained in this Agreement and no consent or approval given by any party to this Agreement shall prejudice restrict interfere with or otherwise affect any of the statutory or other rights powers or obligations and duties for the time being vested in that party or the performance by that party of any such obligations

or duties or the means by which that party shall in its absolute discretion exercise its respective rights or powers or fulfil or discharge any such obligations or duties.

6. WCAs' BEST VALUE DUTY

- 6.1 The WDA acknowledges that WCAs are subject to the Best Value Duty and it agrees to assist WCAs in discharging the Best Value Duty in relation to the continuous improvement in the delivery of their waste collection services.
- 6.2 The WDA shall comply with requests for information, data or other assistance made by WCAs in pursuance of the Best Value Duty.

7. CHANGE TO VC AND THE REPLACEMENT OPERATING CONTRACTS

- 7.1 WCAs may request a change to the VC and the Replacement Operating Contracts in accordance with the provisions of Schedule 4 (Change Control Procedures).

8. EXIT AND ENTRY ARRANGEMENTS

- 8.1 Expiry and Termination
 - 8.1.1 Not before 1st April 2025 the Parties shall meet to discuss and, all acting reasonably and in good faith, determine the arrangements for the disposal of waste after the expiry of the Agreement and the Replacement Operating Contracts.
- 8.2 New Entrant
 - 8.2.1 If at any time during the term of this Agreement, any third party wishes to utilise any part of the Replacement Operating Contracts, the Parties will meet to discuss and, acting reasonably and in good faith, determine whether agreement should be given to that third party utilising the Replacement Operating Contracts and, if so, the terms of that agreement with the intention that the WCAs are in no worse position as a result of the third party's use, and that such third party is not put in any better position than the WCAs.

9. NO WORSE/NO BETTER

- 9.1 Any reference in clause 8 to leaving the WCAs in a “no worse position” shall be construed by reference to the WCAs:-
- 9.1.1 rights, duties and liabilities under or arising pursuant to performance of this Agreement; and
 - 9.1.2 their ability to perform their obligations and exercise their rights under this Agreement, so as to ensure that:
 - 9.1.3 each WCA is left in a position which is no worse in relation to its financial position under this Agreement and its operating methods for the collection and delivery of Waste had the third party not utilised the Replacement Operating Contracts; and
 - 9.1.4 the ability of the WCAs to comply with this Agreement is not adversely affected as a consequence of that utilisation.
- 9.2 Any reference in clause 8 to putting the third party in “any better position than the WCAs” shall be construed by reference to the WCAs’ rights and financial position under this Agreement.

10. FREEDOM OF INFORMATION

- 10.1 Each Party acknowledges that each of the other Parties is subject to the requirements of the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the General Data Protection Regulation Data Protection Act 2018 and shall assist and co-operate with the other Parties to comply with these information disclosure requirements.

11. PRIVACY

- 11.1 No term of this Agreement is enforceable under the Contracts (Rights of Third Parties) Act 1999 by a person who is not a party to this Agreement.

12. NO AGENCY

- 12.1 None of the parties shall hold itself out as being the servant or agent of any other Party, otherwise than in circumstances expressly permitted by this Agreement.

12.2 None of the parties shall hold itself out as being authorised to enter into any contract on behalf of any other Party or in any other way to bind any other Party to the performance, variation, release or discharge of any obligation.

12.3 No WCA shall in any circumstances hold itself out as having the power to make, vary, discharge or waive any bye-law or any regulation of any kind relating to the disposal of Waste.

13. NO PARTNERSHIP

13.1 Nothing in this Agreement is intended to, or shall operate to create, a partnership as defined by the Partnership Act 1890 or joint venture of any kind between the Parties or any of them, or to authorise any Party to act as agent for any other, and no Party shall have the WDA to act in the name or on behalf of or otherwise to bind any other in any way (including but not limited to the making of any representation or warranty, the assumption of any obligation or liability and the exercise of any right or power).

14. ENTIRE AGREEMENT

14.1 Except where expressly provided in this Agreement, this Agreement constitutes the entire agreement between the Parties in connection with its subject matter and supersedes all prior representations, communications, negotiations and understandings concerning the subject matter of this Agreement.

14.2 Each of the Parties acknowledges that:-

14.2.1 it does not enter into this Agreement on the basis of and does not rely, and has never relied, upon any statement or representation (whether negligent or innocent) or warranty or other provision (in any case whether oral, written, express or implied) made and agreed to by any person (whether a party to this Agreement or not) except those expressly repeated or referred to in this Agreement and the only remedy or remedies available in respect of any misrepresentation or untrue statement made to it shall be any remedy available under this Agreement; and

14.2.2 this clause 14 shall not apply to any statement, representation or warranty made fraudulently, or to any provision of this Agreement which was induced by fraud, for which the remedies available shall be all those available under the law governing this Agreement.

15. LAW OF THE CONTRACT AND JURISDICTION

- 15.1 This Agreement shall be governed by the laws of England and Wales and the Parties submit to the exclusive jurisdiction of the courts of England and Wales.

SCHEDULE 1

GMWDA						
Summary of Inter-Authority Agreement Tonnages - September 2017						
		2017/18	2018/19	2019/20	2020/21	2021/22
BOLTON	Residual	45,433	45,659	45,856	46,053	46,251
	Pulpables	11,279	11,331	11,376	11,420	11,465
	Dry recyclables (excl. pulpables)	13,090	13,160	13,220	13,279	13,339
	In-Vessel Composting (IVC)	20,182	20,305	20,409	20,514	20,618
	Trade waste	4,854	4,878	4,903	4,927	4,952
	TOTAL	94,838	95,333	95,764	96,193	96,625
		2017/18	2018/19	2019/20	2020/21	2021/22
BURY	Residual	28,987	29,132	29,278	29,424	29,571
	Pulpables	7,815	7,854	7,893	7,933	7,972
	Dry recyclables (excl. pulpables)	9,291	9,337	9,384	9,431	9,478
	In-Vessel Composting (IVC)	17,961	18,051	18,141	18,232	18,323
	Trade waste	4,790	4,814	4,838	4,862	4,887
	TOTAL	68,844	69,188	69,534	69,882	70,231
		2017/18	2018/19	2019/20	2020/21	2021/22
MANCHESTER	Residual	70,087	70,087	70,087	70,087	70,087
	Pulpables	14,598	14,598	14,598	14,598	14,598
	Dry recyclables (excl. pulpables)	18,537	18,722	18,910	19,099	19,290
	In-Vessel Composting (IVC)	30,074	30,074	30,074	30,074	30,074
	Trade waste	0	0	0	0	0
	TOTAL	133,296	133,481	133,669	133,858	134,049
		2017/18	2018/19	2019/20	2020/21	2021/22
OLDHAM	Residual	41,000	41,200	41,400	41,600	41,800
	Pulpables	7,600	7,500	7,400	7,300	7,200
	Dry recyclables (excl. pulpables)	9,150	9,200	9,250	9,300	9,350
	In-Vessel Composting (IVC)	15,300	15,375	15,450	15,525	15,600
	Trade waste	8,800	8,900	9,000	9,100	9,200
	TOTAL	81,850	82,175	82,500	82,825	83,150
		2017/18	2018/19	2019/20	2020/21	2021/22
ROCHDALE	Residual	35,731	35,874	36,053	36,224	36,415
	Pulpables	6,964	6,999	7,034	7,069	7,104
	Dry recyclables (excl. pulpables)	8,695	8,738	8,782	8,826	8,870
	In-Vessel Composting (IVC)	18,692	18,785	18,879	18,974	19,069
	Trade waste	0	0	0	0	0
	TOTAL	70,082	70,396	70,748	71,093	71,458
		2017/18	2018/19	2019/20	2020/21	2021/22
SALFORD	Residual	47,425	47,175	47,675	48,175	48,675
	Pulpables	9,360	9,560	9,660	9,760	9,860
	Dry recyclables (excl. pulpables)	10,450	10,500	10,600	10,700	10,800
	In-Vessel Composting (IVC)	17,250	17,400	17,500	17,600	17,700
	Trade waste	9,150	9,250	9,250	9,250	9,250
	TOTAL	93,635	93,885	94,685	95,485	96,285
		2017/18	2018/19	2019/20	2020/21	2021/22
STOCKPORT	Residual	42,000	42,170	42,330	42,500	42,660
	Pulpables	13,115	13,167	13,218	13,270	13,322
	Dry recyclables (excl. pulpables)	13,156	13,208	13,260	13,311	13,363
	In-Vessel Composting (IVC)	36,540	36,684	36,828	36,972	37,115
	Trade waste	0	0	0	0	0
	TOTAL	104,811	105,229	105,636	106,053	106,460
		2017/18	2018/19	2019/20	2020/21	2021/22
TAMESIDE	Residual	30,949	31,104	31,259	31,416	31,573
	Pulpables	8,398	8,440	8,482	8,525	8,567
	Dry recyclables (excl. pulpables)	12,872	12,936	13,001	13,066	13,131
	In-Vessel Composting (IVC)	18,920	19,015	19,110	19,205	19,301
	Trade waste	6,759	6,793	6,827	6,861	6,895
	TOTAL	77,898	78,288	78,679	79,073	79,467
		2017/18	2018/19	2019/20	2020/21	2021/22
TRAFFORD	Residual	32,237	32,479	32,804	33,132	33,463
	Pulpables	9,831	9,800	9,800	9,800	9,800
	Dry recyclables (excl. pulpables)	10,623	10,676	10,729	10,783	10,837
	In-Vessel Composting (IVC)	26,505	25,525	25,653	25,781	25,910
	Trade waste	7,000	7,070	7,141	7,212	7,284
	TOTAL	86,196	85,550	86,127	86,708	87,294
		2017/18	2018/19	2019/20	2020/21	2021/22
WCA TOTAL	Residual	373,849	374,880	376,742	378,611	380,495
	Pulpables	88,960	89,249	89,461	89,675	89,888
	Dry recyclables (excl. pulpables)	105,864	106,477	107,136	107,795	108,458
	In-Vessel Composting (IVC)	201,424	201,214	202,044	202,877	203,710
	Trade waste	41,353	41,705	41,959	42,212	42,468
	TOTAL	811,450	813,525	817,342	821,170	825,019
		2017/18	2018/19	2019/20	2020/21	2021/22
HWRCs	Residual	158,506	162,425	166,441	170,556	174,773
	Dry recyclables	80,818	82,816	84,863	86,961	89,111
	Windrow	17,495	17,928	18,371	18,825	19,291
	Rubble	48,394	49,590	50,816	52,073	53,360
	TOTAL	305,212	312,759	320,491	328,415	336,535
TOTAL CONTRACT WASTE		1,116,662	1,126,284	1,137,833	1,149,585	1,161,554

SCHEDULE 2**Facilities**

The Facilities set out at **clause 5.1** will be agreed with each WCA on an annual basis and will cover by waste stream type (e.g. pulpables, Comingled, Food and Green Waste, and Residual (including Trade and Bulky Waste)), in a format similar to the template table set out below. Any changes to these Delivery Points, whether temporary or permanent will be dealt with in accordance with the Change Control Procedure (Schedule 4). For the avoidance of doubt ‘tipping away’ payments will be applied in the event of temporary changes necessitated by unavailability of named facilities.

	Delivery Point
Pulpables	
Comingled	
Kitchen & Garden	
Residual (including Bulky and Trade Waste)	

Notes:

- **Excludes** clinical waste, which is directed to third party sites for disposal.
- **Excludes** hazardous waste, which is directed to WDA specific sites licensed accordingly.
- **‘Third Party - WDA’**: This waste stream is delivered by the WCA to an agreed WDA third party site. Disposal is committed to the WDA VC or Replacement Operating Contracts at the Commencement Date.

SCHEDULE 3

LEVY ALLOCATION METHODOLOGY

1. Payment by the WCAs to the WDA for the waste disposal services received, and apportionment of the Levy under the Joint Waste Disposal Authorities (Levies) (England) Regulations 2006 (“the Levy Regulations”) will be established in accordance with the principles set out in this Schedule 3. Therefore, the levy allocation mechanism set out in this Schedule represents an agreed basis for apportioning the Levy under Regulation 4 (1) (a) of the Levy Regulations.
2. Under the proposed post April 2019 Replacement Operating Contracts the WDA is expected to have costs which comprise:
 - a) A Fixed Cost element, such as financing costs (LAM Fixed Costs);
 - b) A Variable Cost element, such as the Replacement Operating Contracts (LAM Variable Costs). The variable element is directly linked to the expect tonnages processed via the Facilities, as set out in Schedule 1; and
 - c) The WDA’s own direct costs.

Collectively these costs will be used to determine annual budget requirements, which after application of any reserves, generates a Levy Requirement.

3. The following table sets out the key design characteristics, and reasons for their inclusion (based on expected 2019/20 costs) using the volumes of Residual Waste and Recycling arisings set out in Schedule 1 in apportioning the Levy.

	Key design characteristics	Reasons for their inclusion
	A. District Collected Waste (c £136m, 78.6% of net costs)	
	<p>1. Retain 4 waste stream approach, based upon:-</p> <ul style="list-style-type: none"> i. Comingled/pulpables (as one); ii. Organics (food and Garden); iii. Trade Waste, and iv. Residual Waste. <p>2. Retain year-end adjustments for tonnages (introduced from 2017/18). Adjustments to be at a pre-agreed annual rate, reflecting LAM Variable Costs of processing (subject to items A3 below).</p> <p>3. Allocate costs on the basis of an Levy Apportionment Model (LAM) which comprises:-</p> <ul style="list-style-type: none"> i. LAM Fixed Costs element (i.e. are related to costs which don't vary, such as debt charges). These will be allocated to Districts based on adjusted¹ 2017/18 actual tonnages, and will be reviewed and reset after 5 years for the 2022/23 financial year. ii. LAM Variable Costs - which reflect marginal processing cost. <p>4. For WCAs whose recycling falls below the Recycling Minimum Performance Level they will be required to make an additional levy contribution calculated</p>	<p>Reflects current WCA collection working practices and ensures costs/environmental benefits from improvements are retained.</p> <p>Ensures a direct link to performance and encourages direct link to benefits of improving recycling performance. Variable costs are used to match any cost/reductions at a WCA level with broadly corresponding changes in costs paid to the Replacement Operating Contractors.</p> <p>Ensures that one District can't adversely impact others by reducing</p>

¹ An adjustment may be made to Salford City and Trafford Council figures (only) to reflect the part year impact of reduced waste capacity roll out and potential impact of charging for Garden Waste (respectively).

	<p>by:</p> <ul style="list-style-type: none"> i. expected total Recycling tonnes arisings as per 2017/18 actuals (total Recycling calculated as dc+dp+dg) ii. less actual total Recycling tonnes arisings in year iii. equals additional tonnes of waste to be charged iv. cost allocation additional sum is additional tonnes of waste multiplied by LAM Fixed Costs per tonne for Residual Waste. <p>5. Common assumptions to be used in tonnage estimates, as per schedule 1.</p>	<p>its recycling performance.</p> <p>In case of Exceptional Circumstances this additional levy contribution can be over-ridden by the GMCA Treasurer.</p> <p>Ensures that all future year increases are based upon common factors and also ensure re-procurement facilities/capacity are correctly sized.</p>
	B. Household Waste Recycling Centres (c. £31m, 17.9% of net costs)	
	<p>Cost allocation to be based upon:</p> <ul style="list-style-type: none"> i. 50% Council Tax Base (Band D equivalent) ii. 50% Car Ownership (2011 Office of National Statistics census) <p>but subject to a survey of users (in 2018/19) to establish the WCA in which they are resident.</p>	<p>Move is away from 100% based on Council Tax Base (Band D equivalent), to better reflect that usage will be linked to access by cars.</p> <p>Validation of these 'proxy' designed to reflect usage measures, to be undertaken by conducting a survey of HWRC site users in the 2018/19 financial year (as part of a Waste Composition Analysis work stream).</p> <p>Cost allocation factors to be reviewed and amended, as needed, for future years LAM.</p>
	C: <u>WDA Own costs</u> (c. £5m, 2.9% of net costs) - including direct costs (such as salaries/running costs)	
	Equal share to each WCA	Costs don't vary much by activity, and are thus linked to an 11.1% each WCA allocation basis.
	D: <u>Non-Key Services</u> (c. £1m, 0.6% of net costs) - this comprises specialised waste services, such as asbestos, plasterboard, clinical waste, dog waste, etc.	
	Waste arisings	No change from the existing basis. It is intended that the majority of 'regular' waste will in future be included in the Replacement

		Operating Contracts and thus the value of this element of the LAM will fall further.
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4. As soon as practical after the year end an adjustment will be determined by the WDA to vary district Levy allocations to reflect variations in actual costs, income from recyclates and actual tonnages delivered (compared to WCA Forecasts). The WDA will aim to provide the year end Levy adjustment information by the third week of May, at the latest.
5. As part of the annual budget and levy process the WDA will determine and publish the LAM Variable Cost rates which will be made available to the WCA Treasurers. Given the commercial sensitivity of that information it will not be published in an open format, but will be part of the closed budget and levy report, which will be provided on or before the Statutory latest Levy fixing date of 15th February prior to the commencement of each financial year. The 2019/20 Base Financial Model results for those LAM Variable Costs have already been shared.
6. For the WCA declarations for Trade Waste (offices, shops, traders etc.) the WDA will set an annual rate per tonne in accordance with the 2013/14 rate inflated in accordance with the RPIx. For 2019/20 that rate is estimated to be set at £95.95. An adjustment to the Trade Waste element of the Levy will be carried out as part of the financial year end reconciliation process and any difference between actual WCA tonnages and WCA Forecasts will be made at the pre-agreed per tonne rate.

A review of the Trade Waste area has been commissioned, for completion in 2018/19, and the recommendations from that will be used to inform a review of this paragraph of the LAMA for 2019/20

2018/19 only Transitional Arrangements.

7. The 2017/18 WDA Levy included an additional Levy sum of £77.8m to provide headroom and facilitate the restructuring of the former Waste PFI Contract. That additional Levy sum was allocated to individual WCAs on the basis of the mid 2015 population figures as set out below: -

	Mid 2015 Population
Bolton	281,619
Bury	187,884
Manchester	530,292
Oldham	230,823
Rochdale	214,195
Salford	245,614
Stockport	288,733

Tameside	221,692
Trafford	233,288
	2,434,140

8. The additional Levy sum will be fully reimbursed to WCAs in 2018/19 but based on the mid 2016 population numbers. To ensure the impact of the roll forward of population numbers is corrected and adjustment may need to be made, either through the inclusion of an additional factor in the 2018/19 LAMA, or via the GMCA Treasurer's adjustments on the AGMA budget requirements. The purpose of the adjustment is to ensure that the impact at a district level overall is £nil.
9. A Smoothing Factor will be included for 2018/19 only to cushion the impact of methodology changes. That is calculated by taking 'half the difference' of the impact of methodology changes between the 2017/18 IAA basis and 2019/20 full LAMA basis (i.e. average of 2017/18 revised estimate and 2019/20 estimates). That adjustment will be subject to a further change in May 2019 to reflect actual tonnages at the LAM Variable Cost Tonnage rate.

SCHEDULE 4

Change Control Procedures

- A. Change to the VC and the Replacement Operating Contracts and WCA Operations from the operations set out in the agreed Service Delivery Plan will be governed by the procedures set out in this Schedule 4

1. Principles

- 1.1 Where a WCA sees a need for a change to the services provided under the VC and the Replacement Operating Contracts affecting a WCA then a WCA may at any time request a change in accordance with the procedure set out in paragraph 2 below.
- 1.2 The WDA shall not unreasonably withhold its agreement to any change.
- 1.3 The obligations of the Parties shall not be effected until a Change Control Note has been signed by the relevant WCA and sent to the WDA.

2. Procedure

- 2.1 The WCA and the WDA shall discuss changes proposed by the WCA and such discussion shall result in:
 - 2.1.1 a decision not to proceed further; or
 - 2.1.2 a written request for a change by the WCA.
- 2.2 Each Change Control Note shall contain details of the change including, where applicable:
 - 2.2.1 the title of the change;
 - 2.2.2 the originator and the date of the request or recommendation for the change;
 - 2.2.3 the reason for the change;

- 2.2.4 full details of the change including any specifications;
 - 2.2.5 a timetable for implementation, together with any proposals for acceptance of the change;
 - 2.2.6 the impact, if any, of the change on other aspects of the VC and the Replacement Operating Contracts;
 - 2.2.7 the date of expiry of validity of the Change Control Note; and
 - 2.2.8 provision for signature by the WCA/WDA if the change is agreed.
- 2.3 For each Change Control Note submitted to the WDA, the WDA shall, within twenty working days from receipt of the Change Control Note, evaluate the Change Control Note and notify the relevant WCA whether the WDA (acting reasonably) agrees to the change.
 - 2.4 A Change Control Note signed by both Parties shall constitute a variation to this Agreement.

B. Amendment to the Agreement

No amendment to or modification of this Agreement (other than an amendment under paragraph A of this Schedule) shall be valid or binding on any Party unless it is made in writing, refers expressly to this Agreement and is executed by all of the Parties.

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REPORT FOR DECISION

Agenda Item	8
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	
SUBJECT:	DEVELOPMENT MANAGEMENT – SCHEME OF DELEGATION
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	PLANNING CONTROL COMMITTEE/COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report outlines proposals in relation to updating the Council's Constitution both to reflect the current staffing structure and amending the scope of the existing decision-making arrangements
OPTIONS & RECOMMENDED OPTION	<p>Options:</p> <ol style="list-style-type: none"> 1. Accept the proposals in their entirety and recommend them to full Council; 2. Reject the proposals; 3. Amend the proposals before recommending them to full Council <p>The Committee is recommended to accept option 1 and approve the report before referral to full Council.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	<p>Do the proposals accord with the Policy Framework?</p> <p>N/A The proposals if approved will result in amendments to the Council's Constitution</p>
Statement by the S151 Officer: Financial Implications and Risk Considerations:	<p>Executive Director of Resources to advise regarding risk management</p> <p>N/A</p>
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	N/A

Considered by Monitoring Officer:	The legal implications are set out in the report and the recommendations, if approved, will result in amendments to the Constitution and will have to be agreed by full Council.
Wards Affected:	ALL
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

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

1.0 Background

- 1.1 The Council's Constitution is a critical document that sets out broad workings of the Council's responsibilities and those involved in the operation of the Council's functions. Part of the Council's constitution also provides guidance and governance on decision making and who has responsibility for issuing decisions.
- 1.2 Section 101 of the Local Government Act 1972 Act deals with delegation of local authority functions (other than those which are the responsibility of an authority's executive under section 13 of the Local Government Act 2000). Section 101(1) provides that (subject to any express statutory provision) a local authority may arrange for the discharge of any of its functions by a committee, sub-committee or one of its officers.
- 1.3 For the purposes of expediency and to maintain swift decision making processes, some decisions are delegated to Officers. This is a key part of the Council's day to day running thereby allowing every operational and less impacting decision to take place on normal everyday matters as the need arises.
- 1.4 For the purposes of Planning and Development Management, this is an essential process, whereby of the 1500 or so applications (all variants) that are received by the Council's Local Planning Authority function over on annual basis, 89% of decisions are made by the Assistant Director (Localities) (Year ending March 2017 <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics> (P134)). The tables below show the respective averages of delegated decision making both in terms of the Great Manchester district and also as a national picture.

Table 1 shows the respective percentages of delegated decision in AGMA Year ending March 2017

Wigan	98
Trafford	95
Manchester	94
Oldham	94
Rochdale	94
Stockport	93
Salford	92
Tameside	92
Bolton	90
Bury	89

Table 2 shows the respective average percentages of delegated decisions on a National Regional basis Year ending March 2017

England	94
Shire districts	93
London Boroughs	95
Metropolitan Districts	95
Unitary Authorities	94
National Parks	93

Based upon application numbers and percentage of delegated decisions, Bury currently sits in 287th place out of 339 decision making authorities nationally.

2.0 Regulation Requirements

2.1 Planning and the speed of decision making are seen as a critical parts to the economic picture of an area, providing assurance and certainty on how development can proceed. This invariably connects through to issues of environmental, social concern and wellbeing. This is re-enforced through numerous provisions that planning legislation and regulation imposes upon Local Planning Authorities to speed up the delivery of planning decisions including:

- Article 35 – The requirement for a Local Planning Authority to confirm that it has worked positively and pro-actively to assist an applicant in seeking solutions to problems arising in dealing with a planning application
- The Planning guarantee
- Quarterly monitoring returns to DCLG
- Special Measures Thresholds on application decision times and appeal decisions
- Need for agreement with an applicant/agent to extend decision timeframes
- Rights of appeal for non-determination
- Methodology for determining whether LPA's can increase fees based upon performance

2.2 Bury is currently performing well as one of the best performing authorities in the country, but there are tensions in delivering this level of performance consistently. These tensions are clearly experienced in terms resilience when staff take annual leave, sickness or staff leaving making the co-ordination of applications being received to meet the earliest Planning Committee meeting difficult and often, case officers are having to negotiate additional time to meet determination dates all of which impact upon processing capabilities and manpower as a rule.

- 2.3 The restrictive nature of the scheme of Committee/delegated decisions means that negotiated extensions of time, which may well become a Government timing measure in the future to identify the need for 'special measures' may put the Local Planning Authority into difficulty. When measures are introduced, the statistics to determine are taken for time periods in the past, meaning that it is necessary to be prepared in advance of such measures being introduced; the Local Planning Authority has already operated under revised practices already thus ensuring that special measures are not applied.
- 2.4 Clearly the need to balance a fair, efficient and transparent decision making mechanism that does not exert undue pressure upon staff in processing, is paramount. Furthermore in considering the likelihood of increased planning application numbers, maintaining resilience and an efficient service is vital and reducing unnecessary processing burdens and costs so that efforts can be maintained on issuing decisions quickly and effectively.
- 2.5 The Planning Advisory Service and DCLG suggest that Local Planning Authority decision making planning processes remains under review to ensure that performance is maintained and that schemes of delegation remain relevant to today's practices in a modern planning world.
- 2.6 Assessment of other Local Planning Authority delegation schemes has revealed that Bury's scheme of delegation does need to be revisited as it is evidently not only behind all of its immediate AGMA neighbours, but also needs to be better placed in terms of national considerations and it has not been reviewed for some considerable time.
- 2.7 Bury's Planning Committee process was Peer Reviewed in October 2015. The report was complimentary in that the decisions were made following healthy debate, meetings were well ordered and decisions robustly made. However, the report did highlight the need to maintain it's optimal purpose in considering the more important planning issues, by spending time on those items that create 'place' rather than using briefing time on more minor matters. Doing this means that more complex items secure greater depths of discussion and complicated issues can be better discussed with the time that they deserve.

3.0 Bury's Scheme of Delegation

- 3.1 Bury last reviewed its scheme of delegation in 2004, when the last Supplementary Planning Document 6 – House Extensions and Alterations was introduced. This document effectively meant that all but in exceptional circumstances, all householder applications with objections could be delegated.
- 3.2 In consideration of a recent 12 months worth of items presented to the Planning Control Committee, it is clear that many items were presented where there had been a small number of objections, 3 or below, to minor developments such as changes of use or small extensions, advertisements and prior approvals. On many occasions, objectors do not attend the meeting.
- 3.3 The Government have revisited the permitted development rights for all manner of development proposals and their general approach is to widen the scope of permitted development and on a general level "The Red Tape Challenge" or 'One Regulation in/two out' approach has been adopted. Therefore the general ethos of planning decisions and Government is to remove bureaucracy rather than maintaining or increasing it.
- 3.4 Most planning applications are decided by officers under delegated authority with only the more complex, large or controversial applications being strictly necessary to become committee decisions. In most Councils, more than 90 per cent of applications received by the authority are straightforward and decided by officers. As set out in tables 1 and 2 above, this is clearly not the case in Bury and minor proposals are being committee matters creating an unnecessary burden.
- 3.5 The PAS report discussing 'Decision Making Arrangements', made the following point in relation to Bury's Delegated decision making:

“To engender a pro-growth approach in the authority the development management function has to demonstrate that it can provide a fast and effective service. Inevitably this has led to, rightly or wrongly, speedy decisions being paramount. If this is to be maintained a good delegation agreement is central to this.

It is noted from the latest DCLG Planning Statistics (Q2 2014) that the Planning Authority performs well and is above the Metropolitan average in majors and other applications. In terms of delegated decisions these statistics show that 90% of applications are delegated to officers in the authority. This is below the current 95% Metropolitan average.”(PAS January 2016).

- 3.6 The length of time since the last review, the significant changes Government has introduced in planning and an assessment of other LPA delegation schemes in the AGMA authorities has revealed that Bury’s scheme of delegation needs to be revisited. Leaving the scheme as it stands does not reflect the lifting the burden approach policy has adopted and Bury is evidently behind its immediate AGMA neighbours and nationally.
- 3.7 It has fallen behind many Local Authorities which is reflected in only 89% of decisions being delegated within the monitored period. The current constitution for delegated decisions in relation to planning applications could readily be less restrictive, whilst ensuring that the Planning Control Committee spend time on other more impacting proposals which often have complex issues associated with them. Manpower associated with agenda preparation for the respective Planning Control Committee reports introduces burdens and delay for items that are relatively minor in any event and not reflecting of the key important decisions that the Planning Control Committee realistically should be considering.

4.0 Proposals

- 4.1 In analysing the types of Committee decisions over the last three years, table 3 sets out the numbers of objections received in relation to applications considered by the Committee (March to March in each respective years).

Table 3 sets out the numbers of objections received in relation to applications considered by the Committee

Nos. of objections received	2014/15	2015/16	2016/17
1	19	34	40
2	8	14	17
3	11	13	10
<i>The following numbers would be committee items if the scheme was adopted</i>			
4	2	3	8
5	3	5	3
6 or more	14	26	15
Majors or novel issues or outside delegated scope	10	5	10
ALL	67	100	103

- 4.2 From the table, it is clear that there are an overwhelming number of applications being considered by the Committee with very limited levels of public interest. The proposals contained within Appendix A show how the scheme of delegation could be amended to take out of the committee cycle and sit within the scheme of delegation. The proposals suggest that where there are three or fewer objections, from different households, that these be delegated decisions.
- 4.3 It is important to note that the current scheme of delegation permits all householder applications to be delegated decision irrespective of the numbers of objections received. The process is that the Development Manager scrutinises the proposals and officer reports to ensure consistency and compliance or conflict against local and national planning policy before a decision to approve or refuse is issued.

- 4.4 The proposed scheme of delegation would operate in the same way. Furthermore, the proposed constitutional amendment would retain the appropriate mechanisms for any application 'to be called in' thus ensuring that the functionality of the Planning Control Committee can consider important applications and any others for that matter, as appropriate.
- 4.5 Apart from changing titles of posts that no longer currently exist (deletion of Chief Planning Officer and replaced by Assistant Director (Localities)), in summary the proposals are contained within Appendix A.
- 4.6 **Brownfield Land Register**
This is a new introduction by the Government whereby local planning authorities are required to prepare and maintain a Brownfield Land Register of previously developed land in their area which meet the following four criteria:
- a) the land has an area of at least 0.25 hectares or is capable of supporting at least 5 dwellings;
 - b) the land is suitable for residential development;
 - c) the land is available for residential development; and
 - d) residential development of the land is achievable.
- 4.7 The Register has two parts. Part 1 includes all previously developed land which meets the four criteria above, and is effectively a subset of the sites included in the Strategic Housing Land Availability Assessment (SHLAA). Part 2 of the Register is a subset of Part 1, and will comprise only those sites that the LPA has considered and determined can be granted 'Permission in Principle' (PIP) under the PIP Order. Entering a site on Part 2 of the register effectively grants an outline permission in principle for development, in a bid to get development interest. The LPA would have to publicise proposals first and then decide whether to grant PIP or not.
- 4.8 It is proposed that authority for compiling, publishing and reviewing Part 1 of the Brownfield Register; proposing land for inclusion in Part 2 of the Register along with all necessary publication, notification and consultation procedures; and removing sites from Part 2 of the Register is delegated to the Assistant Director (Localities) / Resources and Regulation.
- 4.9 It would be prudent to consider the process of entering a site onto Part 2 of the Brownfield Land Register in a similar way to an outline planning application and how objections are handled. As such, it is proposed that the decision-making is the same as for planning applications - where sites are major ones, then these should be treated in the same way as major applications and be presented to Committee. Where an application is not major it will follow the same criteria for referral to committee as for planning applications as set out in Appendix A. .
- 4.10 Following grant of Permission in Principle it will be necessary for permission for Technical Details Consent to be granted prior to commencement of development, akin to an application for Reserved Matters. It is proposed that applications for Technical Details Consent be determined by the Assistant Director (Localities) / Resources and Regulation for minor proposals even where three or more objections are received as by definition these are not place making developments and also due to the significant short period required for determination (5 weeks). There would still be the requirement for these to be referred to committee if they relate to Council/Councillor owned sites, would constitute a substantial department or are called in etc. In relation to Technical Details Consent for major proposals, it is proposed that these follow the same criteria for referral to committee as a planning application (needing a decision still within 10 weeks).
- 5.0 Process**
- 5.1 Only Full Council can make changes to the Constitution. Therefore, Planning Control Committee are requested to consider the proposals and options being put to it in order for the next steps to be undertaken. The Planning Control Committee's decision would be reported to the Full Council accordingly and for that body to determine whether or not to amend the Council's constitution.
- 6.0 Conclusion**

- 6.1 The above report sets out to show that Bury, as one of the Greater Manchester Planning authorities is a good performing authority in terms of the speed of decision making which the Government considers to be of great importance. However, overall, the authority has not properly reviewed its decision making processes for some time, which it is required to do and also as a result, it has fallen behind its AGMA neighbours, sits well down the table of decisions issued comparatively nationally.
- 6.2 As a leading authority with its forward thinking approach and aims to engender sustainable growth, planning decisions whilst maintaining transparency must balance timeliness against necessity.
- 6.3 Analysis shows that the Committee is agenda is heavily weighted with items that have little 'place making' impact and as such, those applications that do have greater impact deserve a greater stage of consideration. As such, the proposals being put forward in this report aim to give the Planning Committee the ability to consider revising the constitution in relation to the scheme of delegation that is both robust and meets with the Government's objectives of timeliness and quality whilst maintaining appropriate triggers for local intervention by the Planning control Committee.

List of Background Papers:-

PAS Peer Review of Bury Council Planning Control committee 2016
DCLG PS1/PS2 returns 2014-2017

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APPENDIX A

The following table sets out the current scheme of delegation and the suggested amendments for the Planning Control Committee (PCC) together with an explanation behind the proposals.

Current Constitution Wording	Proposed Amendment	Reasoning
<p>(A) Delegations to Planning Control Committee</p> <p>1. To deal with any applications for planning permission under the Town and Country Planning Act 1990 and related legislation or for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990, subject to the inclusion of adequate detailed information relating to the application which is to the satisfaction of the <i>Chief Planning and Economic Development Officer</i>, as follows:</p>	<p>(A) Delegations to Planning Control Committee</p> <p>1. To deal with any applications for planning permission under the Town and Country Planning Act 1990 and related legislation or for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990, and Permission in Principle subject to the inclusion of adequate detailed information relating to the application which is to the satisfaction of the <u>Assistant Director (Localities)/Resource and Regulation</u>, as follows:-</p>	<p>The post of Chief Planning and Economic Development Officer no longer exists and to be replaced by Assistant Director (Localities)/Resource and Regulation</p>
<p>(a)</p> <p>(i) Any application recommended for approval where there is a material planning objection, with the exception of any domestic householder planning application which falls within the approved supplementary planning guidance ; and</p> <p>(ii) Any application which has raised a novel planning issue.</p>	<p>(a)</p> <p>(i) Any <u>planning</u> application recommended for approval where there <u>are three or more objections received from third parties from different households</u>, with the exception of any domestic householder planning application which falls within the approved <u>supplementary planning guidance note 6 or otherwise would be accepted under Prior notification procedures in relation to enhanced permitted development rights</u>; and</p> <p>(ii) Any application which has raised a novel planning issue;</p>	<p>1. Introduction of three or more objections increases the scope of delegation to Officers</p> <p>2. Greater clarity is provided that householder decisions are made in accordance with the adopted policy SPD6</p> <p>3. The Government has introduced greater development rights that normally are beyond the scope of SPD6 but receive no objections and as such should also be duly delegated decisions</p> <p>4. Novel planning issues should remain PCC matters</p>
<p>(b) Any application in respect of which at least one Member of the Planning Control Committee has given prior written notice to the Director of Environment and Development Services or Chief Planning and Economic Development Officer that he/she wishes the application</p>	<p>(b) Any application in respect of which at least one Member of the Planning Control Committee has given prior written notice to the <u>Assistant Director (Localities)/Resource and Regulation</u>, that he/she wishes the application to be determined by the Planning Control Committee, <u>which</u></p>	<p>1. The department and job role no longer exists</p> <p>2. There needs to be a planning reason for the call in</p> <p>3. There was previously no mechanism of elected Member check to consider the request</p>

to be determined by the Planning Control Committee	<u>must state clear planning reasons for the call in request and be authorised by the Chair of the Planning Control Committee.</u>	
(c) Any application relating to a development which would constitute a substantial departure from the provisions of any approved plan or policies, in particular the Unitary Development Plan which is recommended for approval and/or is not a repeat or duplicate application of one previously refused.	(c) Any application relating to a development which would constitute a substantial departure from the provisions of any approved plan or policies, in particular the Unitary Development Plan <u>or subsequent adopted Local Plan</u> , which is recommended for approval and/or is not a repeat or duplicate application of one previously refused.	The Unitary Development Plan would be replaced at some point by another Local plan and therefore the constitution needs to accommodate this
(d) Any application submitted by or on behalf of a Member of the Council or his/her spouse or by an officer of the Council, which is recommended for approval.		No change proposed
(e) Any application over and above the levels defined in (i) and (ii) detailed below, subject to the application not being a repeat or duplicate of an application previously refused:- (i) 50 or more dwellings or, if it is known, where the site is 2.5 hectares or more; (ii) for all other uses, where the floor space to be created is 5,000 square metres or more or the site is 0.5 hectares or more.		No change proposed
(f) Any other application which, in the opinion of the Director of Environment and Development Services or Chief Planning and Economic Development Officer merits consideration by the Planning Control Committee.	(f) Any other application which, in the opinion of the <u>Assistant Director (Localities)/Resource and Regulation</u> , merits consideration by the Planning Control Committee.	1. The roles of the Director of Environment and Development Services or Chief Planning and Economic Development Officer no longer exist
	(g) the decision to enter land in Part 2 of the Council's Brownfield Land Register thereby triggering a grant of	1. This is new legislation which must be operating by 31 December 2017

	Permission in Principle where the criteria referred to at (a) to (f) above are met and any application for Technical Details Consent where the criteria at (b) to (f) above are met	
	(h) Any application submitted on behalf of the Council where there is at least one objection received from third parties.	1. This is a newly introduced category that previously did not exist and maintains transparency.
2. To deal with the naming and re-naming of streets and the numbering and renumbering of properties, where objections have been received to proposals.		No change proposed
3. To deal with the making or confirmation of tree preservation orders, in accordance with Sections 197 to 214D of the Town and Country Planning Act 1990 (or as subsequently amended) and <i>the Tree Regulations 1999</i> (or as subsequently amended), where objections have been received to proposals.	3. To deal with the making or confirmation of tree preservation orders, in accordance with Sections 197 to 214D of the Town and Country Planning Act 1990 (or as subsequently amended) and the <i>Tree Regulations 2012</i> (or as subsequently amended), where objections have been received to proposals.	1. Updated regulations are reflected 2. To accommodate future amendments without the need to revisit the constitution
4. To determine applications for grants for repair/maintenance works in respect of listed buildings where the amount of grant requested exceeds £5,000.		No changes proposed
5. To designate a conservation area under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	5. To designate a conservation area under Section 69 of the <i>Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990</i>	Allows the process to continue in the event of legislative changes

	<u>(or as subsequently amended).</u>	
6. To give directions restricting permitted development under Article 4 of the <i>Permitted Development Order 1995.</i>	6. To give directions restricting permitted development under Article 4 of the <i>Town and Country Planning (Development Procedure)(England) Order 2015 (or as subsequently amended).</i>	Reflects a change in legislation
7. To deal with any functions relating to town and country planning and <i>development control</i> referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers	7. To deal with any functions relating to town and country planning and <i>development control (development management)</i> referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers	Change in the naming of the specific planning function
8. To deal with any functions relating to commons registration referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers		No changes proposed.
9. To deal with any functions relating to public rights of way referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers		No changes proposed.

The Constitution makes the following points in relation to Whipping and the basis of decision making for information. No changes are proposed.

Whipping

The Whip will not apply to any of the political groups or their respective Members on the Planning Control Committee, Licensing Committee/Panels and Standards Committee while they are taking part in Committee business

Basis of Decision Making

1. Decisions will be taken, and seen to be taken, in a non party political manner within the framework of the law, Council Policy and the Constitution.

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2. No political meetings shall take place prior to the Planning Control, Licensing and Standards Committee meetings.
3. Each Member of these Committees will act in accord with procedures, protocols and guidance that the Council may determine.
4. The Committees mentioned in this Article:
P148 Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

Additional Information

Agenda item 8

Scheme of Delegation

Below are a series of tables relating to items presented to the Planning Control Committee from May to October 2017.

The tables show how many items were considered by each Planning Control Committee, how many objections were received and how many had speakers address the Committee.

In summary:

May 2017	3 items had speakers who had objected out of 10 items presented
June 2017	2 items had speakers who had objected out of 4 items presented
July 2017	5 items had speakers who had objected out of 13 items presented
August 2017	3 item had a speaker who had objected out of 10 items presented
Sept 2017	1 items had speakers who had objected out of 6 items presented

It is evident the receipt of objections is not a reliable source to consider that objectors will address Committee.

Largely more controversial applications do generate interest to address Committee. However the proposed changes to the scheme of delegation would not affect this.

The more minor developments that have few objections evidently tend not to have speakers addressing the Committee.

MAY 2017 COMMITTEE

Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	59984	No	0/0	2	0
2	60045	Yes	1/0	7	0
3	61163	No	0/0	1	0
4	61223	Yes	1/1	1	1
5	61286	Yes	0/1	3	1
6	61296	No	0/0	2	0
7	61299	No	0/0	2	0
8	61300	Yes	1/0	11 + 1 Petition	0
9	61320	No	0/0	0	0
10	61369	Yes	0/1	7	1
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
5		5		3	

JUNE 2017 COMMITTEE					
Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	61286	Yes	1/1	3	1
2	61363	No	0/0	1	0
3	61391	Yes	1/1	5	1
4	61447	No	0/0	1	0
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
2		2		2	

JULY 2017 COMMITTEE

Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	60992	Yes	1/1	121	1
2	61085	No	0/0	3	0
3	61086	No	0/0	4	0
4	61117	Yes	1/1	31	1
5	61135	No	0/0	0	0
6	61363	Yes	1/0	1	0
7	61364	No	0/0	3	0
8	61502	No	0/0	1	0
9	61530	Yes	1/1	7	1
10	61563	Yes	1/0	1	0
11	61572	Yes	1/1	8	1
12	61584	No	0/0	1	0
13	61613	Yes	0/1	1	1
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
7		6		5	

AUGUST 2017 COMMITTEE					
Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	61274	Yes	0/1	1	1
2	61423	No	0/0	1	0
3	61448	No	0/0	1	0
4	61474	No	0/0	0	0
5	61515	Yes	1/0	0	0
6	61564	No	0/0	1	0
7	61598	Yes	1/1	26	1
8	61613	No	0/0	1	0
9	61635	Yes	1/1	6	1
10	61677	No	0/0	1	0
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
4		6		3	

SEPTEMBER 2017 COMMITTEE					
Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	61239	No	0/0	16 + 2 petitions	0
2	61705	No	0/0	0	0
3	61746	No	0/0	2	0
4	61752	Yes	0/1	3	1
5	61790	No	0/0	2	0
6	61834	No	0/0	72 + 1 Petition	0
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
1		5		1	

OCTOBER 2017 COMMITTEE					
Committee item number	Application ref	Did application have speakers?	Speakers for/against	Number of objections	Objectors who spoke at committee
1	59984	No	0/0	2	0
2	61239	No	0/0	16 + 2 petitions	0
3	61474	No	0/0	0	0
4	61752	Yes	0/1	3	1
5	61798	Yes	1/0	2	0
6	61829	No	0/0	2	0
7	61834	Yes	1/1	72 + 1 Petition	1
8	61850	Yes	1/1	2	1
Applications with speakers		Applications with no speakers		Applications that had objectors speak	
4		4		3	

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Q.	Party	Question
1	Con	Can the Leader provide us with a detailed summary of costs so far in respect of the Bourne investigation and the likely further costs? Councillor R.Caserta
	Answer: Cllr Shori	<i>The latest costs in respect of the Bourne Investigation amount to £92,209.60. Work is ongoing, however, the bulk of the investigation is complete, and further costs will be kept to a minimum.</i>
2	L/D	Last week was National HIV Testing Week. Could the Leader inform members what the Council is doing to reduce the levels of undiagnosed HIV in the Borough? How does our performance for estimated undiagnosed HIV compare to other authorities? Councillor Pickstone
	Answer: Cllr Preston	<p><i>Bury has a diagnosed HIV prevalence rate of 1.83 per 1,000 population, which is below the 2 per 1000 population threshold at which the British HIV Association recommends. Bury's diagnosed prevalence rates are also lower than Greater Manchester's rates of 2.93 per 1,000 population. However, in contrast Bury has a higher diagnosed prevalence rate when compared to the majority of statistical neighbours – with some similar areas having rates as low as 0.84 per 1,000 population.</i></p> <p><i>In regards to our HIV testing performance we are aware that our rates are currently lower in Bury than the national rates with an uptake rate of 44.8% of all eligible new attendees at sexual health clinics taking up HIV testing, this compares to 67.7% in England.</i></p> <p><i>Public Health have been working with the local sexual health service provider (Virgin Health Care) to review our position and understand why our rates of HIV testing are lower than England.</i></p> <p><i>It is estimated that one in six people living with HIV in the UK is yet to be diagnosed. To address this a range of actions have already taken place - public health have recently co-commissioned an organisation called (PASH) - Passionate about Sexual Health- to deliver a sexual health improvement plan, which will include carrying out targeted work around early identification of HIV within several specific groups including men who have sex with men (MSM), Trans, BME and new and emerging communities. During National HIV Testing Week PASH offered numerous drop-in testing sites to the targeted populations across Greater Manchester, including in Bury.</i></p> <p><i>Public Health have also been working with our sexual health provider to enhance our digital offer and as a result Bury residents can now order self-testing HIV kits online. There are also plans for Public Health to work with Primary Care Teams to encourage re testing and referrals within high risk populations.</i></p> <p><i>Finally, in December there will be a Public Health England (PHE) sexual health campaign which will be amplified locally, and we will be promoting World AIDs day as well as testing and early identification.</i></p>

3	Lab	Could the Leader give an update on the proposed Redvales & Radcliffe Flood Defences? Cllr Cathcart
	Answer: Cllr Quinn	<i>The Environment Agency, which is leading on the flood defence scheme, has identified a preferred arrangement for the defences and these were the subject of a public consultation event in August. The Agency has since then produced cost estimates and these are currently being refined. It should be noted that availability of funding is subject to a bidding process. Discussions are also taking place with affected landowners regarding the works and potential compensation payments. It is hoped to finalise sketch proposals by the end of the year and next year detailed proposals will be drawn up to support a planning application. Subject to consents and funding being confirmed, construction work should take place between 2019 and 2021.</i>
4	Lab	Can the leader tell us how many apprentices the Council has taken on over the last month and in which service areas? Cllr Skillen
	Answer: Cllr Shori	<i>We have had 28 new apprentices joining us from October, with a further 4 vacancies still to recruit to. Three of the positions are higher level apprenticeships. We have recruited one looked after child and one supported intern to these vacancies. The service areas the apprentices are working in are varied and include legal, pest control, accountancy, catering, the art gallery, leisure and grounds maintenance.</i>
5	Con	Following the recent damning report by CQC and OFSTED which stated special educational needs children and families are being let down by Bury Council, what has been done to address these fundamental failings and how much has been spent on consultants from outside the Authority? Councillor Kersh
	Answer: Councillor Briggs	<i>The local authority, working with all stakeholders, most notably with children and young people and their families, and with key partners in Health, has carried out an extensive review of all aspects of SEND provision, beyond those areas identified in the inspection. This work was facilitated by an organisation called SEND4 Change who cost £80,500 for 115 days. This was fully funded by the DfE. From this work, there is now a clear plan for developing and improving provision, and processes and procedures, and we can be confident going forward that actions identified in the inspection can be addressed.</i> <i>This approach has recently been endorsed by Ofsted, which gave the seal of approval to the local area action plan.</i>
6	Lab	Could the Leader give an update on the City Forest Park Initiative? Councillor Black
	Answer: Cllr Quinn	<i>You will recall that I have previously informed Council of our intention to work in partnership with the Forestry Commission, Salford City Council and the City of Trees on schemes to bring the Countryside to the community in North Manchester</i> <i>Work behind the scenes is currently progressing, discussions at Officer level has taken place with Salford City Council to ascertain their thoughts on the</i>

		<p><i>project and the feasibility of a partnership approach, which was positive and a briefing is being put together at their end for their Senior Leadership Team. Legalities surrounding an agreement in principle are being explored, but early indications are positive.</i></p> <p><i>We are also talking with the Forestry Commission to agree the basis of a longer term partnership. This is to ensure the best outcomes for the local community and to ensure that the woodland, park and open spaces remain accessible to the public in the long term. Consultation and information will be available for residents regarding any proposals.</i></p>				
7	Lab	<p>Can the Leader confirm that a residents Parking scheme is under consideration for the streets around Kingswood and Dashwood Roads? How are residents being consulted ? Cllr Black</p>				
	Answer: Cllr Kelly	<p><i>A consultation exercise has been carried out with local residents in the form of a parking questionnaire which sought their views on parking problems in the area. The consultation asked residents whether they supported the introduction of a residents parking zone in the area. 54% of residents feel there is a parking problem and support the introduction of a residents parking zone. Based on this, a scheme has been drawn up and approval will be sought from the Traffic Management Unit which next meets w/c 27 November 2017.</i></p>				
8	Con	<p>Can the Leader or relevant Cabinet member please provide a comprehensive list of all Council investments liquidised and all assets sold during the course of this financial year and state the exact purpose for these transactions? Councillor I.Gartside</p>				
	Answer: Councillor O'Brien	<p><i>26 Property Assets have been liquidised / sold during this financial year.</i></p> <p><i>In the interests of brevity, I will provide a listing that will be uploaded to the Council website , rather than read them all out tonight.</i></p> <p><i>The reasons for disposal vary, but include regeneration initiatives, making revenue savings, and small scale disposals of garden land etc.</i></p> <p><i>All disposals are subject to an option appraisal, and we seek comparative market rates.</i></p> <p>** additional only – not for reading **</p> <table><tr><th>Address</th><th>Reason for disposal</th></tr><tr><td><i>15 Parsons Lane, Bury</i></td><td><i>Vacant commercial premises held for investment purposes that did not meet the requirements for retention as set down in the Council's Estates Strategy 2014-2018. The aim of the Strategy is to achieve a portfolio of property interests within the</i></td></tr></table>	Address	Reason for disposal	<i>15 Parsons Lane, Bury</i>	<i>Vacant commercial premises held for investment purposes that did not meet the requirements for retention as set down in the Council's Estates Strategy 2014-2018. The aim of the Strategy is to achieve a portfolio of property interests within the</i>
Address	Reason for disposal					
<i>15 Parsons Lane, Bury</i>	<i>Vacant commercial premises held for investment purposes that did not meet the requirements for retention as set down in the Council's Estates Strategy 2014-2018. The aim of the Strategy is to achieve a portfolio of property interests within the</i>					

			<i>Council's Let Estate that produce high yields, high growth, require low management and are relevant and well balanced.</i>
		<i>17 Parsons Lane, Bury</i>	<i>As above</i>
		<i>Land at Dale Street, Radcliffe</i>	<i>Long lease granted to Lidl to bring forward new town centre supermarket development.</i>
		<i>Land to rear of 6 Ash Grove, Tottington</i>	<i>Sale of land to remedy encroachment onto Council land by the owner of 6 Ash Grove.</i>
		<i>Land to rear of 44 Linksway, Unsworth</i>	<i>Sale of land to remedy encroachment onto Council land by the owner of 44 Linksway.</i>
		<i>Land to rear of 48 Linksway, Unsworth</i>	<i>Sale of land to remedy encroachment onto Council land by the owner of 48 Linksway.</i>
		<i>Land to rear of 50 Linksway, Unsworth</i>	<i>Sale of land to remedy encroachment by the owner of 50 Linksway.</i>
		<i>Land to rear of 52 Linksway, Unsworth</i>	<i>Sale of land to remedy encroachment by the owner of 52 Linksway.</i>
		<i>Land adjacent 44 Whitburn Drive, Bury</i>	<i>Sale of surplus land to owner of adjacent property.</i>
		<i>Land at Chapel Road, Prestwich</i>	<i>Land previously maintained by Parks and Countryside and declared surplus to operational requirements.</i>
		<i>Land between 436 & 460 Walmersley Road, Bury.</i>	<i>Land previously maintained by Parks and Countryside and declared surplus to operational requirements.</i>
		<i>Land adjacent to 13 Pine Street, Bury</i>	<i>Land previously maintained by Parks and Countryside and declared surplus to operational requirements.</i>
		<i>Land at Whitefield Road, Bury</i>	<i>Land previously maintained by Parks and Countryside and declared</i>

			<i>surplus to operational requirements.</i>
		<i>24 How Lea Drive, Bury</i>	<i>Sale of Council's reversionary freehold interest in residential property following request from owner to purchase.</i>
		<i>7 Harris Drive, Bury</i>	<i>As above</i>
		<i>191 Sheringham Drive, Bury</i>	<i>As above</i>
		<i>270 Sunnybank Road, Bury</i>	<i>As above</i>
		<i>20 Cunningham Drive, Bury</i>	<i>As above</i>
		<i>30 Kensington Drive, Bury</i>	<i>As above</i>
		<i>2 Bloomfield Drive, Bury</i>	<i>As above</i>
		<i>11 Allendale Drive, Bury</i>	<i>As above</i>
		<i>32 Wavell Drive, Bury</i>	<i>As above</i>
		<i>6 Beech Grove Close, Bury</i>	<i>As above</i>
		<i>10 Beech Grove Close, Bury</i>	<i>As above</i>
		<i>25 Ashington Drive, Bury</i>	<i>As above</i>
		<i>7 Orpington Drive, Bury</i>	<i>As above</i>
9	Lab	Can the Leader advise if the Council is paying the Real Living Wage, in terms of what we pay our own staff and what we require providers of contracted services. Councillor Preston	
	Answer: Cllr O'Brien	<p><i>The Council's pay scales are in line with the National Living Wage. We don't pay the Real Living Wage outlined by the Living Wage Foundation, but we have been requested to look at this by the Trade Unions. We are aware that a number of councils already pay the Foundation Living Wage and are currently running scenarios/costing models for consideration. We are looking at the cost and knock on effect for positions but also looking and considering non-financial benefits for implementing this. Due to the differing pay structures across councils the impact of paying this enhanced rate will vary so it is not a one size fits all. Nor is it easy to replicate what another council does if they have different grading structures.</i></p> <p><i>We don't currently have anything in our tender documentation or standard contract terms in relation to rate of pay. Contractors are simply required to comply with their legal obligations.</i></p> <p><i>All commissioned adult social care providers are required to evidence they are compliant with paying their staff the National Living wage or above and</i></p>	

		<i>this is part of their contractual obligation. This is checked by our Quality Assurance processes. Payment of Living Wage in respect of social Care providers is a key element of the GM Social Care Plan in order to create a sustainable workforce.</i>
10	Lab	What arrangements is the Local Authority putting in place as part of the International 16 Days of Action against Domestic Violence and Abuse to raise awareness of the issue and encourage victims to report offences? Councillor Preston
	Answer: Cllr Tariq	<p><i>For those of you that might be unaware 16 Days is an international awareness-raising campaign aimed at galvanizing action to end violence against women and girls around the world. The decision to make the event span from 25 November to 10 December is deliberate as to include three other major events: International Human Rights Defenders Day World Aids Day and the anniversary of the Montreal École Polytechnique Massacre This is to highlight the connection between human rights and violence against women.</i></p> <p><i>This also coincides with the White Ribbon Campaign, for which I am an Ambassador. White Ribbon calls for men to stand up to violence against women and girls which I am sure you will all agree is an important and just cause.</i></p> <p><i>This year I am pleased to announce that we will be undertaking the following:</i></p> <p><i>Spanning across 16 days from 25th November to 10th December, a theme will be identified each day to explore the different stands of domestic violence and abuse through an array of workshops . These workshops will be open to partner organisations, voluntary sector and clients in the community of Bury. As well as raising its profile this should also provide them with training so that they can go on to provide the highest level of support possible to victims of abuse and their families.</i></p> <p><i>Having judged last year's I am happy to say there will be cake bake to raise money in support of the White Ribbon Campaign in the Bury Market. We will be handing out information leaflets to members of the public to raise awareness about domestic abuse and encourage its reporting.</i></p> <p><i>As part of the White Ribbon ethos about Men standing up to abuse there will also be an opportunity for people to sign pledges or become an ambassador. I hope you will all come along to support the campaign and raise some money.</i></p> <p><i>The '16 Days of Action' will help improve the visibility of domestic abuse amongst the general public, provide hope to women who are suffering, encourage the introduction of ways to bring the perpetrators of abuse to account and hopefully raise some money for a good cause.</i></p> <p><i>I will update you as this develops.</i></p>
11	Con	Despite previous requests by Ramsbottom Councillors for the reinstatement of road markings within the Town Centre, nothing has been done. Can the Leader advise when the road markings will be reinstated? Councillor R.Hodkinson

	Answer: Cllr Quinn	<p><i>The budget available for road marking reinstatements has suffered significant cuts and so we are forced to prioritise this type of work, taking account of safety concerns and difficulties with enforcement.</i></p> <p><i>The road markings on Kay Brow have recently been reinstated and instructions have been issued to our contractors to reinstate markings on Bolton Road West, Bridge Street and Carr Street.</i></p> <p><i>I am hopeful that these works will be completed before Christmas (weather permitting).</i></p>
12	L/D	<p>Could the Leader inform members what consideration the Council can give to further measures to reduce the use of bailiffs to collect debts? In particular what consideration can be given to the Money Advice Trust's best practice guidance about a Vulnerable Circumstances Policy and use of bailiffs for people in receipt of Council Tax Support? Cllr S Wright</p>
	Answer: Cllr Kelly	<p><i>We have put many practices in place this year with the introduction of the Council Tax Support top slice of 20% to encourage customers to get in contact with us.</i></p> <p><i>Use of bailiffs is absolutely the last resort, and we would exhaust all possible remedies prior to going down this route.</i></p> <p><i>We don't believe we can exempt Council Tax Support customers from referral to the bailiffs.</i></p> <p><i>A number of other AGMA authorities use bailiffs, and have been successful at collecting these small debts.</i></p> <p><i>We do all we can to encourage vulnerable customers to contact us, when they do we are able to identify any needs, make referrals to our CAB officer and assess vulnerability.</i></p> <p><i>We will keep the use of bailiffs under constant review, and will consider the impact of using them as part of our Anti-Poverty Strategy</i></p>
13	Lab	<p>In February could the Leader announced that we would borrow £10m to fund a resurfacing and repair programme. The Conservatives accused us of mortgaging our future away. Last month the Communities Secretary, Savid Javid, stated that –</p> <p><i>The Government should borrow money to fund the building of hundreds of thousands of new homes, a Cabinet Minister says. Communities Secretary, Sajid Javid said taking advantage of record low interest rate "can be the right thing if done sensibly".</i></p>

		Is this mortgaging our future or realising that Keynesian economics work after all? Councillor Skillen
	Answer: Cllr O'Brien	<p><i>We saw the sense in this approach long before Mr Javid - when we set our budget back in February 2017.</i></p> <p><i>After years of derisory funding for our Highways, we recognised that the only way in invest "at scale" and begin to address the historic condition of the network was to make use of our Prudential Borrowing powers.</i></p> <p><i>It certainly isn't mortgaging our future – its investing in it, and seeing that families and Businesses continue to make Bury their destination of choice.</i></p>
14	Lab	Can the Leader tell us how much affordable housing has been provided in Bury in recent years? Councillor James
	Answer: Cllr O'Brien	<p><i>The Council fully recognises the challenges of households securing affordable housing in the borough. In 2004, the Council introduced a planning policy where 25% of units on larger developments have to be made available at affordable levels. In most cases this means at a discounted sale price and in other cases as Shared Ownership, providing a minimum 25% discount. Over 250 affordable dwellings have been identified as completed as a result of this planning policy and in the past 3 years, 78 affordable dwellings were completed as a result of planning policy.</i></p> <p><i>This policy also allows the affordable housing units to be sold on the open market in certain circumstances, subject to 25% of the sale proceeds being given to the Council to spend on affordable housing elsewhere. We have received around £1.9m in this way, £867,000 of which has been allocated for bringing private sector empty properties back into use for affordable rent.</i></p> <p><i>In addition, the Council works with partners to influence their investment of new affordable housing in the borough; typically Housing Associations and usually supported by Homes and Communities Agency Funding. As part of its programme for 2015 to 2018, HCA funding for just over 150 new affordable rent or shared ownership properties was brought into Bury and funding has and continues to be secured under its new affordable housing programme. Overall between 2010/11 and 2016/17, Housing Associations delivered 325 affordable housing units in Bury.</i></p> <p><i>The Council is also directly delivering a number of schemes, supported by funding from the HCA, for properties it will own. This includes a 60 unit extra care, a 10 unit Affordable Rent Scheme and an 8 unit Shared Ownership Scheme.</i></p> <p><i>We have also secured over £1m HCA funding to bring private sector empty properties back into use as affordable rent, with 38 already delivered and 10 to be completed, some of which has been in partnership with Six Town Housing, with ownership now being with either STH or the Council.</i></p> <p><i>More generally, the Council works with GMCA and the Homes and</i></p>

		<p><i>Communities Agency to secure funding for and drive additional affordable housing across the borough, with a number of schemes underway or in development.</i></p> <p><i>The council will also utilise its own land which is suitable for residential development to deliver affordable housing where this is appropriate.</i></p> <p><i>Thus over the coming years, we will see an increased number of new affordable properties being built within the borough.</i></p>
15	Con	<p>Can the Leader please give an update on the status of the Activity Centre at Burrs Country Park and explain why the authority are no longer prepared to support this valuable and popular local amenity? Councillor Hankey</p>
	Answer: Cllr Quinn	<p><i>Burrs Activity Centre has operated from Burrs for the past 20 years. The 'not for profit' company has taken the decision to close at the end of the year and any bookings already made will be honoured. Thousands of children have enjoyed Burrs Activity Centre, and the Council would like to formally thank the staff, volunteers and directors for their hard work, dedication and commitment over the past 20 years and wish them well in the future.</i></p> <p><i>We are proud to have retained the Green Flag status for more than a decade as well as opened the new East Lancs Railway Station at Burrs following investment of £140,000, extended the Caravan Club site and installing a new sculpture.</i></p> <p><i>The Council is fully committed to creating a fully sustainable activity centre which will benefit Burrs Green Flag Country Park well into the future. We have a bright and exciting vision supported by the Burrs Strategy adopted in 2015 which outlines the Council's vision to create a regional destination park in Bury. To this end a number of expressions of interest have been received in relation to running the centre, these will be asked to provide an outline proposal based on the Burrs Strategy and the need to make it sustainable. Plans are afoot to support the remaining activity based at the centre, such as the canoe and kayak club.</i></p>
16	Lab	<p>Can the Leader confirm that the Council will be introducing Council Tax Exemptions for Care Leavers? Councillor Leach</p>
	Answer: Cllr Briggs	<p><i>We will be introducing a scheme to exempt care leavers up until their 25th birthday from Council Tax where they have a liability to pay.</i></p> <p><i>There will be reciprocal arrangements across Greater Manchester where an exemption will apply in Bury if the care leaver is from another GM council but who now resides in Bury. These arrangements and how the scheme will operate including how claims for exemption will work are still being drawn up.</i></p>
17	Lab	<p>Can the Leader confirm what action has the Council's Trading Standards service undertaken this year to protect the Bury public during fireworks season? Councillor Haroon</p>
	Answer: Cllr Kelly	<p><i>The Trading standards has carried out multi agency visits to all registered firework sellers in the borough on the run up to Bonfire Night, Fireworks have been inspected to ensure they are legal and safe.</i></p>

		<p><i>100% of registered premises have been visited. Statutory Notices were checked and advice on under age sales given, together with warnings on the consequences of non-compliance.</i></p> <p><i>In addition an Inspection was carried out by Authorised Officers at the fireworks importer based in Dumers Lane Bury. This was to ensure that all fireworks distributed nationally from this site were fully compliant with the latest standards and Regulations.</i></p> <p><i>Trading standards again participated with partners from GMFRS, GMP and Gm Local authorities in Operation Treacle sharing information highlighting the dangers and consequences of antisocial behaviour, criminal damage and the misuse of fireworks.</i></p>
18	Con	<p>In view of the fact that the Government has begun the formal process of considering intervention into 15 local authorities that have failed to produce a local plan, could the Leader advise the current status of the Council's preparation for the publication of a draft Bury Local Plan in 2018? Councillor I.Bevan</p>
	Answer: Cllr O'Brien	<p><i>It is fully recognised that there is a need to have an up-to-date Local Plan in place and there has been two previous attempts to replace the current Unitary Development Plan in 2011 and 2014. In both cases, the new plans were progressed to examination stage but, on both occasions, Government-appointed Inspectors were minded to find the plans unsound - largely on the basis that they both adopted an approach that sought to maintain current Green Belt boundaries and, because of this, were unable to identify sufficient land elsewhere to meet needs for future housing development.</i></p> <p><i>On the 1st of February this year, a Council Motion was carried that included an instruction from the Leader for officers to immediately begin work on a new Local Plan for Bury and to establish an All-Party Working Group to oversee this work.</i></p> <p><i>Members will be aware that, in March this year, we started the process of preparing the new Local Plan by asking stakeholders to submit comments over a six-week period on what they felt the Local Plan should contain.</i></p> <p><i>This was followed by an eight-week consultation on the Key Issues for Local Plan in August of this year. Alongside this, we also undertook a 'Call for Sites' asking interested parties to submit suggestions for sites that they consider suitable for development or for protection.</i></p> <p><i>This consultation ended in October and Officers are currently in the process of considering the comments that were received alongside current and emerging national planning policy to produce a draft Local Plan. The intention is to progress the Local Plan alongside the GMSF as the two documents will have to complement one another and be consistent. As a result, we are intending to undertake further public consultation on a draft Local Plan in the summer of next year to coincide with the intended publication of a revised draft of the</i></p>

		<p><i>GMSF.</i></p> <p><i>I would add that without either a Local Plan, or GMSF, there is a risk of intervention and ultimately a loss of planning autonomy.</i></p> <p><i>In line with the Motion, we have established an All-Party Working Group for the Local Plan that includes the Leaders of each Group. The Working Group has already met twice – in April and June - to discuss progress on the Local Plan, its intended content and to ensure that this is in line with national planning guidance. We are intending to convene a further meeting of the Group in January</i></p>
19	Lab	<p>Can the Leader tell us why smoking prevalence rates in Bury are higher than the national average? Councillor Adams</p>
	Answer: Cllr Preston	<p><i>Smoking prevalence in Bury is 19.1% compared to the national average of 15.5%. Smoking rates in Bury have always been worse than England and this is not surprising as smoking rates are associated with deprivation and Bury has higher than the national average levels of deprivation. In particular higher smoking rates are observed in routine and manual groups, offenders, some BME groups, those with mental health issues, and those in poorer households.</i></p> <p><i>Smoking prevalence is reducing but not at the same rate as the national average. Encouragingly, smoking rates amongst young people have seen a sharp decline. 8.7% of 15 years olds in Bury are current smokers, a drop from 21% in 2004.</i></p> <p><i>Reducing smoking prevalence requires a comprehensive programme around tobacco control, beyond the offer of stop smoking support and needs to also include action on smoke free places, addressing illegal and illicit tobacco and pricing. Our existing tobacco control plan expires in April 2018 and a new plan is under development. This will align to the new ambitious GM Tobacco Control Plan and specifically consider how we can reduce smoking prevalence faster.</i></p>
20	Lab	<p>Sky lanterns are a risk to our environment. Birds and wildlife can become entangled in the wire or bamboo frames leading to injury or death and livestock can accidentally eat fallen lantern parts which can cause internal bleeding, leading to a slow painful death. There is also a risk to sea life as many of fallen lanterns end up in the sea.</p> <p>The fallen sky lanterns also pose a significant fire hazard with a number of reported incidents. One fire caused by a sky lantern at a recycling plant cause £6 million worth of damage.</p> <p>The RSPCA and many other organisations including the Marine Conservation Society, Women's Food & Farming Union (WFU), Soil Association and</p>

		<p>National Farmers Union (NFU) all support a ban on sky lanterns.</p> <p>Could the Leader inform the Council of what we can do to mitigate the dangers caused by the release of Sky Lanterns? Cllr Fitzgerald</p>
	Answer: Cllr Quinn	<p><i>A number of Councils in the UK have banned sky lanterns on Council land. Others have decided that having considered all the available evidence relating to their use, including a 2013 DEFRA report, there are more effective ways to manage the use of sky lanterns across the entire borough than by adopting a policy to ban their use on council land. In order to mitigate the dangers of sky lanterns the Council should make it clear to event organisers that the Council does not support the use of sky lanterns at events taking place in the borough because of the risk to the environment and wildlife.</i></p> <p><i>There was an Industry Code of Practice released in 2014 in relation to the manufacture, sale and use of sky lanterns. The code details responsible sale and use of sky lanterns and this should be followed and adhered to ensure there are used safely. Contact should be made with GMFRS to assess the location of the proposed launch, check weather conditions ensuring there is little wind speed, check the proximity to airfields and contact the Civil aviation authority if required, limit the number to be launched to a small number and launch them singly.</i></p>
21	Con	<p>Can the Leader confirm that all health and safety risk assessments are up to date, and in particular fire safety checks in all Council owned buildings? Councillor I.Gartside</p>
	Answer: Cllr Kelly	<p><i>The review and revision of risk assessments is a local management issue. We use auditing arrangements to provide periodic independent assessments of health and safety management standards, including risk assessments, although, out of necessity, this is a sampling process which requires departmental follow up across all services where any potential weaknesses are identified.</i></p> <p><i>With regard to fire risk assessments, a review of Fire Risk Assessment (FRA) coverage within Bury Council owned, leased, managed and/or occupied properties is being undertaken in light of the Grenfell Tower tragedy. Copies of completed FRAs have been requested from services/those with responsibility for the management of the relevant establishments. Once received, these are entered onto a central fire risk assessment registry. Although local knowledge is required to fully assess the suitability of individual FRAs, the registry will be used to assist in making independent judgements on the quality and suitability of the processes that have been applied to their creation. All relevant managers have been provided with details of the requirements, fire risk assessment templates and guidance, and competency requirements for any external fire safety specialists that they may choose to use.</i></p>
22	L/D	<p>Could the Leader inform members what consideration has the Council given to ways it can support residents with future dealings with Universal Credit, who cannot afford to phone the Government's costly helpline (up to 55p a</p>

		minute from a mobile)? Cllr D'Albert
	Answer: Cllr Kelly	<p><i>The Government announced on the 23rd November 2017 that Full service Universal Credit in Bury was being delayed from May 2018 to the end of July 2018 and that as part of the announced budget changes all new claims for Universal Credit will end from the 1st January 2018 and claims made direct to the Council for Housing Benefit until the roll out of full service Universal Credit in July 2018.</i></p> <p><i>Under full service Universal Credit the Council will continue to provide support to residents as part of a partnership agreement with the DWP.</i></p> <p><i>As part of the current agreement the Council is able to offer support in making a claim for Universal credit and for help with budgeting by referrals being made to the Council from the local Jobcentre offices.</i></p>
23	Lab	Can the Leader as agreed at the last full Council give us an update on the pot hole repair programme? Cllr Mallon
	Answer: Cllr Quinn	<p><i>Here are details regarding the first batch of works...</i></p> <p><i>6 sites are being resurfaced;</i></p> <ul style="list-style-type: none"> <i>• Longsight Road</i> <i>• Hilton Lane</i> <i>• Bury New Road (Rams)</i> <i>• Manchester Road (Blackford Bridge)</i> <i>• Parkhills Road</i> <i>• Tottington Road</i> <p><i>The combined Expression of Interest (EoI) and Invitation to Tender (ITT) will be placed on The Chest procurement portal at the beginning of December with a return date of the beginning of January as the moratorium on roadworks comes into place in December and, traditionally, contractors shut down for two weeks over the Christmas period. This will allow works to commence at the beginning of February.</i></p> <p><i>Virgin Media have yet to inform the Council of its recently announced programme of works for Prestwich. Consequently, Hilton Lane may have to be withdrawn if it conflicts with Virgin Media's aspirations for the area.</i></p>
24	Lab	For nearly 20 yrs three properties on Heys Road in Prestwich have been a blot on the landscape. Can the Leader give an update on what is happening to the one property still standing and on the land where the two other houses used to stand and is now vacant? Councillor James
	Answer: Cllr O'Brien	<p><i>The properties in question are 131-133 and 137 Heys Road, Prestwich.</i></p> <p><i>Whilst it is recognised that these properties have remained empty, creating a significant negative impact in the area; the ownership and legal complexity</i></p>

		<p><i>associated with these properties should not be underestimated. It is positive therefore that I can report that after many years of hard work, tenacity and a sustained input from staff in various sections across the Council, a solution for these properties has been found and is progressing.</i></p> <p><i>The complex legal issues for instance have provided significant challenge in taking action against the appropriate persons, so much so that the properties/land eventually became the responsibility of the Crown.</i></p> <p><i>In the case of 131-133 the Council took formal action for the properties to be demolished. The Crown became owners of the land and have instructed its sale at Auction on the 5th December. Through a charge on the property/land we have secured the costs of our formal action. As far as possible officers will also engage with the subsequent owners and influence the end use of this land.</i></p> <p><i>In the case of 137, through our liaison and negotiation with the Crown, this property has now been sold. Officers are engaging with the new owner who is exploring their options and requesting quotes/schedules of work. The last conversation with the owner confirmed that they intend to keep the existing property and carry out a full renovation including underpinning. Officers will continue to engage with the new owner and will monitor and support the progress.</i></p>
25	Con	<p>Could the Leader please give an update on the programme to replace Bury's street lighting with modern "white" lights and also confirm that the power of the existing sodium lighting has not been reduced in recent years?</p> <p>Councillor M.Hankey</p>
	Answer:	<p><i>The current street lighting invest to save programme, involving swapping lanterns on the side roads, is in its final stage and is currently on track.</i></p> <p><i>Main road lighting will be updated, as appropriate, as part of the Highway Asset Management Plan, and other initiatives which are currently being formulated.</i></p> <p><i>138 lights on some main roads did have dimmable control gear fitted, which dims for part of the night, as part of the initial invest to save proposal. However, this was not continued as it was felt this process was not cost effective in the long term. The remaining lighting throughout the Borough has not be subjected to reduced power.</i></p>
26	Lab	<p>Can the Leader update the Council on the progress of the GMSF process?</p> <p>Councillor J Walker</p>
	Answer: Cllr O'Brien	<p><i>Members will be aware that consultation on the draft Greater Manchester Spatial Framework ran over a 12-week period ending in January this year. The plan generated a large amount of interest and around 27,000 responses were received.</i></p> <p><i>A significant number of responses raised objection to the plan's proposal to</i></p>

		<p><i>release areas of Green Belt to meet development needs. Objections were also raised in relation to the perceived lack of information on supporting infrastructure, such as transport and health care, as well as the impact that the proposals would have on the environment and air quality. Whilst there were many objections, there was some acknowledgement of the need for more housing and general support for the plan's ambitions for job creation across Greater Manchester.</i></p> <p><i>Officers are now working on a revised draft GMSF that will take into account the comments received on the first draft with the intention that this is subject to a further 12-week consultation next summer.</i></p> <p><i>This revised draft will also take into account the Government's proposals for a revised standard methodology for determining needs for new housing. Whilst the levels of housing need used in the draft GMSF faced heavy criticism from some quarters, it is interesting to note that the use of the Government's proposed methodology results in a need for just 13 less homes per year in Bury than what was proposed in the draft GMSF.</i></p>
27	Lab	<p>There have been press reports regarding a Bury private hire driver being prosecuted by the licensing service for refusing to carry blind passengers with a guide dog. What is the legal position regarding this? Councillor Mallon</p>
	Answer: Cllr Kelly	<p><i>On 1 November 2017 the defendant, Mohammed Ibrar who is the holder of a private hire vehicle drivers licence issued by Bury Council, appeared before Manchester City Magistrates court where he pleaded guilty to an offence committed on the 20th April 2017 that whilst driving his private hire vehicle, he refused to carry out a booking accepted by the operator that had been made by a disabled person and the reason for the refusal was that the disabled person was accompanied by an assistance dog. This was contrary to Section 170 (3) of the Equality act 2010. As a result he was ordered to pay a fine £250.00, costs £250.00 and a victim surcharge of £30.00.</i></p> <p><i>The Equality Act makes it unlawful to discriminate against a disabled person including refusing access to a disabled person accompanied by an assistance dog except in the most exceptional circumstances. Private Hire Drivers must have and display a valid medical exemption certificate supplied by the Council should they be unable to carry assistance dogs on medical grounds.</i></p> <p><i>Thousands of disabled people rely on an assistance dog to help them with day-to-day activities, which many people take for granted, Assistance dogs carry out a variety of practical tasks for people as well as supporting their independence and confidence. Bury Council is committed to an accessible public transport system in which disabled people have the same opportunities to travel as other members of society. Hackney Carriages and Private Hire Vehicles are a vital link in the accessible transport chain and it is important that people who use wheelchairs or assistance dogs can have confidence that drivers will accept them and their wheelchair or assistance dog and carry them at no extra charge. It will therefore continue to consider taking action against any licence holder who breaches the legislation.</i></p>

28	Con	The Electoral Commission, in its recent report 'Elections for everyone' has stated that some voters with learning and physical disabilities as well as people living with mental illness have reported being left unable to cast their vote at election time due to not understanding wording on election forms, not knowing they could ask for a tactile voting device and problems inside the polling station such as poor lighting and lack of space. Could the Leader confirm that the Council and Bury's returning officer will consider the report and implement it's recommendations? Councillor I.Bevan						
	Answer: Cllr Kelly	<i>The Council and its Returning Officer already routinely make provision for people with a disability who wish to register and those who vote. This includes tactile devices, large print and braille ballot papers for the visually impaired, pictures in postal vote packs on how to complete them, disabled access in stations, as well as training of staff to assist and give advice to voters and their carers. Regular reviews of polling stations are also undertaken.</i> <i>The Electoral Commission report 'Elections for Everyone' makes a number of recommendations, not just for those who run elections, but includes care and support workers, the government and candidates and their parties.</i> <i>The Council and its returning officer take their duties and responsibilities to all who are entitled to vote very seriously and the recommendations contained in the 'Elections for Everyone' will be considered and where required, implemented.</i>						
29	L/D	Could the Leader outline to members the levels of uncollected debt by the Council for the last three years for: council tax and business rates and the current totals of uncollected debt in these areas? Cllr S Wright						
	Answer: Councillor O'Brien	<i>We strive to collect all debts that are due, however it must be recognised that 100% is never achievable.</i> <i>People die, people abscond, or people declare themselves bankrupt.</i> <i>Nevertheless, we perform strongly when compared to GM neighbours, and achieved collection rates of 96.84% for Council Tax, and 94.78% for Business rates in 2016/17</i> The figures below are as at 31/10/17 Business Rates <table><tr><td>2014 - 2015</td><td>£734,438</td></tr><tr><td>2015 - 2016</td><td>£1,083,101</td></tr><tr><td>2016 - 2017</td><td>£1,688,036</td></tr></table>	2014 - 2015	£734,438	2015 - 2016	£1,083,101	2016 - 2017	£1,688,036
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30	Lab	The Council passed the Neighbourhood Engagement Framework last April, could the leader please give us an update on the progress of implementation thus far. Councillor Cathcart								
	Answer: Cllr Tariq	<p><i>Following sign off of the implementation plan for the new 'Neighbourhood Engagement Framework', a series of Neighbourhood Engagement Events were scheduled across the month of November. The events were designed to provide an opportunity for residents, community groups, businesses and anyone who lives, works or has an interest in each of our 6 Townships to get together and help shape our new approaches to engagement and delivering outcomes on the issues that matter most to our communities.</i></p> <p><i>Because local people in our Townships are uniquely positioned to identify what they need and want in their areas, the events offered members of the community the opportunity to share thoughts and ideas about how Bury Council and key partners such as the Police, health services and the VCFA can work with our communities to support and drive forward their ideas. The events were an opportunity for people to find out what is available for them in their community and learn how they can get involved and work together to make a difference in their local area. There was information about how to pitch for funding for projects, as well as the chance to help inform planning for future initiatives. The message at each event was that we want people to feel empowered to take charge of their own lives.</i></p> <p><i>The engagement events were delivered in an informal setting with a 'Market Place' style networking format and all six were very well attended. Each event had in excess of 20 information stands featuring community groups, partner agencies, third sector groups and various community initiatives. Many residents came to talk to us and find out what was happening in their areas. Attendees were given the chance to learn more about how we will engage with them going forward and help shape our approach in each area to ensure it works for that locality.</i></p> <p><i>Alongside our engagement events we have also undertaken six 'The Pitch' funding events in November, where we have put the community at the heart of the decision making process when investing grant funding. Through an innovative new Participatory Budgeting model, local people have heard all about potential new projects aimed at improving health & wellbeing and they have decided which projects will make the biggest difference in their local area. The events were extremely well attended with standing room only as local people came out en masse to hear details of the projects available to them and register their vote.</i></p> <p><i>The next stages of implementation will involve a full evaluation of the impact</i></p>								

		<i>of our November Engagement and Pitch events and the set up of Ward based 'Action Groups', which will be the vehicle for driving forward the solutions to the local issues identified during each of our engagement events.</i>
31	Lab	What percentage of pupils attends a good or outstanding school in your area? What are you doing to address this? Councillor Leach
	Answer: Cllr Briggs	<ul style="list-style-type: none"> - <i>85.6% of Primary Age children attend a Good or Outstanding School in Bury. 91% of secondary pupils are in good or outstanding schools.</i> - <i>87.3% of Bury primary schools are judged Good or Outstanding which is in line with the national figure of 88.0%. 86.7% of Bury secondary schools are judged Good or Outstanding, which is above the national average of 74.6%.</i> - <i>We continue to focus on Schools Causing Concern both in terms of those judged either requires improvement or to be inadequate and those whose performance data suggests that that are no longer likely to be judged good.</i> - <i>More recently one primary has moved from good to outstanding and other primary schools are looking at this; our Health Checks provide recommendations which support the improvement journey.</i>
32	Con	It was recently reported in the press that Bury New Road in Ramsbottom would be resurfaced by the end of the financial year. Can the Leader give more detail regarding the planned commencement date, the extent and the expected duration of the work? Councillor R.Hodkinson
	Answer: Councillor Quinn	<p><i>The works to Bury New Road, Ramsbottom are due to commence February/March 2018 with an anticipated duration of 4 weeks.</i></p> <p><i>The extents of resurfacing works shall include Bridge Street from the ELR Level Crossing, Peel Brow and Bury New Road up to the bridge crossing the M66.</i></p>
33	Lab	How are we supporting some of our most vulnerable young people such as care leavers? Councillor J Walker
	Answer Cllr Briggs	<p><i>We are in touch with over 96% of are care leavers aged between 17 – 21 years and the Through Care Service maintains a good relationship with Bury's Care Leavers who now have a dedicated Leaving Care Hub at the New Kershaw Centre. Nearly 90% of care leavers are assessed as being in suitable accommodation. We are also working as part of a Greater Manchester initiative and the Children's Society to exempt care leavers from Council Tax.</i></p> <p><i>There is an active care leavers forum who regularly meet as well as several care leavers attending the Children in Care Council. Bury was well represented at Octobers Greater Manchester Care Leavers Awards held at The Royal Northern College of Music winning 2 out of the 11 categories.</i></p>
34	L/D	Could the Leader inform members what proportion of meat served in Council

		establishments (including schools) is 'humanely' slaughtered (stunned before slaughter)? Cllr Pickstone
	Answer	<i>Approximately 10% of the meat products used in the preparation of meals, which is predominantly in schools, is Halal in order to meet the cultural needs of service users. The product is sourced from a Halal Monitoring Committee (HMC) certified supplier.</i>
35	Con	Can the Leader confirm the process by which local communities in the Borough can request that speed cameras be erected on certain roads where there is clear evidence of speeding and dangerous driving posing a risk to the safety of residents. Can the Leader confirm what funding is available at a GM level to support such action? Councillor J.Daly
	Answer Cllr Quinn	<p><i>In order for a fixed site speed camera to be introduced on the highway in Greater Manchester, certain criteria have to be met before such a unit can be considered. The body that decides whether a location is suitable for a fixed site speed camera is not actually Bury Council but an organisation called the Greater Manchester Casualty Reduction Partnership (GMCPR) also known as 'Drivesafe'. GMCPR is a multi-agency partnership committed to improving road safety in Manchester - including the introduction of fixed site speed cameras where the criteria to do so are met. GMCPR must demonstrate that any fixed site speed enforcement is being undertaken in areas where there is a history of injury collisions taking place over a particular length of road where there is a history of speeding traffic. The Safety Camera Criteria laid down at GMCPR states that there must be a history of 3 KSI (killed or serious) injury collisions over a baseline period (usually the most recent 36 months) over a 0.4km-1.5km length of road and where there is evidence of significant speeding of vehicles. This unfortunately creates a scenario whereby the provision of such facilities on the highway is reactive rather than proactive in nature. GMCPR follow the selection criteria as laid down in the Department for Transport (Dft) Circular of 01/2007.</i></p> <p><i>To introduce a new Digital Fixed site speed camera now costs in the region of £100,000 and the majority of funding for fixed site speed cameras where the criteria is met to introduce such a scheme comes from a proportion of fees paid by offenders attending the Greater Manchester National Driver Intervention Courses. The Intervention scheme was introduced to allow those offenders who met the course criteria, the opportunity to participate in a nationally recognised and supported training programme.</i></p>
36	L/D	Following reports that two North West local authorities have used off-shore companies with allegations of avoidance of tax, can the Leader reassure members that Bury has no similar involvement with off-shore companies? Cllr D'Albert

	Answer Councillor O'Brien	<i>I can confirm that the Council has no involvement with off-shore companies.</i>																																								
37	Con	Can the Council confirm the total figures spent on public highways, rights of way, pavements and public infrastructure projects in Whitefield, Radcliffe and Prestwich, providing a figure for each area? Councillor O.Kersh																																								
	Answer: Councillor O'Brien	<u>2016/17 Expenditure</u> <table><tr><th></th><th>Footways</th><th>Rights of Way</th><th>Carriageway</th><th>Street Lighting</th><th>Projects</th><th>Total</th></tr><tr><td>Radcliffe</td><td>£124,214</td><td></td><td>£367,047</td><td>£501,416</td><td></td><td>£992,677</td></tr><tr><td>Prestwich</td><td>£120,825</td><td></td><td>£84,108</td><td>£107,911</td><td>£539,655</td><td>£852,498</td></tr><tr><td>Whitefield</td><td>£168,647</td><td>£4,000</td><td>£31,505</td><td>£138,096</td><td></td><td>£342,249</td></tr><tr><td>Total</td><td>£413,685</td><td>£4,000</td><td>£482,660</td><td>£747,424</td><td>£539,655</td><td>£2,187,424</td></tr></table> <p><u>Notes:</u></p> <ul style="list-style-type: none">• <i>The project for Prestwich is the A56 Prestwich High Street Scheme.</i>• <i>Arthur Lane, Radcliffe – works were started in 16/17 but straddled into 17/18. All costs shown here.</i>• <i>Public Rights of Way – approx. £4K repairing Dove House Close Steps.</i>• <i>Street lighting includes for maintenance and LED replacements.</i>• <i>Carriageways and Footways includes for reactive and planned works.</i>							Footways	Rights of Way	Carriageway	Street Lighting	Projects	Total	Radcliffe	£124,214		£367,047	£501,416		£992,677	Prestwich	£120,825		£84,108	£107,911	£539,655	£852,498	Whitefield	£168,647	£4,000	£31,505	£138,096		£342,249	Total	£413,685	£4,000	£482,660	£747,424	£539,655	£2,187,424
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Item 7 - Joint Authority Questions

- 1 *There are improvements taking place at Crumpsall Metrolink Station. Is this investment to continue on the Bury line as some of the stations are in need of modernisation, especially Heaton Park Station where the lifts are unreliable, affecting disabled people/mums with buggies and the infirm and there is only one way in and one way out? Cllr Quinn***

Answered by Councillor Bayley.....

As part of the Renewals and Enhancements programme, improvements to the Bury line stops are currently being considered. To date, an architect has carried out a preliminary assessment of the improvement works which could be carried out at each of the stops. This is in addition to the current works being undertaken at the Crumpsall stop. The assessment will be used to further develop the proposals and business cases to secure funding for works to each of the stops.

The proposals will consider improvements to the passenger waiting areas and also accesses to the stops i.e. current lift provisions and the possible introduction of at-grade track crossings. The potential implementation of these works will be subject to securing funding. It is worth noting that a separate project is currently being progressed to secure the additional funding required to introduce an at-grade crossing to the Bury tram stop.

- 2 *Given the non-attendance of FIRST BUS officers at Bury West Area Board meetings nowadays and the declining performance standards of buses operating the 471 and 98 services through Church Ward, with cancellations, delays and long waits being regular occurrences, can I ask whether the closure of the Bury bus depot has had an effect on staffing and could the new GM regulatory powers be used to improve provision offered by companies, even possibly including a condition that a firm providing the bulk of services maintains a base in such a major centre of population as Bury ? Councillor R Walker***

Answered by Councillor Bayley.....

The bus network across Greater Manchester is predominantly operated on a commercial basis whereby privately owned bus operators bus operators are free to determine their own routes, timetables, level of fares and retain overall control of the day-to-day operation of their services

TfGM does, however, work closely with operators where problems occur and has discussed the recent service issues in Bury with First Manchester. TfGM understands that First has experienced significant problems with staffing levels and short term absenteeism. This has affected services across their network, with some services being cancelled at short notice.

The Greater Manchester Mayor is working with TfGM to explore the new mechanisms and opportunities for the reform of bus services provided by the Bus Services Act. The Act gives the elected Mayor of Greater Manchester, the option to introduce bus franchising, subject to public consultation. Bus franchising has the potential to bring significant benefits for residents and passengers, allowing for greater local control over routes, frequencies, timetables, fares and service standards for all buses across the Greater Manchester network.

On behalf of the Mayor and the GMCA, TfGM is now preparing an assessment of a franchising scheme for the whole of Greater Manchester. It is too early to say what contractual obligations might be specified in any franchising scheme, but franchising would allow for TfGM to set minimum service standards with mechanisms to address poor performance.

3 *Could the Council's spokesperson on the Transport for Greater Manchester Committee inform members what the estimated level of unpaid fares is on the Metrolink network? Cllr Pickstone*

Answered by Cllr Bayley.....

Fare Evasion is currently believed to be at around 12% across our sample of the whole network. To help tackle fare evasion and antisocial behaviour an additional 23 TravelSafe Officers have recently been deployed. They will be supported by an additional 50 Police Community Support Officers, 28 of which have been deployed, with a further tranche of 14 to join the TravelSafe Unit in January 2018.

4. *Could the Council's representative to the Police and Crime Panel inform members what measures are being taken to improve the performance of the 101 non emergency police number? Cllr D'Albert*

Answered by Cllr Tariq...

I am pleased to report that at the September Police and Crime Panel we discussed the issue at length and were able to secure some commitments for the future.

I would first of all like to provide you with some performance data and some context to the data:

The call handling team comprises a switchboard to screen 101 calls and then a call handling team (the same call handling team manage 999 calls).

The team receives on average 5000 calls per day. The average speed of answer for each area in September was as follows:

Switchboard	1 min. 20 sec
101	13 mins 24 seconds
999	12 seconds

Call handling is a relentless area of work and consequently suffers from a high level of staff churn and sickness which impacts capacity and consequently performance.

In the last 6 months they have been on a recruitment drive which reassuringly is starting to bear fruit with average speed of answer times for October dropping across the board:

Switchboard	36 sec - a 55% drop
101	2 mins 48 seconds - an 80% reduction
999	10 seconds - a 17% drop

Whilst there are fluctuations from one month to the next this is clearly moving in the right direction.

The recruitment drive will continue into next year to get the team back to full capacity.

In addition and pleased to say that the team are undertaking the following work:

- They need to educate the public on what is a police matter, they get a large number of calls that are not for the Police but for other agencies such as the Local Authority, NSPCA, Parking Tickets, etc , they have started this process and this will continue.
- They are about to go live with 'live chat' a web based way to contact them
- Problem solving training for their staff so they understand better certain legislation (abandoned vehicles, fraud, civil matters)
- Sickness management support
- Better working with partners (mental health and Ambulance service)

The Police & Crime Panel will continue to scrutinise the work of the Call centre and I will provide further updates to Council as appropriate.

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REPORT FOR DECISION



DECISION OF:	COUNCIL
DATE:	29TH NOVEMBER 2017
SUBJECT:	APPOINTMENT OF INDEPENDENT PERSON UNDER SECTION 28(7) OF THE LOCALISM ACT 2011 (TO SUPPORT THE OPERATION OF THE CODE OF CONDUCT BY THE STANDARDS COMMITTEE) FROM 2017 TO 2021
REPORT FROM:	JAYNE HAMMOND – ASSISTANT DIRECTOR (LEGAL & DEMOCRATIC SERVICES) AND MONITORING OFFICER
CONTACT OFFICER:	JAYNE HAMMOND
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain.
SUMMARY:	This report seeks Council approval to recommend to full Council the appointment of Valerie Bracken as Independent Person under section 28(7) of the Localism Act 2011, to support the operation of the Code of Conduct by the Standards Committee. It should be noted that Independent Persons appointed to this position may also be appointed to a panel convened to consider a proposal to dismiss a Statutory Chief Officer under the Local Authorities (Standing Orders) (England) Regulations 2015.
OPTIONS & RECOMMENDED OPTION	<ol style="list-style-type: none"> 1. That full Council appoint Valerie Bracken as Independent Persons for a period of 4 years commencing 30 November 2017 and ending in 2021 2. That full council approve the allowance paid per annum to the Independent Persons, to be £500.00 each.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Any financial implications will come from existing resources for Standards matters.
Health and Safety Implications	There are none.
Statement by Executive Director of Resources (including Health and Safety Implications)	
Equality/Diversity implications:	There are no implications and paragraph 2 of

	the report sets out the measures taken for consideration.	
Considered by Monitoring Officer:	Yes The legal implications are set out in the report as there is a legislative requirement to have in place arrangements for Independent Persons	
Wards Affected:	NONE	
Scrutiny Interest:	NONE	

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	
		29TH NOVEMBER 2017	

1.0 BACKGROUND

- 1.1 The Council must appoint at least one Independent Person (IP) whose views are to be sought and taken into account by the Council before it makes its decisions on allegations about breaches of the Code of Conduct that it has decided to investigate. The views of the Independent Person may also be sought by the Council's Monitoring Officer where an investigation has not yet been commenced, and by a member who is the subject of a complaint.
- 1.2 Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 the Council must have in place arrangements for inviting Independent Persons to be involved in making recommendations to Council before any decision to dismiss a statutory chief officer. It would be possible to use IPs other than those appointed to support the Code of Conduct, or IPs from other authorities for this purpose, however it is considered sensible to use the IPs supporting the Code of Conduct for this purpose if needed as well.
- 1.3 Following on from the Standards Committee's approval on 28 September 2017 to the recruitment process to seek three Independent Persons (for a four year term), the recruitment process proceeded in October 2017, and the interviews for the position took place on 23 November 2017. The Interview Panel consisted of Councillors Gunther, Jones and Pickstone.
- 1.4 Following on from the Interviews – the Interview Panel recommend that the following person be appointed:
- Valerie Bracken - Independent Person
- 1.5 In accordance with section 28(7) of the Localism Act 2011 any appointment of Independent Persons is required to be agreed by Full Council.

- 1.6 In respect of the allowances paid to the respective positions the Standards Committee agreed at its meeting on 28 September 2017 to recommend to full Council that the allowance paid per annum to the Independent Persons, should be £500.00.

2.0 EQUALITIES

- 2.1 Although Independent Persons are not employees or officers of the Council, and are statutory appointees, the recruitment process for them followed the recruitment process for employees/officers, including a person specification and appointment criteria against which the relevant skills and abilities were assessed. The advert for these positions was advertised locally (as required in law), as well as on the Council's own website.

List of Background Papers:-

Recruitment of Independent Person – Standards Committee – 28 September 2017

Contact Details:-

JAYNE HAMMOND

Assistant Director – Legal & Democratic Services

Tel: 0161 2535518

Email: j.m.hammond@bury.gov.uk

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REPORT FOR DECISION



DECISION MAKER:	COUNCIL
DATE:	29 November 2017
SUBJECT:	QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS
REPORT FROM:	ASSISTANT DIRECTOR LEGAL AND DEMOCRATIC SERVICES
CONTACT OFFICER:	LEIGH WEBB, DEMOCRATIC SERVICES MANAGER
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	This report sets out details of decisions taken under special urgency provisions in the last 3 months.
OPTIONS & RECOMMENDED OPTION	To note the decision
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 report is for information, and there are no direct financial implications
Statement by Executive Director of Resources:	There are no wider resource implications

Equality/Diversity implications:	No
Considered by Interim Monitoring Officer:	Yes Decisions taken in accordance with Urgency Procedures and Access to Information requirements as set out in the Council Constitution
Wards Affected:	All
Scrutiny Interest:	Overview and Scrutiny Committee

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	
		29.11.2017	

1.0 BACKGROUND

- 1.1 Under Section 18.3 of the Access to Information rules within the Council's Constitution the Cabinet are required to submit quarterly reports to the Council on executive decisions that have been taken under the Special Urgency Provisions in the preceding three months.

An item of Special Urgency is defined as a key decision whereby the report has not been published within the five clear days rule under the Access to Information Procedure Rules. The following report has to include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken. In taking a decision under the Special Urgency Provisions the Decision Taker has to obtain the agreement of the relevant Scrutiny Chair that the taking of the decision cannot be reasonably deferred.

There has been one occasion when the Special Urgency Provision has been used over the preceding four month period:

Decision Taker/Date	Item /Decision and reason for urgency	Chair of Scrutiny Committee who authorised use of Special Urgency Provision
Interim Executive Director of Children's Services 01.11.2017	Regional Adoption Agency (i)That approval is given to the Council becoming a formal constituent member of the Adoption NoW Regional Adoption Agency with effect from 6 November 2017 and that affected staff are supported to second into the Regional Adoption Agency noting the additional	Councillor R caserta

	<p>financial implications for the Council by endorsing such arrangement.</p> <p>(ii) That Council is recommended to approve the necessary delegations and discharge of its duties in accordance with the legal provisions set in the Local Government Act 1972 and Local Authorities (Goods and Services Act) 1970</p> <p>(iii) That the Council Solicitor be authorised to enter into the necessary legal agreement to effect the new arrangements.</p> <p>Reason for Urgency: The secondment and financial agreements have only just been agreed and so it was not appropriate to send to Cabinet for a decision before this had been completed. There were no Cabinet meetings before 6 November 2017</p>	
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2.0 CONCLUSION

The Council is required to note the above decision and reason for use of Special Urgency provisions

List of Background Papers:-

Urgent Decision Form 2017/005

Contact Details:-

Leigh Webb
Democratic Services Manager
0161 253 5399
l.m.webb@bury.gov.uk

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URGENT DECISION FORM



TO BE UPLOADED ON TO THE COUNCIL WEBSITE

Date: 30.10.2017	Ref No:
Type of Decision:	
Executive Decision	✓
Key	✓
Council Decision	
Non-Key	

Subject matter: REGIONAL ADOPTION AGENCY

This report seeks endorsement for the Council to become a formal and constituent member of the Adoption NoW Regional Adoption Agency (RAA) with effect from 6 November 2017, resulting in Adoption NoW becoming responsible for the delivery of the Council's statutory obligations with regard to adoption services. Adoption NoW is a partnership arrangement between ourselves, Bolton, Rochdale, Oldham, Tameside and Blackburn Councils along with Caritas Care and Adoption Matters; and is in line with the Government's Education and Adoption Act 2016, which requires local authority adoption services to regionalise by 2020, with planning to have started by 2017. The Adoption NoW RAA will build on the strengths of each of the individual partners and on already existing collaborative working arrangements. Learning from best practice and innovation in each of the agencies and from other Regional Adoption Agencies will be embedded in the practice of Adoption NoW. This will have a particular focus on improving the availability of adopters and addressing the current difficulties in placing harder to place children who may have more complex needs. In the medium term, it is expected that increased efficiency in the recruitment of adopters within Adoption NoW will generate cost savings for the participant Local Authorities, though the initial aim is to focus on improving quality of services.

We will be seconding existing adoption staff and associated business support into the RAA

Each of the six local authorities will agree a minimum amount to be paid into the Regional Adoption Agency ensuring the Regional Adoption Agency has sufficient monies to operate. In the first year this will be no less than the previous financial year's (2016/17) expenditure on adoption services. This equates to a year one core contribution (details provided within **Appendix 1 of report**) for the Council which will be pro-rated for the remaining period within 2017/18 from the proposed commencement date of 6 November 2017. In addition to the core contribution detailed in Appendix 1 each Council has also been requested to contribute towards the financing of three new positions with the Regional Adoption Agency (two Recruitment Officers and one Marketing Officer). The year one contribution for the Council will be £15,000.

It is not expected that benefits will be realised in the first year of operation but will be in the second.

A formal consultation process regarding the implementation of the Adoption Now RAA and inevitable changes for employees has been concluded and the Unions across the six local authorities have had the opportunity to meet with and raise issues with the RAA board representatives. Their comments have been incorporated into the design and operation of the RAA.

Reason for Urgency: The secondment and financial agreements have only just been agreed and so it was not appropriate to send to cabinet for a decision before this had been completed. There are no cabinet meetings before the 6th November 2017.

Equality Impact Assessment:

Does this decision change policy, Procedure or working practice or Negatively impact on a group of people.
If yes – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR.

Decision taken:

- (i) That approval is given to the Council becoming a formal and constituent member of the Adoption NoW Regional Adoption Agency (Regional Adoption Agency) with effect from 6 November 2017 and that affected staff are supported to second into the Regional Adoption Agency noting the additional financial implications for the Council by endorsing such arrangement.
- (ii) That Council is recommended to approve the necessary delegations and discharge of its duties in accordance with the legal provisions set in the Local Government Act 1972 and Local Authorities (Goods and Services Act) 1970;
- (iii) That the Council Solicitor be authorised to enter into the necessary legal agreement to effect the new arrangements.

Decision taken by:	Signature:	Date:
Chief/Senior Officer	Karen Dalton.	01/11/17
After consultation with:		
Cabinet (if a Key Decision) or Chair or Lead Member (as appropriate)	Sharon Briggs	6/11/17
If it is a Key Decision, the Chair of the Overview and Scrutiny Committee to agree that the decision cannot be deferred	M. A. Court.	3/11/17
Nominated Opposition or Majority Group Member of Overview and Scrutiny Committee (if a Key Decision) or Opposition Spokesperson	Clive Picksham via email ↓	3/11/17.
Leader of second largest Opposition Group	Jan D S. ↑	6/11/17.