

Minutes of: **CABINET**

Date of Meeting: 2 September 2020

Present: Councillor E O'Brien (in the Chair)
Councillors L Smith, C Cummins, A Quinn, T Tariq and
T Rafiq

Also in attendance: Councillor N Jones and M Powell

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

Apologies for Absence: Councillor D Jones, Councillor A Simpson and Councillor
J Black

CA.164 DECLARATIONS OF INTEREST

Councillor Quinn declared a personal interest in CA.183 - Park View School as a governor at the school.

Councillor Rafiq declared a personal interest in CA.183 - Park View School as a parent of children at the school.

CA.165 PUBLIC QUESTION TIME

No questions were asked under the item.

CA.166 MINUTES

It was agreed:

Minutes of the meeting held on 29th July 2020 be approved as a correct record and signed by the Chair.

Further to the published agenda the Cabinet agreed that the agenda would be re-ordered and the Treasury Management Report would be considered first.

CA.167 TREASURY MANAGEMENT END OF YEAR MONITORING POSITION 2019-20

The Leader, Councillor O'Brien presented a report outlining the Council's financial position as well as an update on the treasury management activity throughout 2019/20. The Leader informed the Cabinet that the Council is required by legislation to produce an annual treasury management review of activities and the actual prudential and treasury indicators.

Delegated decision:

Cabinet agrees to:

- Approve the Treasury Management Review 2019/20 report;

- Approve the actual 2019/20 prudential and treasury indicators presented in the report;
- Commend the report to Full Council on 9 September 2020.

Reasons for the decision:

This report meets both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Other option considered and rejected:

To reject recommendations contained within the report.

CA.168 COVID 19 UPDATE

The Leader, Councillor O'Brien presented a report updating Cabinet on the Council's planning for recovery from Covid-19. The Leader reported that at its meeting on 29 July 2020, the Cabinet received an update on the Council's response, with partners, to the Covid-19 crisis. The report particularly focused on the recovery phase, with the launch of the ten point plan of immediate recovery priorities for the next six months, with the objectives of kick-starting the local economy, protecting the most vulnerable and strengthening resident confidence and engagement. This report provides an update on the progress of the pandemic in Bury, together with an outline of the actions underway as part of the recovery phase.

Delegated decision:

Cabinet agrees to:

- Note the progress on GM and the Borough's response to the Covid-19 emergency.
- Agree the walk-up testing sites at the Mosses Centre and Chesham, with further sites in Ramsbottom, Radcliffe, Whitefield and Prestwich; the locations of which to be delegated to the Director of Public Health, with all Councillors being notified.
- Delegate decisions regarding longer term resourcing requirements to support test and tracing, to the Deputy Chief Executive, in consultation with the Cabinet Member for HR and Corporate Affairs and other relevant Cabinet Members as appropriate.
- Agree the business continuity arrangements in relation to Civic Halls, as described in section 3.9 of the report.

Reasons for the decision:

The current changes to lockdown require that strict measures are in place. A decision to keep Council venues closed is a matter for the Council itself to decide upon.

However, cancellation of events must be undertaken in accordance with the terms of the contractual arrangement in place and legal advice should be sought where required.

Other option considered and rejected:

To reject recommendations contained within the report.

CA.169 DEDICATED SCHOOLS GRANT RECOVERY PLAN

Councillor Tariq, Cabinet Member for Children, Young People and Skills, presented a report updating the Cabinet on the financial position of the Dedicated Schools Grant. The report outlines the accumulated deficit and forecast financial position of the Dedicated Schools Grant (DSG) and sets out the key requirements and controls essential to recovering the deficit and sustaining a balanced financial position.

Delegated decision:

Cabinet agrees to:

Approve the Dedicated Schools Grant recovery plan and actions therein.

Reasons for the decision:

The DSG deficit is a key financial risk for the council and action to reduce the deficit is needed.

Other option considered and rejected:

To reject recommendations contained within the report.

CA.170 CORPORATE CORE RESTRUCTURE

Following consideration at a meeting of the Human Resource and Appeals Panel, Councillor Rafiq, the Cabinet Member for Corporate Affairs and HR presented a report detailing changes to the new Corporate Core Management Team. The report includes changes to the following teams:

Procurement, business support, health and safety, risk management, communications, democratic Services, arts and culture including Adult Education, Community Safety, Legal Services and the Social Development and Engagement Team.

The report also includes specific proposals to invest some of the resources provided within the 2020/21 budget through the establishment of a Delivery Unit and investment in performance and business analyst capability.

Delegated decision:

Cabinet agrees to

- Note the progress being made in the establishment and delivery of a new corporate core and endorse the proposed leadership remit of the Corporate Core Management Team

- To approve the proposals for the establishment of a Delivery Unit including a new Assistant Director of People and Transformation
- To approve the proposal for additional posts with the Strategic Performance & Intelligence Function for the Council and OCO
- To approve the expansion of the Communications and Engagement Team across the Council and OCO
- To approve the joint accountabilities of the CCG Post of Deputy Director Governance and Assurance, which will include line management of Council teams
- To approve the next phases of the Business Support review
- To endorse the corporate management of all Health and Safety capacity
- To approve a full review of the Information Governance function across the Council and OCO
- To approve the expansion of the Assistant Director of Public Service Reform remit to include line management of the Arts and Museum, the Adult Education Service and the Strategic Community Safety Team
- To approve the new operational Community Safety Team and associated changes in name, roles and grades
- To approve the creation of the In-House Childcare Advocate post with Legal Services
- To approve the changes in Democratic Services structure, specifically the changes to the Principal Officer role and new post of Scrutiny Team leader
- To approve the changes in line management for the Social Development and Engagement Team
- To approve the proposed changes within the HR Systems Administration Team
- To note the interim leadership arrangements for housing services
- To approve the transfer of functions from the Corporate Core to Finance

Reasons for the decision:

The 2020/21 budget included a commitment to strengthen corporate services where it was recognised that capacity issues existed. A recurring budget of £1m was reflected in the council's budget with an additional £0.5m from 2021/22 onwards, the proposals set out in this report establish the specific posts that are to be created and too be funded from this budget. The proposals can be contained within the funding already available.

Other option considered and rejected:

To reject recommendations contained within the report.

CA.171 FINAL SENIOR MANAGEMENT CAPACITY PROPOSALS

Following consideration at a meeting of the Human Resource and Appeals Panel, and previous consideration at Cabinet on 10th June, Councillor Rafiq, the Cabinet Member for Corporate Affairs and HR presented an updated report. The report proposes the final changes to the organisation structure which was proposed for the purpose of consultation on 10 June 2020. The final proposals include changes made based on consultation feedback and further detailed analysis.

Delegated decision:

Cabinet agrees to

- One of the two Deputy Chief Finance Officer posts is reconfigured into Director Financial Transformation and Deputy Chief Finance Officer at Chief Officer Band H, for which additional costs will be met from transformation funding. The post will assume S151 responsibility and final job descriptions for this role and the Joint Chief Finance Officer are appended
- A Programme Manager is appointed at Chief Officer Band A with responsibility for the governance of the overall transformation programme
- That an interim appointment is made to cover the potentially temporarily vacant post of Executive Director Children and Young People, pending a new starter taking up post. An internal recruitment exercise will be undertaken
- That the post of Assistant Director Education be deleted and replaced by a post of Director of Education with recruitment to commence on the appointment of the Executive Director Children and Young People.
- To approve the long term secondment of an officer, with a remit to lead the implementation of the neighbourhood model including continuation of Community Hubs. The secondees' job title is Director of Transformation (Communities)
- A new post of Assistant Director Public Service Reform at Chief Officer Band D is established
- A new post of Executive Policy and Research Advisor is established.

Reasons for the decision:

The outcome to the consultation has not impacted on the costs of the proposals approved by Cabinet in June and which are to be met from the corporate capacity budget that was created when the 2020/21 budget was set by Full Council in February 2020.

Other option considered and rejected:

To reject the recommendations.

CA.172 CLEAN AIR PLAN CONSULTATION

Councillor Lucy Smith, Cabinet Member for Transport and Infrastructure presented a report outlining the progress that has been made on the development of Greater Manchester's (GM) Clean Air Plan following the decision that the GM Local Authorities will move to a statutory public consultation on this plan as soon as reasonably practicable in light of COVID-19 restrictions, and the link to taxi and private hire common minimum licensing standards. The report also considers the formal governance mechanisms that will underpin the delivery of a GM Clean Air Zone (CAZ) and the supporting measures.

Delegated decision:

Cabinet agrees to:

1. Note the progress of the Greater Manchester Clean Air Plan;
2. Note that TfGM have confirmation that the funding award for Bus Retrofit should be distributed as soon as possible as per arrangements put in place for the Clean Bus Technology Funds;
3. Note the update on the possible impacts of COVID-19 on the GM Clean Air Plan;
4. Agree that Bury Council along with the other nine GM local Authorities hold an 8-week public consultation on the GM Clean Air Plan commencing in October 2020;
5. Note that the GM local Authorities intend to consult on GM's proposed Minimum Licensing Standards, alongside the Clean Air Plan consultation;
6. Agree that TfGM act as the Operating Body for the GM CAZ and supporting measures as set out at paragraph 8.5;
7. Agree that Bury Council along with the other nine GM Authorities individually be a 'charging authority' for the purposes of the CAZ, pursuant to the Transport Act 2000;
8. Endorse the GM Clean Air Plan Policy for Consultation at Appendix 3;
9. Note the Equalities Impact Assessment on the Clean Air Plan, as set out at Appendix 5;
10. Note that further reports will be brought forward to set out the formal governance mechanisms that will underpin the delivery of a GM Clean Air Zone (CAZ) and the supporting measures, including the full scope of the suite of powers that will be needed to be delegated to the Operating Body;
11. Agree a delegation to Councillors Alan Quinn and Lucy Smith to approve the submission of the cases for measures to the Government's Joint Air Quality Unit to support the GM Clean Air Plan;
12. Agree a delegation to Councillors Alan Quinn and Lucy Smith to approve the GM Clean Air Plan consultation materials, to include the Equalities Impact Assessment on the consultation; and
13. Note that response to DfT's Decarbonising Transport – setting the challenge, as set out at Appendix 1, has been submitted to Government.

Reasons for the decision:

The proposed GM county wide consultation does not present any legal problem. In addition it is open to the Council to agree to be a charging authority under the Transport Act 2000.

Other option considered and rejected:

To reject the recommendations.

CA.173 CAR PARKING CHARGES

Councillor Lucy Smith, Cabinet Member for Transport and Infrastructure presented a report providing details of a proposal to recommence car parking charges in the Borough. The Cabinet Member reported that the suspension of car parking charges has had an impact on the income generated and the options presented in the report in respect of charges are in line with private operators in other GM Councils.

Delegated decision:

Cabinet is agrees to:

To recommence car parking across all 12 Bury town centre car parks with effect from 14th September 2020

Reasons for the decision:

The Council is facing significant financial pressure as a result of Covid and a resumption in the charging will limit any further adverse impact. Although government funding has been provided to support Council's with the financial impact of Covid but this is not sufficient to cover the full financial impact.

Other option considered and rejected:

To continue with free car parking on Council owned car parks in Bury town centre accepting that there will be a continued loss of around £130,000 per month.

CA.174 VEHICLE REPLACEMENT STRATEGY

Councillor Quinn, Cabinet Member for Environment and Climate Change a report to Cabinet which provided details of the requirements for vehicle and plant replacements for the 3 year period, 2020/21 to 2022/23. The Cabinet Member reported that the Council currently has a fleet of over 200 vehicles and plant, the vast majority of which is beyond end of life and is in urgent need of replacing.

Delegated decision:

- Approve the 3 year Vehicle Replacement Strategy (2020/21 to 2022/23).
- Approve the implementation of the 2020/21 to 2022/23 replacement programme, including the tender and purchase of vehicles and plant and to the proposed funding.
- Delegate the approval of each procurement process to the Director of Operations, the Council's S151 Officer in consultation with the Cabinet Member for Environment and Climate Change, subject to the procurement being in line with the proposed strategy.
- Note that Cabinet will be notified of contract awards throughout the lifetime of the strategy and progress will also be reported as part of the Council's quarterly financial monitoring reports.

Reasons for the decision:

The costs of the vehicles can be met from the Council's Capital Programme for which funding for Vehicle Replacement was built in to the programme from 2020/21.

Other option considered and rejected:

To reject the recommendations.

CA.175 BURY TOWN CENTRE MASTERPLAN

The Leader, Councillor O'Brien presented a report seeking Member approval to appoint a multi-disciplinary consultancy to prepare a comprehensive, aspirational and deliverable masterplan to guide the role, function and physical development and regeneration of Bury town centre and its peripheral areas over the next 10 to 15 years.

Delegated decision:

Cabinet agrees to:

- Approve the use of consultants to prepare a new masterplan for Bury town centre.
- Note that the draft masterplan will be presented to Cabinet for approval for consultation purposes and that, following consultation, a final version will be subject to further Cabinet approval.

Reasons for the decision:

The cost of the works can be met from the Council's capital programme within which there is currently an approved scheme for this project.

Other option considered and rejected:

To reject the recommendations.

CA.176 RADCLIFFE STRATEGIC DEVELOPMENT FRAMEWORK (SRF)

The Leader, Councillor O'Brien presented a report setting out the intended next steps in securing the delivery of proposals in the Strategic Regeneration Framework. In particular, the report seeks Member approval for the proposed governance arrangements overseeing its delivery. The report also provides details of the findings of the consultation and Cabinet is asked to approve the revised SRF as the Council's policy for the future regeneration of Radcliffe and as a material consideration in the determination of planning applications.

Delegated decision:

Cabinet agrees to:

- Consider the key themes raised in response to consultation on the draft Radcliffe SRF and the post consultation amends, and
- Approve the revised SRF document as the Council's policy document for the future of the town and as a material planning consideration.
- Agree to extend the contract with Deloitte as specified in paragraph 5.2 to provide a dedicated Programme Management Office which will have the role of developing business cases and creating an investment fund proposition.
- Approve the arrangements for implementation of the SRF, including governance, as set out in section 5 of this report.
- Approve the use of Corporate Reserves to fund the proposals

Reasons for the decision:

The cost of the proposal is £0.114m and will be met from Corporate Reserves. The long term costs of a Programme Management Office have been captured in restructure proposals for the Business, Growth and Investment Directorate that have previously been agreed.

Other option considered and rejected:

That Members identify further amendments to the revised SRF as part of the approval.

CA.177 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY

CA.178 FOR INFORMATION - APPOINTMENTS UPDATE

CA.179 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

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

CA.180 RADCLIFFE STRATEGIC DEVELOPMENT FRAMEWORK (SRF)

Following consideration of this item in Part A of the meeting the Leader of the Council, provided the procurement details for the Programme Office support.

CA.181 PROCUREMENT AND TENDER OF NEW GYM EQUIPMENT (£500K) ACROSS ALL THREE LEISURE CENTRES

In the absence of Councillor Simpson, Councillor O'Brien, Leader of the Council presented a report seeking agreement that the Leisure services department can progress with the procurement of new gym equipment.

Delegated decision:

Cabinet agrees to:

Continue with the tender and procurement of new gym equipment across all three leisure Centres within the agreed capital programme.

This will replace all gym equipment. There are currently 131 items of equipment across the leisure suites to replace to mitigate any health and Safety Concerns and ensure we remain competitive locally and continue to meet and exceed customer expectations.

The procurement process and tender will encompass much more than just the purchasing of equipment, it will allow for the upgrade of equipment which will enhance the biomechanics for a natural, smooth and efficient workout along with

an innovative digital system to deliver a personalised exercise experience for the user.

The tender will also include a long term annual maintenance agreement allowing the service to grow its insight on customer use, will be included along with staff training and upskilling (CPD), communications support, and return on social investment.

Competitive quotes or tenders will also be obtained as required for essential and other H&S works carried out at the leisure facilities.

Reasons for the decision:

Capital investment in the replacement of gym equipment across three leisure sites is required to ensure that all gyms remain safe and follow good asset management practice. The equipment is outdated and this new equipment.

Other option considered and rejected:

Continue with an annual maintenance agreement. The annual maintenance costs for the gyms at all three sites just exceeds £20k per annum, however it is important to note that there are some exclusions such as cosmetics, upholstery, attachments which incur additional cost as required. This is not a viable option to sustain long term as equipment is and will continue to fail and not be cost effective.

CA.182 CONTRACT FOR THE SUPPLY OF GAS TO COUNCIL PREMISES

Councillor Quinn, Cabinet Member for Environment and Climate Change presented a report that sets out the approach for procurement of a gas supply contract for Council premises and other associated sites.

Delegated decision:

Cabinet agrees to:

- Approve the use of the YPO Energy Framework Agreement to administer the purchase and supply of the Council's corporate gas contract for the period 1 April 2021 to 31 March 2025 (at an annual cost of circa £1.3m per annum) with opt out options at 31 March 2023 and 2024 at an estimated total value of £5.358m (4 year value)
- Approve the use of YPO's appointed framework supplier for the supply of gas through the framework duration. The estimated contract spend with Corona Energy (YPO's Framework corporate gas supplies) at £1.3m per annum (up to £5.358m over 5 years); and to authorise the Executive Director of Operations to award the contract and facilitate the execution, implementation and operation of the contract.

Reasons for the decision:

The proposed arrangements ensure that the Council has a compliant contract in place and has tested the market for best value. The cost of the contract is already factored into the council's budget and therefore there are not additional costs arising from the proposal.

Other option considered and rejected:

To reject the recommendations.

**CA.183 PARK VIEW PRIMARY SCHOOL - NEW BUILD EXTENSION/INTERNAL
REMODELLING AND DEMOLITION OF TWO Horsa HUT BUILDINGS**

Councillor Tariq, Cabinet Member for Children, Young People and Skills, presented a report updating the Cabinet on proposals to extend and re-model Park View Primary School. The report sets out in financial terms the details of a project at Park View Primary School and involves expenditure exceeding £250,000.

Delegated decision:

Cabinet agrees to:

Approve the financial details as set out in the report.

Reasons for the decision:

This report seeks approval for the capital funding in accordance with the Council's relevant procedure rules.

Other option considered and rejected:

To reject the recommendations.

**COUNCILLOR O'Brien
Chair**

(Note: The meeting started at 6pm and ended at 7.02pm)