

AGENDA FOR

CABINET

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To: All Members of Cabinet

Councillors : L Smith (Cabinet Member, Transport and Infrastructure), C Cummins (Cabinet Member, Housing Services), D Jones (Cabinet Member, Communities and Emergency Planning), A Simpson (First Deputy and Cabinet Member Health and Wellbeing), E O'Brien (Leader, Cabinet Member, Finance and Growth), A Quinn (Cabinet Member for Environment and Climate Change), T Tariq (Deputy Leader, Cabinet Member Children, Young People and Skills), J Black (Cabinet Member for Cultural Economy) and T Rafiq (Cabinet Member, Corporate Affairs and HR)

Dear Member/Colleague

Cabinet

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

Date:	Wednesday, 16 December 2020
Place:	Virtual meeting via Microsoft Teams
Time:	6.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	https://www.mycouncil.tv/burycouncil/

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 PUBLIC QUESTION TIME

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

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

4 MINUTES *(Pages 5 - 12)*

Minutes of the meeting held on the 24th November 2020.

5 COUNCIL TAX BASE 2021/22 *(Pages 13 - 20)*

6 SHORT BREAKS *(Pages 21 - 30)*

7 PARKS, COUNTRYSIDE AND GREENSPACES CAPITAL PROGRAMME FOR 2020/2021 *(Pages 31 - 48)*

8 EXECUTIVE DIRECTOR PLACE *(Pages 49 - 56)*

9 STRATEGIC FINANCE LEADERSHIP *(Pages 57 - 62)*

10 BROWNFIELD FUND GRANT AGREEMENTS/EXEMPTION FROM CONTRACT PROCEDURE RULES FOR ENABLING WORKS- PART A *(Pages 63 - 68)*

11 URGENT BUSINESS

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

12 EXCLUSION OF PRESS AND PUBLIC

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

13 BROWNFIELD FUND GRANT AGREEMENTS/EXEMPTION FROM CONTRACT PROCEDURE RULES FOR ENABLING WORKS- PART B

(Pages 69 - 78)

14 CAR PARKING ENFORCEMENT CONTRACT *(Pages 79 - 88)*

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Minutes of: CABINET

Date of Meeting: 24 November 2020

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

Also in attendance: Councillors N Jones, J Mason and M Powell

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

CA.1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

CA.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.3 PUBLIC QUESTION TIME

The following question was submitted in advance of the meeting by a member of the public, Mr Stephen Cluer, Secretary Friends of Bury Folk:

In light of what is happening in both Salford and Stockport, will the council leader be making the sensible decision to postpone any further decisions on the GMSF?

Responding, Councillor O'Brien, Leader of the Council reported that he would deal with this question under the agenda item urgent business.

The following question was submitted in advance of the meeting by a member of the public, Ms Dawn Moody:

Although overall cases appear to be decreasing across Greater Manchester as a whole, unfortunately Bury is one of 2 boroughs where cases continue to rise. I would like to know what are the reasons for this and what actions are being taken to reduce the cases.

Responding, Councillor O'Brien, Leader of the Council reported that since the question was submitted, the data on Covid had changed and there had been a decrease across Bury and Greater Manchester. The national lockdown and additional restrictions would have helped although it was noted Bury still had the 3rd highest figure of cases across Greater Manchester.

No supplementary questions had been submitted.

CA.4 MINUTES

It was agreed:

Minutes of the meeting held on 11 November 2020 be approved as a correct record and signed by the Chair.

CA.5 URGENT BUSINESS

The Leader of the Council, Councillor O'Brien presented an urgent report under rule 18 access to information procedure.

The Greater Manchester Spatial Framework (GMSF) required the approval of the Cabinets of all 10 districts before an eight-week period of consultation would start and approval was also required from GM's 10 Full Councils to submit the GMSF to the Government following consultation on the publication.

It was understood that all 10 GM Councils were ready to give the necessary approvals.

Bury Cabinet approved the publication draft of the GMSF on the 11th November 2020 and agreed to commence local public consultation between the 1st December 2020 and 26th January 2021. This decision had been called in for consideration by Overview and Scrutiny Committee on the 30th November.

The decision to submit the GMSF was due for debate at Council on the 25th November 2020.

However, Stockport Council were due to approve the GMSF at a council meeting on the 17th November, but that meeting had been adjourned to the 3rd December 2020. This delay means the statutory approval process was now uncertain and the public consultation would not start on the 1st December across Greater Manchester.

Accordingly, it was recommended that the Cabinet decision taken on the 11th November in relation to the publication GMSF was rescinded and the report to follow at Council on the 25th November recommending submission of the GMSF to Government was not moved.

Delegated decisions:

That Cabinet agreed to rescind the decisions made at the last Cabinet meeting on the 11 November 2020 under the GMSF item only.

CA.6 BURY CONSTITUTION AND MEMBER DEVELOPMENT STRATEGY

Councillor Tahir Rafiq, Cabinet Member for Corporate Resources and HR presented a report on the Bury Constitution Review and Member Development Strategy.

The report explained that at the Annual Council in May 2020, it was agreed to commission a review of the Bury Constitution as a matter of priority.

On the 1st July 2020 the Standards Committee agreed terms of reference, scope and time scale for the constitution review to be led by the Democratic

Arrangements Forum (DAF) and it received a progress report on the 12th October 2020.

A Technical Review had been conducted to ensure the Constitution was legally compliant with all relevant legislation and the report updated members on the review and made recommendations to improve the Constitution in line with legislation and best practice.

The Member Development Group met on the 14th September 2020 to review and recommend the Member Development Strategy. Current arrangements for member development were looked at following a member survey along with the impact of Covid-19 and other challenges facing the Council.

On the 12th October 2020, the Standards Committee approved the Member Development Strategy to ensure Councillors are up to date with the Constitution and ethical governance (the Members' Code of Conduct and standards regime).

An all Member briefing will be held prior to Council to further explain the proposed changes. Once agreed, a series of member and officer briefings and training events will be organised to ensure a smooth transition into any new arrangements.

Delegated decision:

1. That Cabinet agreed to recommend to Council to note the following:

- Work of the Democratic Arrangements Forum in reviewing the Constitution and proposing revisions in line with the Technical Review to ensure legal compliance;
- Member Survey results set out at section 4 of this report;
- Work of the Member Development Group in recommending a new Member Development Strategy.
- Work to update Financial Regulations and Contract Procedure Rules and Council to agree to delegate authority to agree future revisions to the Audit Committee.
- New Part 3 Section 6 – Additional Arrangements which sets out the role of the DAF and the Independent Remuneration Panel.
- New Part 7 – Cabinet Portfolios, membership of committees and the Council's Management Structure which will be a useful guide to who does what.

2. That Cabinet agreed to recommend to Council to agree and adopt the following:

- Contents and Part 1 - Introduction to the Constitution at Annex 1;
- Revised Part 2 - Articles at Annex 2;
- Revised Part 3 Section 1 Council Functions at Annex 3 and the Local Choice Functions described at paragraph 12.1 of this report;
- Revised Part 3 (Sections 3, 4 and 5) Responsibility for Committee, Cabinet and Scrutiny Functions at Annex 4 including a new definition of key decision; a new Employment Panel, Licensing Hearings Sub-Committee and Safeguarding Scrutiny Sub-Committee.
- Proposal that Committees comprise 9 (Audit and Standards) or 11 members.
- Revised Part 3 - Officer Scheme of Delegation at Annex 5;
- Revised Part 4 - Council Procedure Rules (Standing Orders) at Annex 6;

- Revised Part 4 - Cabinet Procedure Rules at Annex 7;
- Revised Part 4 - Scrutiny Procedure Rules at Annex 8;
- New Part 5 - Public Guidance Protocol at Annex 9;
- Covid-19 Interim Arrangements at Annex 10;

3. That Cabinet agreed to recommend to Council that:

- Adopt the Member Development Strategy 2020/23 set out at Annex 11;
- Implement the proposed changes to the Constitution in two phases with Parts 1,2 4,5 and 7 coming in to force on 1 January 2021 and changes to Part 3 – Responsibility for Functions (Committee Terms of Reference) save for new Audit Committee terms of reference , coming into force at the annual council meeting in May 2021.
- Authorise the Interim Monitoring Officer to publish a final version of the Constitution (removing track changes, correct numbering, editing or formatting errors) and including the minor updates to Part 3: Council and Local Functions described at paragraph 12.1 and the Access to Information Rules described in paragraphs 13.6 and 13.9, with a version history, Glossary and Index.
- Request a DAF review of the Overview and Scrutiny function in early 2021 to ensure better alignment with corporate priorities and partnership arrangements.

CA.7 THE COUNCIL'S 2020/21 FINANCIAL POSITION AS AT THE END OF SEPTEMBER 2020

The Leader of the Council and Cabinet Member for Finance and Growth, Councillor O'Brien presented a report updating cabinet on the Council's 2020/21 financial position as at the end of September 2020.

The report outlined the forecast financial position of the council at the end of 2020/21 based on the information known at the end of the second quarter (30th September 2020). The report set out the position for both revenue and capital and provided an analysis of the variances, both under and overspending. The report also set out the performance on the treasury management activity, including investments and borrowing, against the agreed prudential indicators.

This was the second report of the financial year and reflected demand and the financial impact of Covid at that time. The continuation of the Covid pandemic and the additional measures that have been put in place, both nationally and across the Greater Manchester region, in response to this may impact further on demand for services and loss of income. There would be some significant challenges to forecasting as a result of the pandemic and the financial position will continue to be closely monitored throughout the year.

Since the end of September the Government had announced further funding however the final allocations at a local level had not been issued. Where possible, an estimate of these had been made but ere subject to change.

Delegated decision:

That Cabinet agreed to note the report:

CA.8 MTFS AND BUDGET

The Leader of the Council and Cabinet Member for Finance and Growth, Councillor O'Brien presented a report updating cabinet on setting the 2021/22 Budget.

The report detailed the financial planning being undertaken during this most complex and difficult time due to the Covid 19 pandemic.

When the Council's current 2020/21 budget was set uncertainties around Government policy and funding through the Comprehensive Spending Review, Local Government Finance Settlement, the Fairer Funding Review, the Business Rates Retention Review and potentially other major reforms existed. This was without the emergence and impact of Covid 19 which would continue to have a significant financial impact on the Council's finances and on the wider economic position of our borough.

The economic extent of how long this would last cannot be predicted but there would be additional pressures in demand for the services provided by the Council and our partners.

The Council was likely to be facing a significant financial challenge going forward and processes need to be put in place to deal with this now in order to meet statutory requirements around budget setting.

Delegated decision:

That Cabinet agreed to note the report and approved the 2021/22 to 2024/25 medium term financial and budget strategy including the savings proposals for the purposes of a conversation with the public, key stakeholders and staff to inform the final budget proposals to Full Council in February and that these proposals will be presented to the Overview and Scrutiny Committee as part of the process.

CA.9 ACCELERATED LAND SALES PROGRAMME

The Leader of the Council and Cabinet Member for Finance and Growth, Councillor O'Brien presented a report updating cabinet on the Accelerated Land and Property Disposals Programme.

The report included information on the Council wishes to take active steps to rationalise its land and property portfolio (collectively referred to in the report as land assets).

Many of its land assets were seen as surplus to the requirements of the Council and are non-strategic (not of benefit to retain within the Council's ownership); and continue to need a continuous injection of revenue funding to maintain them with currently very limited staffing resources to properly manage them.

Key strategic sites which are locations critical to the Council's wider regeneration proposals or sites specifically held for redevelopment purposes will be dealt with outside of this proposal due to their strategic importance.

Delegated decision:

That the Cabinet:

1. Agreed the disposal of surplus land assets via an accelerated land and that a property disposals programme was approved.
2. Approval was given to ring-fence a proportion of the capital receipts (arising from the sale of the Council's land assets) to employ an officer to work alongside an external agent on a fixed-term contract of initially 2 years to project manage the work; and a resource for all legal matters connected with the disposals.
3. That the Council's existing Land & Property Disposals Strategy be used in order to ensure a clear and transparent decision-making process to declare land assets surplus to the Council's requirements.
4. Approval for each phase of land assets (which will include a detailed schedule of all assets for sale) for disposal and delegation was given to the Interim Head of Property & Asset Management/Director of Economic Regeneration & Capital Growth to manage the disposals

Reasons for the decision:

The proposal was to undertake a process to reduce the Council's land assets through a combination of both general and managed disposals and controlled disposals via an accelerated disposals programme. The report also detailed how this programme would be developed and implemented, as well as seeking approval for the resources required to ensure its success.

Other option considered and rejected:

To reject the recommendations.

CA.10 CORPORATE PLAN

Councillor Tahir Rafiq, Cabinet Member for Corporate Resources and HR presented a report on the Corporate Plan 2020/22

In October 2020, Cabinet received a draft Bury 2030 Strategy as a proposal and basis for consultation which would drive and direct a common ambition, vision, delivery plan and improved outcomes for the Borough.

The Corporate Plan was a key delivery vehicle to realising the Bury 2030 vision and translated the Strategy into tangible corporate and departmental plans and priorities with clear deliverables and measures outcomes over a two-year period and was the first Corporate Plan for the Council and CCG under the single leadership and partnership structure.

Drafted under the current national Covid-19 pandemic and associated local response, there was a specific strategic objective to ensure a sustained focus building further on the initial 10-point plan which was delivered pre Wave 2. The Corporate Plan outlines core actions to enable and address recovery for the next 6 months. It was also informed by the recent Equalities Review and the need to strengthen Inclusion throughout all our activities.

As with the Strategy, the Corporate Plan also aligned to the Locality Plan and supported the delivery of the ambition to secure transformational improvement in population health so that residents were in control of their lives and enabled through a joined-up health and care system.

The Corporate Plan was ambitious in defining a new way of working but would also demand tough decision-making, routine monitoring and constructive challenge so that the Council and others can be held to account in order that outcomes and experience was improved for communities, citizens and patients.

Delegated decision:

That the Cabinet:

1. Approved the Covid 6 month recovery plan set out in the Corporate Plan and;
2. Recommended its adoption to Council.

CA.11 RAMSBOTTOM TOWN PLAN

The Leader of the Council and Cabinet Member for Finance and Growth, Councillor O'Brien presented a report informing Cabinet on the Ramsbottom Place Management Plan.

Over recent years, Ramsbottom had developed a strong reputation as a food and drink led visitor destination, supported by the East Lancashire Railway visitor attraction. There was a good range of independent retailers, expanding events programme and a growing reputation as one of the best places to live in the region.

The report sought Member approval to appoint a multi-disciplinary consultancy to prepare a public realm and place management plan for Ramsbottom. The plan would guide a series of actions/initiatives aimed at improvement and promotion of Ramsbottom town centre as a quality visitor destination, aiming to secure its role as one of the Boroughs main visitor destinations over the next 10 to 15 years.

The Leader also thanked Councillor Cummings and Councillor Thomas for their contributions to the plan.

Delegated decision:

That the Cabinet:

1. Approved the use of consultants to prepare a Place Management Plan for Ramsbottom town centre.
2. Noted that the first phase of the Place Management Plan will be presented to Cabinet for approval for consultation purposes.

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Cabinet, 24 November 2020

3. Delegated powers were given to the Director of Economic Regeneration and Capital Growth to authorise progression to phase two of the commission, following completion of the Place Management Plan.

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.00pm and ended at 7.39pm)



Classification	Item No.
Open	

Meeting:	CABINET
Meeting date:	24 November 2020
Title of report:	Setting the 2021/22 Council Tax Base
Report by:	Leader of the Council and Cabinet Member for Finance and Growth
Decision Type:	Key Decision
Ward(s) to which report relates	All

Executive Summary

1 INTRODUCTION

- 1.1 Bury Council, as a Council Tax billing authority, is required each year to make statutory calculations to calculate the Council tax base for the forthcoming year and this informs the funding on which the Council's budget is based. The calculation is specified in Section 33 of the Local Government Finance Act 1992 (as amended). The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 require authorities to calculate the Council Tax base (number of taxable properties), expressed as "Band D equivalent properties". Approval of these calculations is required by 31st January in each financial year. This report sets out the basis of Bury council's calculation.

Recommendations

1.2 Cabinet is asked to:

Note the statutory requirement for setting the Council Tax Base and the basis on which calculations must be made and:

- **Approve the Council Tax base expressed as "Band D equivalent properties", as 53,828 for 2021/22 (55,222 20/21) as detailed at Appendix 1.**
- **Approve the proposed precepts payment schedule as set out in the report.**

2 BACKGROUND

- 2.1 Bury Council, as a Council Tax billing authority, is required each year to make statutory calculations specified in Section 33 of the Local Government Finance Act 1992 (as amended). The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 require authorities to calculate the Council Tax base (number of taxable properties), expressed as "Band D equivalent properties". Approval of these calculations is required by 31st January in each financial year.
- 2.2 The Local Government Finance Act 1992 prescribes the procedures to be adopted in setting precept payment dates. The Act requires billing authorities to notify precepting authorities of a proposed payments schedule. This notification must be given before 31st December in respect of the following financial year. The final payments schedule is then confirmed by 31st January.
- 2.3 The calculation of the tax base has to be made by 31st January and notified to the major precepting and levying authorities. Under Section 84 of the Local Government Act 2003 the determination can be delegated to a committee or sub-committee in accordance with Section 101 of the Local Government Act 1972. Cabinet is asked to approve the report.

Calculation of the Council Tax Base

- 2.4 The calculation of the tax base starts with the number of recorded properties in each tax band (A to H) as at 30th September 2020, adjusted for:
- changes expected to occur up to 31 March 2022 as a result of appeals, demolition and new home construction;
 - estimated number of disabled person's reductions;
 - discounts allowed for single person households, students and empty/exempt properties.
- 2.5 Following on from the resulting figure from the application of the process outlined in paragraph 4.1.2, the tax base calculation for 2021/22 also takes account of the additional charges resulting from the local discount scheme in place for empty properties and second homes, along with the impact of the Local Council Tax Support scheme.
- 2.6 The calculated number of properties in each band is then multiplied by a factor specified in the regulations to give an "equivalent number of band D properties" and then by an estimate of the likely collection rate for 2021/22 to give the tax base.
- 2.7 The Council Tax base is used by the precepting authorities to apportion their net expenditure to their constituent authorities and by Bury Council to set the level of Council Tax for 2021/22.
- 2.8 The Council's net budgeted spending, including precepts and levies and after taking account of receipts of Business Rate income, is divided by the tax base to produce the Council Tax level for Band D properties, which is the headline tax figure.

Precepting Authority and Payment Dates 2021/22

2.9 From 2018/19 elected Combined Authority Mayors were able to raise additional resources through a precept (or additional charge) on local Council Tax bills. The Greater Manchester Combined Authority sets a precept with two separately identified elements for the mayor's general

2.10 For 2021/22 the precepting authorities will continue to be:

- Bury Council – General Functions
- Bury Council – Adult Social Care
- Greater Manchester Combined Authority – Police & Crime Commissioner
- Greater Manchester Combined Authority – General Functions, including Fire Services

2.11 The Local Government Finance Act 1992 prescribes the procedures to be adopted in setting precept payment dates. The Act requires billing authorities to notify precepting authorities of a proposed payments schedule. This notification must be given before 31 December in respect of the following financial year. The final payments schedule is then confirmed by 31 January.

2.12 The proposed payments schedule, is in line with the one operating in the current year, which was agreed by all Greater Manchester Authorities:

20th April 2021	20th October 2021
20th May 2021	22nd November 2021
22st June 2021	20th December 2021
20th July 2021	20th January 2022
20th August 2021	21st February 2022
20th September 2021	21st March 2022

Costs and Budget Summary

2.13 The detailed calculation of the tax base is set out in Appendix 1 and shows that the total number of properties has increased by 82 from 84,140 to 84,222 in the year ending on 30th September 2020. In the previous two years the net change had been increases of 609 (2018) and 398 (2017). The growth in dwellings has been minimal due to the impact of COVID 19 restrictions during the year.

2.14 The Local Council Tax Support scheme forecast provided in the tax base is based on the proposed 2021/22 local scheme to be approved by Cabinet in January 2021.

2.15 The overall estimated collection rate is reducing to 94.5 to reflect the difficulties faced during the COVID-19 pandemic (96.5% in 2020/21)

2.16 The Local Government Finance Act 1992 prescribes the procedures to be adopted in setting precept payment dates. The Act requires billing authorities to notify precepting authorities of a proposed payments schedule. This notification must be given before 31st December in respect of the following financial year. The final payments schedule is then confirmed by 31st January.

Risks and Opportunities

- 3.1 It is necessary to comply with Section 33 of the Local Government Finance Act 1992 (as amended); The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012; Section 84 of the Local Government Act 2003 and Section 101 of the Local Government Act 1972, to ensure that there is no risk of the authority acting ultra vires in relation to its Council Tax arrangements.
- 3.2 It is necessary to comply with Section 33 of the Local Government Finance Act 1992 (as amended) and The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, to ensure the Council Tax Base is correctly calculated.

Recommendations

Cabinet is asked to note the statutory requirement for setting the Council Tax Base and the basis on which calculations must be made and:

- Approve the Council Tax base expressed as “Band D equivalent properties”, as 53,828 for 2021/22 (55,222 20/21) as detailed at Appendix 1.
- Approve the proposed precepts payment schedule as set out in the report.

Community impact

There are no community impacts arising from this report.

Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:*

A public authority must, in the exercise of its functions, have due regard to the need to -

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.*

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
The proposals and recommendations ensure that the Council is compliant with statutory requirements. Failure to comply with the requirements would result in the council not being able to set a legal budget for the 2021/22 financial year.	

Consultation:

No consultation on the Council Tax Base is required.

Legal Implications:

The statutory duties and responsibilities of the Council as a council tax billing authority are set out in the report, as are the details of the relevant statutory provisions. A failure to do so could result in the Council acting unlawfully and at risk of legal challenge.

Financial Implications:

The proposed approach will support the Council in its statutory duty to deliver a balanced budget for the 2021/22 financial year.

Report Author and Contact Details:

Lisa Kitto
Interim Director of Financial Transformation

Background papers:

Revenue Budget 2020/21 and Medium Term Financial Strategy 2020/21 – 2024/25

Approach to developing the Medium Term Financial Strategy 2020/21 – 2024/25

The Council’s Financial Position 2020/21 – As at 30 June 2020

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning

Appendix A

Calculation of Council Tax Base 2021/22 (Based on all properties)										
Bands	A Reduced	A	B	C	D	E	F	G	H	TOTAL
Total Number of Dwellings on the valuation list	0.00	30,366.00	18,565.00	17,304.00	9,185.00	5,496.00	1,853.00	1,275.00	178.00	84,222.00
Total Number of Exempt and Disabled Relief dwellings on the Valuation List	51.00	19.00	15.00	-25.00	-10.00	-31.00	10.00	-8.00	-21.00	0.00
Less: estimated discounts, exemptions and disabled relief	2.50	4,815.50	2,051.25	1,502.75	682.75	281.75	104.75	62.25	-3.00	9,500.50
Total Equivalent number of dwellings after discounts, exemptions and disabled relief	48.50	25,569.50	16,528.75	15,776.25	8,492.25	5,183.25	1,758.25	1,204.75	160.00	74,721.50
Factor stipulated in regulations	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	0.00
Band D equivalent	26.94	17,046.33	12,855.69	14,023.33	8,492.25	6,335.08	2,539.69	2,007.92	320.00	63,647.25
Net effect of Local Council Tax Support Scheme (LCTSS) and other adjustments	7.55	4,165.42	1,338.86	738.85	263.55	118.68	37.04	16.01	0.31	6,686.27
Additional Net Dwellings in 2020/21 based on known regeneration with the Borough and reductions in levels of discounts and exemptions										0.00
Total after LCTSS and Other Adjustments	19.40	12,880.91	11,516.84	13,284.48	8,228.70	6,216.41	2,502.65	1,991.90	319.69	56,960.98
Multiplied by estimated collection rate	0.945	0.945	0.945	0.945	0.945	0.945	0.945	0.945	0.945	
BAND D EQUIVALENTS	18.33	12,172.46	10,883.41	12,553.84	7,776.13	5,874.50	2,365.01	1,882.35	302.11	53,828.13

Band D Equivalent assuming 1.94% increase	£1,643.31
Total Tax Yield £'000	£88,456.39



Classification	Item No.
Open	

Meeting:	Cabinet
Meeting date:	16 December 2020
Title of report:	Proposed Tender for Short Break Services for Children and Young People with Disabilities
Report by:	Tariq Tamoor Children's Portfolio Lead
Decision Type:	Key Decision
Ward(s) to which report relates	All

Executive Summary:

This paper sets out the proposals to re-design the Short Breaks Services for Children and Young People with Disabilities and their families.

Recommendation(s)

That:

1. The proposal as set out in the report to tender for short break services is agreed; Or,
2. The proposal with further modifications is agreed; Or,
3. The existing arrangements with no changes are retained.

Cabinet is requested to approve option 1, agreeing the proposal as set out in the paper.

Key considerations

1. Background

- 1.1 Bury Council currently commissions' targeted individual home support and outreach and social group activities for children and young people with disabilities up to the age of 18 years. These services operate during term time and holiday times.
- 1.2 The current arrangements have been in place since the 1st April 2016 following a competitive tender in 2015. The contracts were originally awarded for 3 years + 1 year option to extend. A further extension period to 31st March 2021 has been granted due to the unforeseen circumstances of the pandemic and key staff having to prioritise other areas of work. To remain compliant with EU, UK Regulations and Council Procurement Rules a competitive tender exercise needs to be completed.
- 1.3 Two of the short break service contracts for outreach support and specialist support for challenging behaviour, awarded in 2015 are no longer in operation due to the providers ongoing staff recruitment and retention issues which had an impact on outcomes for some service users due to the instability of the service and inconsistency of staffing. This has been considered as part of the current re-design.
- 1.4 In 2019-20 the expenditure for commissioned services was £1.1m. The budget comes under pressure due to the complexity of the needs of individual children and young people and the increase in demand, approximately 240 children and young people were in receipt of a package of in 2019-20 compared to 170 in 2014-15. This equates to an increase in volume of 41% since the last re-modelling and tender of the services or an average 10.25% p.a.
- 1.5 It is anticipated that the budget will remain the same for 2021-22 but with higher demand in terms of both volume and complexity of need.
- 1.6 The Council's statutory duties in respect of these services are set out in the Breaks for Carers of Disabled Children Regulations 2011 made under paragraph 6 of Schedule 2 to the Children Act 1989, which impose a duty on local authorities, as part of the range of services they provide for families, to provide breaks from caring to assist parents and others who provide care for disabled children. Paragraph 6(1)(c) and (2) of Schedule 2 to the Children Act 1989 were inserted by the Children and Young Persons Act 2008.
 - 1.6.1 In performing their duty under paragraph 6(1)(c) of Schedule 2 to the 1989 Act, a local authority must provide, so far as is reasonably practicable, a range of services which is sufficient to assist carers to continue to provide care or to do so more effectively. In particular, the local authority must provide, as appropriate, a range of: day-time care in the homes of disabled children or elsewhere; overnight care in the homes of disabled children or elsewhere; educational or leisure activities for disabled children outside their homes; services available to assist carers in the evenings, at weekends and during the school holidays.

- 1.6.2 These types of services also assist the Council in their responsibilities to provide additional support as required in other legislation and guidance including; the Chronically Sick and Disabled Persons Act 1970; Section 17 of the Children Act 1989; Part 3 (SEND reforms) of the Children and Families Act 2014.
- 1.6.3 The Council are also required to publish a Short Breaks Duty Statement and to keep this under review. This Statement is currently under review and the intention is this will be published prior to the new contracts starting.
- 1.7 The review of the current services and development of the new specification has been completed with a range of co-production activity with children and young people and parents / carers including a survey, a steering group with key stakeholders including BURY2GETHER parent forum, focus groups with parents / carers and children and young people and webinars.
- 1.8 The new model has incorporated, as far as is practicably possible, the findings from the activity to improve outcomes, choice and access to the local community.
- 1.9 In February 2020 a Market Position statement was published. This was based on the analysis of data from the local SEND assessment, the Bury Joint Commissioning Strategy 2019-22 and the Local Authority Interactive Tool 2019 (LAIT) high level data for Bury.
- 1.10 The key findings from the market position statement which have informed the new service design relate to the proportion of children and young people accessing services in the areas of highest need and the identified needs of the cohort, specifically:
- 1.10.1 The introduction of the community based services in 2016 may have had an impact on the reach into areas of most prevalence which may be linked to deprivation. The proportion of children and young people of children and young people who access support has increased since 2014; BL9 Bury from 26% to 28%, M26 Radcliffe from 13% to 16% and M45 Whitefield from 9% to 11%.
- 1.10.2 The highest proportion of children and young people who access services have ASC Autistic Spectrum Condition (ASC) at 31%, this also the most prominent need in other categories where there is more than one disability. Other areas of high need are Speech Language and Communication (SLCN) 7.5%, Severe Learning Difficulty (SLN) 6.25% and Profound and Multiple Learning Difficulty (PMLD) 6.25%.
- 1.10.3 The need to improve and promote inclusion in the local community.
- 1.11 All commissioned services are accessed following assessment and referral after approval at the Children's Disability Resource panel.

2. The proposal

- 2.1 The proposal is for the new model to be graduated with different types of Short Break services to meet the different needs of individual children and young people

with the emphasis on enabling choice, community access and preparation for independence.

- 2.2 The new specification will deliver high quality services with appropriately trained, consistent staff and specialist services where there is an identified need. By ensuring the available resources are allocated based on need and are proportionate the duty to ensure best value will be met.
- 2.3 The services which will be commissioned are :
 1. Individual Home Care Packages and/or elsewhere including Outreach
 2. Targeted Social Club – Term Time
 3. Targeted Social Club – Holiday Time
 4. Time Limited Skill Based Service
 5. Time Limited Participation Support
 6. Positive Behaviour Support
- 2.4 To commission new Time Limited Skill Based and Time Limited Participation Support services which are in response to the need to enable children and young people to improve their skills, build their confidence, access their local community independently and be more prepared for life as an adult. These services will be available for a period of 4 weeks up to a maximum of 12 weeks.
- 2.5 The introduction of time limited support will not only improve the outcomes for children and young people but ensure that resources are only allocated to ongoing packages of support where alternative options have been explored.
- 2.6 The Positive Behaviour Support is specialist intensive support for those children and young people who have challenging behaviour as a result of their disability. The package of care will be bespoke for each young person and will specifically target the small cohort where there is a risk of family breakdown if the family goes into crisis leading to requests for high cost residential provisions.
- 2.7 The Individual Home Care Packages and/or elsewhere including Outreach develops family resilience by providing a break from some of their caring duties. This type of support also provides a range of support to family routines in the morning and evening.
- 2.8 To commission a Targeted Social Club in Term Time and Holiday Time for those children and young people who cannot access the community without additional support. These group activities will take place throughout the borough.
- 2.9 All providers will be responsible for identifying and securing suitable locations throughout the borough which are fully equipped and local to the places children and young people would like to visit.
- 2.10 All providers will be expected to show how they can adapt services and use new approaches in service delivery using the learning from the impact of Coronavirus.
- 2.11 The budget will remain the same as 2020-21 at £1.2m overall but will be configured differently with the introduction of time limited support.

- 2.12 The procurement route for the new services will be a Flexible Purchasing System to provide more choice of provision, value for money and the option for new providers to join the contract as the market develops.
- 2.13 The Individual Home Support and Targeted Social Club in Term Time and Holiday Time will both be Service Contract awards to the leading bidder for each lot. This will provide stability and consistency of staffing and best value due to the volumes accessing.
- 2.14 The contracts will be awarded for 4 years with 2 plus 1 year extension options which equates to 6 years in total.

3. Other alternative options considered

- 3.1 Have explored models in neighbouring authorities and GM to input into development as appropriate.

Community impact / Contribution to the Bury 2030 Strategy

- 4. The Short Breaks model and service specification links to the Bury 2030 Strategy by:
 - 4.1 Promoting the participation and inclusion of children and young people in their local community. The specification and particularly the new time limited support will actively seek to understand the barriers preventing access to the community and develop a plan to overcome this.
 - 4.2 Improving the life chances of the service users to be healthy, stay safe, enjoy and achieve and make a positive contribution in their social and economic wellbeing.
 - 4.3 Preparing for adulthood by building self-confidence, learning how to be in the wider community safely and manage risks and raising aspirations for independence and employment.
 - 4.4 Communities will be more connected, diverse and vibrant and will benefit from young people who are socially and economically active in their local area.

Equality Impact and considerations:

- 5. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
A public authority must, in the exercise of its functions, have due regard to the need to -*
 - (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
- 6. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

Assessment of Risk:

7. The following risks apply to the decision:

Risk / opportunity	Mitigation
The key risks associated with the proposed changes are reputational damage if services are destabilised in the re-design.	To ensure robust procurement process and transition plan to new services.
The increase of children and young people in high cost residential placements.	To have a choice of provision to meet the different levels of need of children and young people which is value for money and reduces the requirement for residential provision.

Consultation:

- 8.1 The Council have consulted and engaged with children and young people with disabilities and parents/carers about the current provision and how it can be improved since 2018.
- 8.2 This has included a Children and Young Peoples Have Your Say event in June 2018 and a survey for parent/carers in September 2019. Following this a Steering Group was set up which included BURY2GETHER the parent forum and other key stakeholders to reach and engage cultural and minority ethnic groups.
- 8.3 The outputs of the Steering Group resulted in 4 focus groups and 2 webinars with parent/carers.
- 8.4 Further activity with children and young people was facilitated by the Advocate and Inclusion Ambassador and included 4 focus groups with them.
- 8.5 The key themes from this activity are set out below with responses as to how these have been addressed in the specification:

Theme	Response
More opportunities in the community and introductions to them for children and	The short breaks services will enable children and young people to enjoy new activities, make friends, have new

<p>young people</p>	<p>learning opportunities, integrate in the local community and prepare for adulthood. The introduction of the new time limited participation service will specifically focus on those children and young people who may need a short period of support to reduce and mitigate the barriers for them to access independently.</p>
<p>More age appropriate youth and social groups with opportunities to develop independence and learn new skills e.g. using kitchen equipment and cooking</p>	<p>In addition to the above response a time limited skill based has been introduced to focus on enabling children and young people to achieve their personal goal with a time limited programme of activity such as swimming, using kitchen equipment, cooking and healthy eating, budgeting and using money to be independent access the community for leisure, housekeeping and work for instance.</p>
<p>‘Protective’ club for children with additional needs with staff that are appropriately trained and who know the children and young people</p>	<p>The Targeted Social Club Term Time and Holiday Time will have a consistent, appropriately trained staff team to meet the needs of those children and young people who cannot access the community without support. Providers will be expected to demonstrate how they recruit, train, retain and match staff as part of the procurement process and this will be taken into account as part of the evaluation of bids.</p>
<p>Referral process and decision making for a Short Break</p>	<p>Access to a Short Break package of care will continue to be via a social care assessment. Where there is an assessed need then the care plan and any associated funding will be approved at the Disability Resource Panel which meets every 2 weeks. The decision of the panel will be confirmed in writing to the panel.</p>
<p>Availability of care workers</p>	<p>This is recognised as a sector wide issue for care work. In relation to the specification the use of a single provider for the Home Support and Protected Social Clubs will mitigate this with a consistent staff team and a forward plan for the provision.</p>

Legal Implications:

The legal implications associated with this report and the service provided are set out in the report. The proposed procurement routes are compliant with the Public Contracts Regulations 2015.

Financial Implications:

It is anticipated that the contract can be met from existing funding. In the event that costs exceed the budget this will need to be considered in the

context of the council's financial strategy and may require compensating savings to be identified.

Report Author and Contact Details:

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Background papers:

Market Position Statement – February 2020	 Short Breaks for Children and Young
Where are we up to - June 2020	 Short Breaks - Where are we up to
Parent Progress Presentation with Audio – July 2020 (Large file 37MB)	One Community - Short Breaks
Equality Analysis – October 2020	 Equality Analysis - Short Breaks 2020.d

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
SEND	Special Educational Needs and Disability

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Classification	Item No.
Open	

Meeting:	CABINET
Meeting date:	16th December 2020
Title of report:	PARKS, COUNTRYSIDE AND GREENSPACES CAPITAL PROGRAMM FOR 2020/2021
Report by:	COUNCILLOR ALAN QUINN – CABINET MEMBER ENVIRONMENT AND CLIMATE CHANGE
Decision Type:	CABINET (KEY DECISION)
Ward(s) to which report relates	ALL

1.0 Executive Summary:

1.1 This Cabinet Report outlines the investment from the Corporate Capital Programme and the Manifesto Programme for 2020/2021 approved by Council in February 2020 for the associated planned works including the refurbishment of play areas, parks and other open spaces. We seek agreement that the works can progress and the funding for the 2020/2021 financial year can be released.

The Cabinet report covers the schemes of work associated with Parks, Countryside and Greenspaces Programme: The following outlines the key programmes of work:

- 1.** Investment and refurbishment to address and support Health and Safety following condition surveys of the 12 Green Flag Parks, Countryside Sites, Burrs and Phillips Park - **£800k** allocated from the 2020/2021 approved Corporate Capital Programme.
- 2.** Promoting our Physical Strategy - Improve access, infrastructure and quality of green spaces and recreational grounds - **£300k** - Manifesto Investment

- 1.2** The 2020/21 allocation of **£800k** is the first year of a 3 year strategy to refurbish all 12 green flag park as part of an ongoing programme. All of the parks have been inspected and the first phase will be to refurbish the 3 parks which are in the worst condition as well as being in an area of deprivation. Details of the proposed spend are provided in **Appendix 1** at the end of the report. Other work are included to improve play areas, the car parking at Burrs Country Park and support for a scheme led by the Friends of Nuttall Park.
- 1.3** The ability to deliver against the longer term strategy and roll out to other parks across the borough will be subject to consideration and approvals as part of the capital programme process in future years. This work also supports the wider council work and strategic review of council land to ensure safe, sustainable and well maintained open spaces are provided.
- 1.4** The key parks included for 20/21 following the condition surveys include Manchester Road Park, Hoyles Park and Openshaw Park which are all in Bury East which are within an area of deprivation however most parks will benefit from improvement plans.

Key works will include improvements to paths, structures, fencing, access, drainage, bins, play areas, ball zones, access and landscaping as detailed in Appendix 1

2.0 Recommendation(s)

That:

- 2.1 Approval is given to support the Parks, Countryside Greenspaces Corporate Capital Programme and the Manifesto Programme for 2020/2021.
- 2.2 Authority to spend the **£1.1m** included in the approved 20/21 capital programme in accordance with the detail outlined in both this report and within Appendix 1.
- 2.3 Authority is delegated to the Executive Director of Operations in consultation with the Cabinet Member for Environment to approve the detailed list of smaller localised schemes as part of the Manifesto funding outlined in 4.2 below.

3.0 Key considerations

3.1 Background

The Council through Parks & Countryside and Grounds Maintenance have maintained 12 green flag parks for over 10 years which remains a corporate objective. There is also 14 recreation playing fields, 60 play areas, 24 ball zones, 7 outdoor gyms and a significant infrastructure of parks, open spaces, countryside and recreation playing field areas including major country parks such as Burrs and Philips Park.

The Council's new Physical Activity Strategy Bury Moving has a vision of getting 75% of the Bury population moving by 2025. One of the strategic objectives is to Create Active Environments and maximise the potential of quality green open spaces, green networks and recreational spaces. It's important that we create equitable access to safe places for people to move more in Bury and achieve the vision.

- 3.2** Following recent condition surveys the parks, play areas, open space, countryside and recreation grounds are showing signs of rapid deterioration to the infrastructure, safe access issues and have increasing public and user group concerns.

The parks and countryside service no longer has a revenue budget for repairs or improvements to parks and open spaces. Funding does become available from S106 funding but only in localised areas where new housing is being built.

The Parks, open space and playing field strategies will look to develop a longer term programme of planned Health & Safety refurbishment for parks and all open spaces as well as a review of open spaces to identify surplus land which can potentially be sold in order to reinvest funding where approved back into parks where S106 funding is not available. This is also essential for health and safety reasons and to prevent insurance claims escalating.

These programmes also support getting people more active, exercise referral through social prescribing, supporting the Bury Moving Strategy as well as maintaining safe, accessible and well maintained parks, open spaces and play areas.

4.0 The proposal

The following proposal outlines the programmes as part of the capital programme:

4.1 £800k parks improvement 20/21 – Approved Corporate Capital Programme

Investment and improvements to address and support Health and Safety following condition surveys to the 12 Green Flag Parks, Countryside Sites, Burrs and Phillips Park. See detailed list of proposed works in Appendix 1

Subject to future capital bids, this is aimed at being a longer term 3 year programme of robust and sustainable improvements across parks and greenspace across the Borough. Aiming at a number of specific parks per year to ensure that the infrastructure, facilities and equipment are safe for members of the public accessing them, keeping the standards to the Green Flag Award ensuring that everyone doesn't have to travel too far to access these quality spaces.

Also ensuring that our local communities can continue to access these very important sites now and in the future and become more active in doing so. Including improvements to parks which will lift people's spirits and will allow,

when appropriate, socially distanced events and activities organised by various community groups and other Council sections. So improving a park with a bandstand now for when that happens is an excellent project. Borne from the Friends of Nuttall Park who already have some funding to start to make this project a reality and have plans to add to these funds as the project grows.

4.2 £300k - Manifesto Investment – One-off funding to improve access, infrastructure and quality of green spaces and recreational grounds

This programme is aimed at smaller one-off projects that will tackle health and safety issues that have been increasing over time due to the lack of budgets and disintegrating infrastructure.

The investment will also improve small pockets of green space across the borough that will improve access to local green spaces and support physical activity.

This will be aimed predominately in general (non-green flag) green spaces for issues such as quality of infrastructure, access, retaining wall repairs, fencing, security issues of motorbike access to sites and to support community led projects.

A detail list of small scale one-off schemes will be drawn together and approved separately by the Executive Director of Operations in consultation with the Cabinet Member for Environment. All parts of the borough will benefit from these localised green space improvements.

4.3 Other alternative options considered

Do nothing -

Doing nothing would cause Health and Safety Concerns and potential liabilities. There is not sufficient funds available through S106 funding and this will not will not slow down the rapid decline in our parks and play areas, or increase funding for tree planting. Some wards do not do not receive S106 funding so the impact would be restricted.

5.0 Outcomes

5.1 Throughout the COVID19 pandemic parks, open spaces, Bury's countryside and our recreation grounds have been deemed extremely important by the Government in helping tackle the health and well-being of residents during these unprecedented times and they have been and continue to be very well used.

We know that every year inactivity also costs the UK around £1bn so it's essential to provide safe environments for communities to be active for physical health and promoting good mental health and support post COVID recovery for people and communities affected.

Reports state that COVID19 will be with us for a long time. Meaning that our parks and greenspaces will be even more important and more of a lifeline for the majority of our residents which can be accessed locally, making it especially important that they are made and kept safe and high quality for use during this time and well into the future.

- 5.2** The investment through the Capital Programme will achieve significant health, environment and climate outcomes for Bury residents. As cited in the 'Making Parks Count' report produced by the Parks Alliance, parks in England deliver over £6.6bn of Health, Climate Change and Environment benefits each year including
- An annual saving to the NHS of £2 Million.
 - Carbon Sequestration by tree's in public parks in England is also estimated at £9bn per year and the
 - Benefits of air pollutant removal by tree's in public parks in England is estimated at £60m per year.
- 5.3** The Green Spaces Strategy also support wider Council Strategies including the Bury Moving Strategy, Play Area Strategy and the emerging Bury 2030 Strategy which highlights the importance of our Green Flag Parks.
- 5.4** The projects contained in this report support a wider green spaces strategy to provide local access to high quality outdoor sport and recreation. Subject to available funding this includes sustainable tennis courts, sustainable 3G All Weather pitches, improved grass sports pitches, tree planting in partnership with City of Trees, improved athletics provision, play area improvement and outdoor gyms and improvement to our country parks. This also includes the development of several external funding bids.
- 6.0 Community impact / Contribution to the Bury 2030 Strategy**
- 6.1** The investment will contribute towards the new Bury Moving Strategy. Creating the conditions and the safe infrastructures for more people to walk and cycle will contribute to less congestion and air pollution. Our parks, open and green spaces are quality environments which support people to lead more active lifestyles. The quality of the built and natural environment is a priority for Bury. People in more deprived areas are more likely to be exposed to poor air quality, have less access to green space so we the impact on people's health and wellness through this investment is critical.
- 6.2** Bury the Place will be a core theme in the emerging Bury 2030 Strategy. Bury is known for its beautiful scenery and green space and the carbon neutral commitment and GM Clean air strategy. Our green spaces strategy supports the Bury 2030 outcomes.
-

Equality Impact and considerations:

24. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
To do nothing will result in unsafe parks and greenspace making them unusable as they will put people at risk increasing claims	To invest in these programmes as proposed
Health and safety issues will continue to rise	To invest in these programmes as proposed
No or little investment into tree planting will reduce the impact of the climate change and clean air strategies	To invest in these programmes as proposed
Reduced community cohesion around community orchards	To invest in these programmes as proposed
Unsuccessful external funding bids into tree planting and other projects	To invest in these programmes as proposed

Consultation:

No Consultation Required

Legal Implications:

Completed by the Council's Monitoring Officer

The Council has the health and safety responsibilities noted in the report and in addition, there are those as land owner in terms of defective premises. The works stated are in order to meet those statutory obligations.

Financial Implications:

Completed by the Council's Section 151 Officer

The cost of the proposal can be met from monies included in the 2020/21 capital programme. The ability to deliver against the longer term strategy and roll out to other parks across the borough will be subject to consideration and approvals as part of the capital programme process in future years

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Background papers:

Capital Programme spreadsheet

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
S106	Section 106 is a planning term for funding from developers for recreation gain

Appendix 1 - Works in Green Flag Parks 2020/21 £800,000

Burrs Country Park	
Surface overflow car park to increase use of it all year	£70,000

Close Park	
Refurbish Play Area	£40,000 Parks capital added to project

Hoyles Park	£140,000
Update Hoops Signs – replacement plates	
Replace & update play area signage	
Install drains & gulleys in low flooded areas	
Improve, refurbish & removal of some sustainable shrub	
Improve access paths surrounding redundant bowling	
Improve redundant bowling green	
Improve access paths	
Tree pruning, removal and replacement programme	
Painting railings inside the park and on the boundary	
Refurbish Ball Zone including fencing	
Improve gardeners compound area	
Replace damaged/dead shrubs and fill beds	

Manchester Rd Park	£140,000 (exc play area below)
Replace all “sharps” signs on BG fencing	
Replace rotting litter & dog fouling bins	
Replace & update play area signage	
Refurbish Ball Z including fencing	
Install drains and gulleys in low flooding areas	
Remove all hedges in the park and make good the	
Create a car park for Bury EST at the side of the lodge	
Improve sustainable planting	
Improve paths/access	
Move notice board to a drier spot where it doesn’t flood	
Refurbish play area	£32,000 Parks Capital added to S106

Nuttall Park	
Bandstand project – build new canopy on top of existing	£67,000
Car park markings in relation to accident and lack of	£5,000

Openshaw Park	£140,000 (exc play area below)
Replace rotting litter & dog fouling bins x15	
Repair walls in the pit MUGA and the play area, tree roots	
Replace & update play area signage	
Repair coping stones near back gate of lodge	
Refurbish & removal of some shrub beds	
Improve access around bowling green	
Improve paths/access	
Level out tipped green waste along Renault garage	
Tree pruning, removal and replacement programme	
Install Ball zone ends into MUGA on Volleyball court to	
Raise level of path to resolve flooding/pooling of water	
Remove recycling bays and make good that area	
Review floodlighting on MUGA (Sustainable lighting if	
Change street lamp to LEDs	
Refurbish Play area	£44k Parks capital added to S106 5k
Improve sustainable landscaping	

St Marys Park	
Refurbish Play area	£45,000 Parks Capital added to phase
Install drainage rear of Phoenix Centre and raise levels to	£27,000 Complete

Whitefield Park	
Refurbish Play area	£50,000 Parks capital added to this

*all green flag park play areas listed have been inspected and assessed as a main health and safety priority due to the degradation and potential risk to users

*Nuttall park car park markings is due to an incident recently were an ambulance could not gain access into the park as someone had parked in front of the barrier due to the lack of markings. So to mark out the car park will make access safer.

* Nuttall Park bandstand is a friend's group project for which the group have researched the design history, had that design drawn up, applied for planning permission and received this permission to build and some funding to realise this project. This project will enhance the park, make it even more attractive and replaces heritage lost over the years on an existing base and will lift people's spirits when events and activities can eventually return to the parks.

* The Parks listed are in East Bury which hasn't seen much in the way of Section 106 funding and are in a high deprivation area. They have been assessed as the parks needing the most work in terms of Health & Safety and improving access.

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Equality Analysis Form

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

1. RESPONSIBILITY

Department	Operations	
Service	Parks and Countryside	
Proposed policy	PARKS, COUNTRYSIDE AND GREENSPACES CORPORATE CAPITAL PROGRAMME AND THE MANIFESTO PROGRAMME FOR 2020/2021	
Date	1 st October 2020	
Officer responsible for the 'policy' and for completing the equality analysis	Name	Mike Bent
	Post Title	Parks & Countryside Manager
	Contact Number	0161 253 5917
	Signature	
	Date	15 October 2020
Equality officer consulted	Name	Chris Woodhouse
	Post Title	Strategic Partnerships Manager
	Contact Number	0162 253 6591
	Signature	C.Woodhouse
	Date	26 th October 2020

2. AIMS

What is the purpose of the policy/service and what is it intended to achieve?	<p>This Cabinet Report will outline the investment from the Corporate Capital Programme and the Manifesto Programme for 2020/2021 for the associated planned works including the maintenance of play areas, parks and other open spaces and our climate change mitigation tree planting programme. We seek agreement that the works can progress and the funding for the 20/2021 financial year can be released.</p> <p>The Cabinet report will cover the schemes of work associated with Parks, Countryside and Greenspaces Programme: The following outlines the key programmes of work:</p> <ol style="list-style-type: none"> 1. Investment and maintenance to address and support Health and Safety condition surveys into the 12 Green Flag Parks, 40 Countryside Sites, Burrs and Phillips Park - £800k per year for 3 years - Corporate Capital Programme - 2. Improve access, infrastructure and quality of green
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	<p>spaces and recreational grounds - £300k - Manifesto Investment</p> <p>3. Tree Planting 2020/2021 approved to spent over two years £250k - Manifesto Investment</p> <p>1.2 The programmes above are part of a three year capital programme as outlined in both the Corporate Capital programme 2020 – 2023 and Manifesto Schemes. This work also supports the wider council work and strategic review of council land to ensure safe, sustainable and well maintained open spaces are provided</p>
Who are the main stakeholders?	<p>All members of the public, users, community groups, self-managed clubs and friends groups and other volunteers</p>

3. ESTABLISHING RELEVANCE TO EQUALITY

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

Protected equality characteristic	Positive effect (Yes/No)	Negative effect (Yes/No)	Explanation
Race	Yes	No	The first 3 parks to be worked on are within an are of high ethnicity, East Bury, consultation over the years has given us an idea of what facilities are postive within these parks
Disability	Yes	No	By creating improved access across parks and greenspaces across the Borough, making existing paths and facilities safer.
Gender	No	No	
Gender reassignment	No	No	
Age	Yes	No	Improving facilities and access across all parks and greenspaces making then safer to use for all ages
Sexual orientation	No	No	
Religion or belief	No	No	
Caring responsibilities	Yes	No	Improving facilities and access across all parks and greenspaces making then safer and more accessible to use for residents and visitors
Pregnancy or maternity	No	No	
Marriage or civil partnership	No	No	

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

General Public Sector Equality Duties	Relevance (Yes/No)	Reason for the relevance
Need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010	No	
Need to advance equality of opportunity between people who share a protected characteristic and those who do not (eg. by removing or minimising disadvantages or meeting needs)	Yes	As all of our Parks and greenspaces have an access for all policy, by improving all the parks in the borough, including the Green Flag Parks, making them safe to use and updating facilities within them will bring benefits to everyone who use them. When more people use parks it creates a sense of community and can start to break down barriers
Need to foster good relations between people who share a protected characteristic and those who do not (eg. by tackling prejudice or promoting understanding)	No	

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

Go straight to Question 4

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

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

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

4. EQUALITY INFORMATION AND ENGAGEMENT

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

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

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

Details of the equality information or engagement	Internet link if published	Date last updated
There has been public consultation carried out in the past but this was a long while back in 2009, ceased due to a lack of personnel. Our main sources of information come through complaints through our PACA CRM system which tell us what is concerning users of our parks & Green Spaces.	http://byvs0230/Parksmgt/forms/default.aspx	daily
We also have 12 Green Flag Awarded parks which get an annual inspection either formally or through a mystery shop carried out by peers within our industry manage by Keep Britain Tidy and	http://www.greenflagaward.co.uk/how-it-works/judging-criteria/green-flag-award/	External website

<p>the Green Flag team. 8 criteria and 27 sub criteria to work to which is reported back through the system, see link</p>		
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4b. Are there any information gaps, and if so how do you plan to tackle them?

Improving inclusive engagement and data were a major finding from the recent Equalities review so the service will use the emerging Bury Inclusion Strategy and associated inclusion objectives as part of future planning wherever possible.

5. CONCLUSIONS OF THE EQUALITY ANALYSIS

<p>What will the likely overall effect of your policy/service plan be on equality?</p>	<p>There will be no specific direct effect on any of the equality areas, the new system will simply enhance the current offer and make it easier for participants to engage with the programme.</p>
<p>If you identified any negative effects (see questions 3a) or discrimination what measures have you put in place to remove or mitigate them?</p>	<p>No negative effects identified.</p>
<p>Have you identified any further ways that you can advance equality of opportunity and/or foster good relations? If so, please give details.</p>	<p>Work is underway on focusing on behaviour change for particular groups including BME participants, and the data that is captured by the integrated wellness wider service will assist with identifying this.</p>
<p>What steps do you intend to take now in respect of the implementation of your policy/service plan?</p>	<p>Continue to be able to capture the relevant data and will have the required capacity to engage with bespoke groups of people.</p>

6. MONITORING AND REVIEW

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

The system will be monitored throughout implementation and on an ongoing basis as per the contractual agreements. Continued reporting will identify any issues which could potentially have an impact on equality.

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



Classification	Item No.
Open	

Meeting:	Cabinet
Meeting date:	16 December 2020
Title of report:	Executive Director Place
Report by:	The Leader of the Council
Decision Type:	Council
Ward(s) to which report relates	N/a

Executive Summary:

Place based executive leadership is required to deliver a number of important strategic objectives. It is proposed to re-establish an Executive Director – Place to lead the Department for Business Growth and Infrastructure in the delivery of these.

The Human Resources and Appeals Panel will consider the establishment of this post on 10 December 2020 and based upon their approval and recommendation to create this post, Cabinet is asked to formally establish this post.

Recommendation(s)

That:

The post of Executive Director – Place, is established.

Key considerations

1 Background

1.1 The Business Growth and Infrastructure (BGI) department was established in 2017/18 under the lead of an Executive Director and two Directors one for Housing and one for Regeneration and Capital Growth. The department was created before the current Chief Executive took up post and changed the overall structure of the Council. The original purpose for the BGI department was to operate as a master developer to generate new income streams for the Council from regeneration and housing development.

1.2. Progress was made setting up the department and on a number of projects. In September 2019 the Executive Director post was disestablished and a number of operational functions were moved to other departments. Subsequently the department has been led by the Director of Regeneration and Capital Growth who has been part of the Executive Team. The Director of Housing role is vacant.

2. Proposal

2.1. The Chief Executive has reviewed the future of the department and has concluded that :-

(a) an Executive Director post should be re-established with the title Executive Director of Place;

(b) the post should be filled on an interim basis until the post a permanent appointment is made.

2.2. There are three main reasons for these proposals:

(a) a change in the purpose and direction of the department from the time when the previous Executive Director role existed;

(b) the need to put in place the skills and experience needed to lead delivery of the new Housing Strategy; and

(c) changes in the funding landscape following the Comprehensive Spending Review announced last month.

The basis of proposals made is set out in more detail below.

3 New role of Executive Director.

3.1. The purpose of the Department has changed and a new Executive Director with a different skill set is required. The original role of the Executive Director Business

Growth and Infrastructure was to lead the Department to create growth for the Borough but to also generate income to replace the Council's reliance on government revenue funding.

3.2. There was a high level of emphasis on income generation for the Council through commercial activity. Although it remains the case that the Council can and should be more commercial in generating income this should not be at the expense of core objectives and this is a responsibility for the Corporate Core to lead not the BGI department. The role of the Executive Director will now be changed to focus on the core purposes of bidding for funding, delivering the new housing strategy and leadership of the department.

4. Housing Strategy.

4.1. The new Housing Strategy and action plan is one of the most important new strategies supporting the ten year vision for the future of the Borough set out in Bury 2030 : Let's Do It.

4.2. The strategy is key to a sustainable future for Bury's towns and neighbourhoods, a supply of affordable homes to retain people with the skills needed for future economic growth, specialist housing for older people and those who need support as well as housing, housing that supports health improvement and low carbon homes.

4.3. The strategy covers all tenures, including the private rented sector, the condition and management of Council homes and preventing homelessness. This scale of actions needed to deliver the strategy requires new and focused leadership at Executive Team level. This does not currently exist and the role of the new Executive Director of Place has been designed to fill this gap.

5. Inward investment.

5.1. The Comprehensive Spending Review (CSR) announced on 25th November contains a series of new funds which local areas can bid into. The new funds are :-

(a) A new **Levelling Up Fund** to invest in local infrastructure. This will be a cross Whitehall fund targeting for projects that have a visible impact on people and their communities and which will support economic recovery. As well as local transport projects the fund will support projects which upgrade town centres, community infrastructure and local arts and culture. The fund is capped at £20m per project which makes it relevant to Bury's scale.

The fund will be allocated through competitive bidding open to all local areas in

England.

(b) The **UK Shared Prosperity Fund (UKSPF)**. This fund will replace EU structural funds and is expected to reach £1.5bn per year. To secure funding places will need to develop innovative proposals for approval by government. A portion of the funding will target places most in need including ex industrial areas and deprived towns. It will support people and communities opening up new opportunities spurring regeneration and innovation.

The UKSPF will invest in places across the full range of people (eg training and early years), communities and places (eg sporting facilities, civic and green infrastructure, community owned assets, neighbourhoods, town centres and housing improvements) and investment in local business. The new Bury 2030 Strategy currently out for consultation therefore provides exactly the right framework for Bury to development bids into the UKSPF and other funds.

(c) A new **National Home Building Fund (NHBG)**. This will provide £7.2bn over the next four years which includes confirmation of an existing £4.8bn grant funding pot for land remediation, infrastructure and land assembly. The existing Brownfield Land Fund for Combined Authorities is also confirmed. The Affordable Home Programme is confirmed with a greater proportion of homes outside London. There is £2.2bn of new loan finance to support housebuilders to deliver Help to Build for custom and self builders and funding for SMEs and modern methods of construction. There is also additional funding to support rough sleepers and those at risk of homelessness which has increased to £676m in 2021/22. This will support frontline services and enabled Councils to fund their statutory duty to prevent homelessness.

The new Bury Housing Strategy which is currently out to consultation provides the right framework to underpin bidding into these housing funds, whether directly or via GMCA or Homes England. However the current skills available in the BGI department do not currently include the senior housing expertise needed to drive delivery of the new strategy and ensure that Bury accesses the funding available. The Executive Director of Place will have a specific focus on housing. This is a key gap for the Council which needs to be resolved by the new role.

5.2. The current structure of the BGI department will be insufficient for Bury to secure the maximum inward investment for Bury from these new funding regimes. The Executive Director of Place will be able to focus on bidding which will significantly outweigh the cost of the post.

5.3. There are two significant policy shifts within the CSR which support the case for an Executive Director of Place.

5.4. Firstly the Green Book project appraisal methodology is being adjusted to take full account of government policy objectives, including levelling up. Another important change is that it will no longer be possible for investment proposals to be "place blind". This means that HM Treasury will look for business cases that align

with relevant local strategies and major interventions in local places. These are very significant changes, long advocated by GM. The impact will be that places such as Bury will be more likely to secure funding, provided that the most relevant and high quality proposals can be submitted for the various funding streams.

5.5. Second there is a clear policy shift away from allocations being devolved and towards to centralised funding allocated via competitive bidding to Government. This can be seen in the methodology for the new Levelling Up Fund compared to the previous Local Growth Fund. This places a premium on the Council having the best possible case making and bid writing skills. Among other things the Executive Director of Place will bring these skills. The competition for funding will be fierce as all places seek to get as much funding as possible to support their recovery from Covid. The new funding pots are often lower in total funding than those they replace which will further heighten competitiveness in bidding for funding.

6. Interim Appointment.

6.1. It is proposed to fill the post on an interim basis whilst an appointment is made in order to make progress on two immediate objectives.

6.2. The first is to support the Council in bidding for the new funding streams set out in section 5 above. The Council needs to gear up for the Levelling Up Fund quickly as £600m is available in 2021/22 and the Government will publish the prospectus for the first round of competitions in the new year.

6.3. There is also an urgency to the Council's preparation for the UKSPF as details will be announced in the new year of £220m of funding in 2021/22 for places to pilot programmes and new approaches.

6.4. The second objective of the interim role will be to provide necessary impetus to ensure successful implementation of housing strategy. This will include:

(a) providing advice on the longer term resource needed across the BGI department to secure delivery of the Housing Strategy including the organisational form for development of housing on Council owned sites;

(b) taking the lead in the client role for the Council's relationship with Six Town Housing using the mechanisms recently put in place to effectively manage those relationships and performance and to enable the Council to consider its future aspirations for the ALMO, including consideration of further service responsibilities;

and

(c) to bring together the currently dispersed functions across the Council such as housing options and urban renewal, along with development of the housing strategy function into a single cohesive part of the BGI department that is well placed to work effectively in a joined-up way across the rest of the Council.

7 Other alternative options considered

In determining this proposal full consideration has been given to the previous substantive post and maintaining the status quo. The recommendation to committee is, however, that neither of these arrangements will provide the capacity required to deliver the scale of place leadership opportunity now presented.

Community impact/links with Community Strategy

This post will play an important leadership role in delivering the "Place" component of the Bury 2030 local industrial strategy.

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis	<i>The change in structure does not present any equality impacts. The recruitment to this post is an opportunity to further the diversity of the workforce. External advertising should therefore take account of opportunities to target under represented community groups</i>
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**Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.*

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
The post is not filled	Comprehensive advertisement and use of an executive search campaign Interim resource will be secured

Consultation:

The new post does not affect any substantive potholders and therefore is not subject to consultation.

The TU will be notified.

Legal Implications:

The Constitution requires approval of the post by Cabinet based upon a recommendation from the HRA. Recruitment to this post must be in accordance with the Council's Constitution, the new recruitment policy for Chief Officers (subject to approval of that policy) and comply with the requirements for equality and diversity.

Financial Implications:

The cost will be met from additional income growth that will be generated through council tax, business rates and capital receipts. These will be factored into the Council's medium term financial strategy and will be monitored on a quarterly basis by Cabinet. Until the post is fully embedded, the cost will be underwritten from the corporate capacity budget.

Report Author and Contact Details:

Geoff Little, Bury Council Chief Executive/NHS Bury CCG Accountable Officer

Background papers:

HRA Reports April and September 2019

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning



Classification	Item No.
Open	

Meeting:	Cabinet
Meeting date:	16 December 2020
Title of report:	Strategic Finance Leadership
Report by:	The Leader of the Council
Decision Type:	Council
Ward(s) to which report relates	N/a

Executive Summary:

The Council and CCG are both holding vacancies at strategic finance level. It is proposed to take this opportunity to bring the two roles together and re-establish a joint Executive Director Finance post which works across the partnership. The staffing structure in finance around this post will be reviewed again following appointment.

The Human Resources and Appeals Panel will consider the establishment of this post on 10 December 2020 and based upon their approval and recommendation to create this post, Cabinet is asked to formally establish this post.

Recommendation(s)

That:

The post of a joint Executive Director Finance is established.

Key considerations

Background

In June 2019 the Council and CCG partnership established a single Chief Finance Officer (CFO) role across the two organisations, to be supported by two finance leads who were intended to provide technical leadership of local government / CCG finance respectively. This structure was designed to provide experience and expertise in both Local Government and NHS financial management and to combine these skills to take full advantage of the single commissioning function under the Strategic Commissioning Board (SCB).

The CCG Deputy CFO post has been filled on an interim basis. The Council was unable to appoint to its Deputy CFO role and therefore in September 2020 this post was reconfigured into the Director of Financial Transformation which also included S151 responsibilities. The reconfigured, more senior finance role within the council was established to provide the strongest possible financial stewardship in view of the Council's challenging financial position and scale of transformation ambition. The specific accountabilities for this role were:

- The coordination of Council savings and investment plans as part of a new budget and business planning process ;
- further development of the capital strategy and capital gateway process which will be critical to the development of the borough;
- developing the Council's commercial strategy, including reviews of traded services

The post of Director of Financial Transformation is filled on an interim basis until February 2021 when arrangements are scheduled for formal review.

The joint Chief Finance Officer is leaving the Council/CCG in January 2020 for a new role.

The two substantive vacancies present an opportunity to review arrangements.

Key Considerations

The Council and CCG have always held an aspiration for a single point of professional financial leadership, for the delivery of balanced budgets across the CCG and the Council. The CCG and the Council have significant combined savings to deliver and a leadership role in addressing the health and care system financial deficit. This is a very significant challenge which requires a single focus for control and accountability for financial management.

The volume of work required to balance the Council's budget and extent of system and strategy transformation required to stabilise the position have required a period of separate and dedicated leadership. Significant progress has now been made with this agenda including:

- the agreement of a Medium Term Financial Strategy
- budget monitoring and reporting arrangements for the budget position including in year savings
- a set of outline budget proposals and analysis for the 2021/22 budget, which takes account of significant additional pressures due to the impact of covid
- a capital programme and gateway process
- refreshed governance for financial decision making risk management; audit and procurement

The Council is therefore in a much stronger position and able to return to the principle of a joint leadership role across the One Commissioning Organisation partnership. The CCG remains fully supportive of the principle with a professional structure in place to support.

Proposal

It is proposed that the Council and CCG return to the original design of a joint chief finance officer. The Job Description for this post is appended and reflects the original objectives for this role which were to:

- create single leadership for development of an integrated strategic approach to the next three year financial plan and commissioning strategy.
- drive the creation of pooled and aligned budgets and single financial management systems across the CCG and the Council. This will be essential to the operation of the One Commissioning Organisation.
- lead the professional development of finance staff and raise overall financial skill levels across the CCG and the Council. This will strengthen the resilience of the finance functions by increasing the flexibility of staff across the CCG and Council to respond to challenges and changing circumstances.

Following a market assessment it is proposed to call the post Executive Director Finance as this is most recognisable to candidates from across the two sectors.

This role will act as the officer appointed under section 151 of the Local Government Act 1972 which requires the Council to appoint a suitably qualified officer responsible for the administration of its financial affairs. Statutory regulations also require that the membership of the CCG Governing Body must include a Chief Finance Officer who is an employee of the CCG and who has a professional qualification in accountancy and the expertise or experience to lead the financial management of the CCG. The proposed role will fulfil both statutory requirements with reporting lines to both organisations; the terms and conditions of service will be in line with Council or CCG, depending on the postholder's current arrangements.

The post will be advertised externally with the support of an executive search partner. The intention is to make an appointment before the joint CFO leaves the Bury system at the end of January 2021 and interim arrangements within the Council expire.

Once the leadership appointment is made the supporting structures within both finance teams will be reviewed. A separate report will be brought back to the HRA at that time to complete the restructure of the finance function. The final structure will include skills across both Local Government and NHS finance systems and it will be managed as a whole to have maximum impact on the Borough's economic recovery from Covid-19 and reducing the costs of demand caused by health inequalities and concentrations of deprivation.

Other alternative options considered

In determining this proposal full consideration has been given to:

- retaining two entirely separate finance director posts across the council and CCG
- retaining the current arrangement of a system-wide CFO but enshrining S151 responsibilities within a leadership post employed by the council.

The recommendation to committee is that neither of these objectives support the partnership endeavour of a single view of finance resources and integrated leadership of the health and care pooled budget.

The HRA is asked to note that it may, however, be necessary to return to these options subject to the outcome of the recruitment process.

Community impact/links with Community Strategy

This post will play an important leadership role in addressing system financial sustainability. This is a risk highlighted in the Bury 2030 strategy

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and

demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis	<i>The change in structure does not present any equality impacts. The recruitment to this post is an opportunity to further the diversity of the workforce. External advertising should therefore take account of opportunities to target under represented community groups</i>

**Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.*

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
The post is not filled	Comprehensive advertisement and use of an executive search campaign
Failure to recruit means two statutory vacancies for finance leadership across the Council and CCG	Interim resource will be secured

Consultation:

The changes in structure do not affect any substantive postholders and therefore are not subject to consultation.

The TU will be notified.

Legal Implications:

The legal implications associated with the statutory role this post will cover, are set out in the report. Recruitment must be in accordance with the Council's Constitution, which requires approval of the post based upon a recommendation from HRA, the new recruitment policy for Chief Officers (subject to approval of that policy) and comply with the requirements for equality and diversity. Further arrangements will

need to be put in place, detailing to operational issues arising from the 'joint' proposals in the report.

Financial Implications:

There are no additional financial implications arising from the proposal.

Report Author and Contact Details:

Geoff Little, Bury Council Chief Executive/NHS Bury CCG Accountable Officer

Background papers:

HRA Reports April 2019 and June 2020

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
CCG	Clinical Commissioning Group
CFO	Chief Finance Officer
SCB	Strategic Commissioning Board



Classification Open: Part A	Item No.
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Meeting:	Cabinet
Meeting date:	16 December 2020
Title of report:	Brownfield Fund Grant Agreements/Exemption from Contract Procedure Rules for Enabling Works
Report by:	Councillor Eamonn O'Brien Leader of the Council and Cabinet Member for Finance and Growth
Decision Type:	Key Decision
Ward(s) to which report relates	Redvales, Radcliffe West

Executive Summary

The purpose of this report is to inform Cabinet of its successful Brownfield Land fund bid, to give consent to enter into the grant agreements, to allocate a budget for Brownfield Land within the capital programme and agree procurement of enabling works contractors to ensure the brownfield land fund grant funding is spent in accordance with the funding agreement.

Recommendation(s)

Cabinet is recommended to:

1. Note the award of Brownfield fund grant to deliver a package of enabling works on two nominated sites and authorise the Director of Regeneration and Capital Growth, in consultation with the Chief Finance Officer to enter into a Brownfield Funding Agreement (BLF) with GMCA;

2. Note that bids for further sites are being submitted for a second round of funding and agree that, should bids be successful, Tranche 2 grant agreements can be entered into with GMCA;
3. Agree to underwrite the grant to ensure that a start on site with enabling works before March 2021 and housing start outputs are achieved within the programme period (by 31st March 2025).
4. Authorise the inclusion of the Brownfield Fund Grant in the Capital Programme for 20/21;
5. Delegate authority to the Director of Regeneration and Capital Growth to take all necessary steps in order to procure the carrying out of the relevant site 'enabling works', including the authorisation of contracts.
6. Agree to use an appointed agent to undertake a competition for the enabling works contractors for the benefit of expedience in getting a contractor appointed early in the new year.
7. To agree the Council enters in a contract for the enabling works as recommended by our agent.
8. To agree the following resolution as required by GMCA

"It has been agreed that the Greater Manchester Combined Authority (**GMCA**) will provide grants to the Council in relation to the development of School Street site at School Street Radcliffe, M26 3BH and the Former Millwood School at Fletcher Fold Road, BL9 9RX, subject to the terms in draft grant agreements to be entered into between the GMCA and the Council (**Grant Agreements**). After due consideration of all the circumstances **it was resolved** that the Council shall enter into the Grant Agreements in the form produced and the Grant Agreements be sealed by the Council's common seal and executed as deeds by the Council and that they be duly recorded."

Key considerations

1. Background

1.1 The Council has been awarded a Brownfield Fund grant (Tranche 1) from GMCA to deliver a package of early enabling works on two sites:

- School Street Site, Radcliffe and
- Former Millwood School site at Fletcher Fold.

1.2 The two sites are owned by Bury Council and form part of the First Phase Housing Sites package. This Tranche 1 grant award from GMCA to deliver the enabling work is time restrained and requires the works to be accelerated.

1.3 School Street Site, Radcliffe

This is a partly cleared former school site which requires the demolition of a small derelict building on site, removal of a mixture of concrete slabs/foundations from the former school, remediation/ ground condition works, and likely coal seam grouting due to former mining activity in the area. It sits within the Radcliffe Strategic Regeneration Framework and as such is a priority housing site.

1.4 Former Millwood School, Fletcher Fold

Fletcher Fold is a site of the former Millwood School which was demolished in December 2018. Site clearance, remediation and coal seam grouting are likely to be required to enable the housing start on site.

Community impact / Contribution to the Bury 2030 Strategy

The acceptance of the GMCA grant funding and delivery in their timescales will lead to two brownfield housing sites in Council ownership being remediated and developed for housing. Intended housing units are likely to be over 120 units which will provide much -needed housing stock into the supply chain. It is envisaged the majority of these units will be affordable and lead to a lower carbon housing stock.

Legal Implications:

The content of the draft Grant Agreements is satisfactory from a legal standpoint in terms of the respective rights and obligations of the parties. The draft Agreements require the addition of technical and administrative detail as well as legal title information before they can be completed. These items will be approved under delegated powers.

It is reasonable for an exemption from the Council's Contract Procedure Rules to be given to permit an accelerated competition to appoint a contractor in order to seek to meet the extremely tight GMCA timetable for initial works. There still remains a risk that this may not be met with works only scheduled to start in February 2021 at the earliest. The risk of challenge to the procurement is small as the value of the works is below the threshold for application of the Public Contracts Regulations 2015. The Council can confirm to the GMCA that the proposed grant does not conflict with EU state aid rules as it well within the Euro20M threshold under the EU General Block Exemption Regulation No. 651/2014.

Financial Implications:

The cost of the works can be met from the grant funding available. The grant conditions require the Council to underwrite the position in the event that these are not met and the grant is clawed back. Whilst there is a risk attached to the spending profile not being achieved by the end of March 2020/21 the grant provides an opportunity to receive funding for costs that would

otherwise need to be met by the Council in order to complete the development. Monitoring arrangements will be established to ensure the short and longer term requirements are overseen and appropriate escalation and risk mitigation measures are put in place.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
GMCA	Greater Manchester Combined Authority

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