

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.335 APOLOGIES FOR ABSENCE

There were no apologies for absence.

CA.336 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.337 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.338 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.339 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.340 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.341 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.342 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.343 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.344 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.345 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.

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)