

## AGENDA FOR

## CABINET



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**To: All Members of Cabinet**

**Councillors** : E O'Brien (Leader and Cabinet Member, Finance and Growth) (Chair), C Cummins (Cabinet Member, Housing Services), R Gold (Cabinet Member, Communities), C Morris (Cabinet Member, Culture and the Economy), A Quinn (Cabinet Member, Environment, Climate Change and Operations), T Rafiq (Cabinet Member, Corporate Affairs and HR), A Simpson (First Deputy and Cabinet Member, Health and Wellbeing) and T Tariq (Deputy Leader and Cabinet Member Children, Young People and Skills)

Dear Member/Colleague

**Cabinet**

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

<b>Date:</b>	Wednesday, 12 January 2022
<b>Place:</b>	Bury Town Hall
<b>Time:</b>	6.00 pm
<b>Briefing Facilities:</b>	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.
<b>Notes:</b>	

## **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 about the work of the Cabinet.

Notice of any question must be given to Democratic Services by midday on Monday, 10 January 2022. Approximately 30 minutes will be set aside for Public Question Time, if required.

### **4 MEMBER QUESTION TIME**

Questions are invited from Elected Members about items on the Cabinet agenda. 15 minutes will be set aside for Member Question Time, if required.

Notice of any Member question must be given to the Monitoring Officer by midday Friday, 7 January 2022.

### **5 MINUTES** *(Pages 5 - 12)*

Minutes from the meeting held on 15 December are attached.

### **6 COUNCIL TAX ON EMPTY PROPERTIES AND SECOND HOMES** *(Pages 13 - 28)*

A report from the Leader and Cabinet Member for Finance and Growth is attached.

### **7 BURY COMMUNITY STADIUM, GIGG LANE** *(Pages 29 - 36)*

A report from the Leader and Cabinet Member for Finance and Growth and Cabinet Member for Culture and The Economy is attached.

### **8 BURY TOWN CENTRE GOVERNANCE** *(Pages 37 - 42)*

A report from the Leader Cabinet Member for Finance and Growth is attached.

**9 APPROVAL OF TERMS TO DISPOSE OF THE FORMER CPU KITCHEN SITE ON WILLOW STREET, BURY FOR THE DEVELOPMENT OF SPECIALIST/SUPPORTED HOUSING FOR ADULTS WITH A PHYSICAL AND/OR SENSORY DISABILITY OR LEARNING DISABILITY - PART A** *(Pages 43 - 50)*

A report from the Cabinet Member for Housing Services is attached.

**10 INSPECTION OF CHILDREN'S SERVICES** *(Pages 51 - 76)*

A report from the Cabinet Member for Children, Young People and Skills is attached.

**11 URGENT BUSINESS**

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

**12 APPOINTMENT OF MAYOR/DEPUTY MAYOR**

**13 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.

**14 APPROVAL OF TERMS TO DISPOSE OF THE FORMER CPU KITCHEN SITE ON WILLOW STREET, BURY FOR THE DEVELOPMENT OF SPECIALIST/SUPPORTED HOUSING FOR ADULTS WITH A PHYSICAL AND/OR SENSORY DISABILITY OR LEARNING DISABILITY - PART B** *(Pages 77 - 80)*

A report from the Cabinet Member for Housing Services is attached.

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<b>Minutes of:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	15 December 2021
<b>Present:</b>	Councillor E O'Brien (in the Chair) Councillors C Cummins, R Gold, C Morris, A Quinn, T Rafiq, A Simpson and T Tariq
<b>Also in attendance:</b>	Councillors N Jones, M Powell, R Bernstein and J Harris
<b>Public Attendance:</b>	No members of the public were present at the meeting.

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**CA.185 APOLOGIES FOR ABSENCE**

There were no apologies received.

**CA.186 DECLARATIONS OF INTEREST**

Councillor Charlotte Morris declared a personal interest in respect of the Ramsbottom Town Centre Plan Consultation Draft, as her partner worked for a PR agency that had previously done work for Layer Studio who produced the plan.

**CA.187 PUBLIC QUESTION TIME**

There were no public questions.

**CA.188 MEMBER QUESTION TIME**

The following question was submitted in advance of the meeting by Councillor Russell Bernstein:

What reassurances can the Leader provide that there are sufficient organisational resources to deliver the Levelling-up bids, Ramsbottom Town Centre Plan and the Bury Town Centre Masterplan?

Responding, Councillor Eamonn O'Brien reported that the Council was actively taking steps in terms of providing assurance. He advised that a restructure of the Business, Growth and Infrastructure (BGI) department was due to take place in the new year to ensure the right skills, resources and people were in place to deliver on the large scale projects underway. This could be brought forward with a great deal of confidence as funding was in place (both Levelling up Fund and Council monies) to build capacity.

In addition, Councillor O'Brien advised that the Council had established a partnership model so it wouldn't have to have all the resources and skills in-house. Working with Bruntwood, Vinci, Muse, TfGM, GMCA, and others would ensure we had the confidence in our partnership organisational resources to deliver on projects. Finally, this was one of the Council's priorities, included in the '3 Rs' and was a significant ambition and as such would have particular focus from scrutiny and the executive.

A further supplementary question was submitted:

Please can you confirm that the BGI review will be in place early in the new year?

Councillor O'Brien reported that it was being worked on at the moment and should come back quite quickly with thoughts and ideas to establish the new structure and recruit the right people and skills. Chief Executive Geoff Little confirmed that some parts of the restructure could commence straight away while others would require staff consultation first. He offered to brief Councillor Bernstein on these details outside of the meeting.

The following question was submitted in advance of the meeting by Councillor Jackie Harris:

The Cabinet report on transformation states 'Takes around 75,000 calls per month through over 60 public-facing numbers, less than one third of which is routed through the Council's Contact Centre. Outside of the Contact Centre only around 65% of calls are answered compared to the Contact Centre performance rate of 85%.

Can the Cabinet Member advise the timeline on improve improving the Contact Centre and outline what good will look like for both members and the public?

Responding, Councillor Tahir Rafiq reported that the customer service performance of the Council's contact centre is reported through the quarterly corporate performance report and is largely delivered within the corporate Service Level Agreement (SLA) standards. The majority of telephone calls are answered within 10 minutes and customer contact emails are responded to within 48 hours. The contact centre monthly performance stats can be found on the Council's intranet.

The Council's contact channels shift strategy will, however, further improve the performance for other public facing numbers currently outside the corporate contact centre, this will include a review of the business processes taking account of the corporate customer care standards and offering the public a "digital first" approach which will allow 24/7 transactions with Council services and greater facility for user self-service.

A further supplementary question was submitted:

What are your views on the Council getting on with the wider programme without any pauses between phases so we don't lose momentum and deliver real benefits for residents and the Council?

Councillor Rafiq agreed that the Council does need to progress the wider programme and the process was underway with improvements coming on a regular basis and reported every quarter. He advised that wider system improvements would be made in addition to improving contact with residents and Members.

The following question was submitted in advance of the meeting by Councillor Luis McBriar:

The Cabinet report on Transformation refers to 'high standards of Customer Service'.

Can the Cabinet Member outline what these high standards are and how they will be monitored/appraised within the Council and how often will these standards be reviewed?

Responding, Councillor Tahir Rafiq reported that the Council's customer contact standards have just been reviewed as part of the development of the digital strategy and refreshed with staff. A briefing session and written Team Brief from the Executive Team has been delivered to all staff and a dedicated session held with senior managers, to set out the high standards expected of staff.

A summary of the standards is provided below; performance against these targets will be included in future quarterly corporate performance reports and this information will be used to keep the standards under regular review. We will review all public facing numbers with the service managers to reduce the use of voicemail. Monthly performance stats for public facing numbers will be reported on the intranet in the new year to monitor performance.

- Emails and informal complaints answered within 10 days, other correspondence within 20 days (Letters, Freedom of Information requests and stage one formal complaints)
- Public-facing phone lines and contact centres answered 9-5 Monday to Friday with messaging outside these hours. Emergency procedures (including bank holidays) for priority 1 services. Voicemail should not normally be used.
- Personal extension numbers, including mobiles, should be answered in 9 – 5 Monday to Friday and in 6 rings. Voicemail will only be used as a last resort.
- Council reception points will be reduced and remodelled as self-service points. Face to face appointments may be booked

The following question was submitted in advance of the meeting by Councillor Roger Brown:

The Cabinet report on transformation states that 'correspondence will normally be answered within 20 days and e-mails will be answered within 10 days.

How will these SLAs be adhered to and reported within the Council to assure members that the public are receiving the standard of service outlined above?

Responding, Councillor Tahir Rafiq reported that the Council's customer care standards have recently been refreshed and re-launched with all managers and staff. The Executive team has been clear about the high standards of customer service expected from all staff.

The standards are published on the internet and compliance with telephony standards will be included within the quarterly corporate performance report. Any exceptions in meeting the standards may be raised as a complaint by the public.

**CA.189 MINUTES**

**It was agreed:**

Minutes of the meeting held on 17 November be approved as a correct record and signed by the Chair.

**CA.190 LEVELLING UP FUND APPROVAL OF EXPENDITURE - PART A**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which detailed the proposed expenditure required to complete the prescribed design development and technical works for the Radcliffe Hub and Bury Flexi Hall projects. Full detailed breakdown of the costs and programme were in Part B of this report. In response to Members' questions, it was noted governance proposals for the projects were anticipated to come to Cabinet in January 2022.

**Decision:**

Cabinet:

1. Approved entering into Pre Construction Service Agreements with Vinci Construction for the design and technical development of the Radcliffe Hub and Bury Flexi Hall projects, in accordance with the delivery strategy submitted as part of the Levelling Up applications and detailed in Part B of this report; and
2. Approved the additional expenditure to support the delivery of both Levelling Up funded projects as detailed in the capital expenditure forecast submitted as part of the Levelling Up applications and detailed in part B of this report.

**Reasons for the decision:**

To support the delivery of both Levelling Up funded projects.

**Other options considered and rejected:**

None.

**CA.191 RAMSBOTTOM TOWN CENTRE PLAN - CONSULTATION DRAFT**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which set out the draft Ramsbottom Town Centre Plan and detailed the six-week consultation period.

Members discussed the report, noting the positive reception from local residents so far and welcoming the consultation. In response to questions, it was noted that it was hoped targeted social media ads would run for the full consultation period though this wasn't guaranteed, and it was agreed that hard copies would be available in all partner buildings. Councillor O'Brien advised that he welcomed funding from the government but recognised the hard work from Councillors and Officers to achieve this.

**Decision:**

Cabinet:

1. Endorsed the draft Ramsbottom Town Centre Masterplan attached as Appendix 1 as the basis for a six-week public consultation commencing on 4th January 2022; and
2. Delegated approval to the Executive Director of Place and the Chief Executive to make minor modifications to the draft Bury Town Centre Masterplan before consultation commences.

**Reasons for the decision:**

To ensure that all stakeholders have the opportunity to have their say on the draft Ramsbottom Town Centre Plan and its vision for the centre and the series of physical proposals that have been identified to enhance the town centre.

**Other options considered and rejected:**

None. It is important that stakeholder engagement continues in order to seek the views and inputs from the wider public, key businesses and other key partners to ensure that the final Town Plan is fit for purpose.

**CA.192 BURY BUSINESS IMPROVEMENT DISTRICT**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report regarding the proposal to develop a Business Improvement district (BID). Councillors agreed this was an exciting opportunity to strengthen business partnerships in Bury.

**Decision:**

Cabinet:

1. Approved a 'Yes' vote in the Business Improvement District (BID) ballot; and
2. Delegated the exercising of the Council's vote to the Monitoring Officer.

That, in the event of an overall 'Yes' vote in the BID Ballot, Cabinet:

1. Note the Council's role in the collection of the annual BID levy on behalf of the BID Company;
2. Instruct the Monitoring Officer to undertake the legal arrangements for the Council to entering into the Operating Agreement between Bury Council and the Bury BID Company; and
3. Approve the intention for the Council to be represented on the Bury BID Board of Directors by the Executive Director of Place.

**Reasons for the decision:**

The benefits that a BID would bring to the town centre include:

- Helping to enhance and promote the town centre to visitors, residents and investors by generating additional resources to support activity that would otherwise not be delivered and which would work alongside the Council's own investment in the regeneration programme.
- Helping to deliver key Council ambitions, such as those expressed through the 'Let's Do It' Strategy and the emerging Bury Town Centre Masterplan.
- The establishment of a Town Centre Management function, including a BID Manager and associated staff to provide an onsite resource for businesses and town centre users.

- Enabling formal partnership working between stakeholders in the BID area to support the more effective use of these additional resources.

It is considered that the benefits that the BID will bring to Bury town centre will outweigh the financial cost to the Council.

**Other options considered and rejected:**

For the Council not to vote in favour of the BID. However, this option has been discounted on the basis that it would not deliver the considerable benefits identified above.

**CA.193 BURY TOWN CENTRE MASTERPLAN - CONSULTATION DRAFT**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which presented the report which set out the draft Bury Town Centre Plan and detailed the six-week consultation period.

Members discussed the report, noting the importance of being in control of changes to Bury and remaining forward-looking. With regards to "minor modifications" to the masterplan, these would be typos or factual errors. In response to questions it was noted that numbers couldn't be estimated at this point, but the ambition was to secure as much housing as possible on brownfield land in line with the brownfield first policy. This would hopefully provide the basis for a strong argument to the government and planning inspectorate to protect as much green space as possible.

With regards to a recent petition, the Leader advised that exiting the Places for Everyone (PfE) plan would remove the Council's control over the type and quality of houses being built and leave the Council exposed to government action, potentially tripling the housing requirement, as well as negating the 2000 units that had been displaced through the PfE plan. Instead, this plan and the hard work to identify and create further brownfield sites was the best way forward to protect as much green space as possible.

**Decision:**

Cabinet:

1. Endorsed the draft Bury Town Centre Masterplan attached as Appendix 1 as the basis for a six-week public consultation commencing on 4th January 2022; and
2. Delegated approval to the Executive Director of Place and the Chief Executive to make minor modifications to the draft Bury Town Centre Masterplan before consultation commences.

**Reasons for the decision:**

To ensure that all stakeholders have the opportunity to have their say on the draft Bury Town Centre Masterplan and its proposals to guide the role, function and physical development and regeneration of Bury town centre and its peripheral areas over the next 15 to 20 years.

**Other options considered and rejected:**

None. It is important that stakeholder engagement continues in order to seek the views and inputs from the wider public, key businesses and other key partners to ensure that the final Masterplan is fit for purpose.

**CA.194 TRANSFORMATION UPDATE**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which provided an update of progress against the strategy including some revision to the forecast financial savings.

In response to Members' questions, it was noted that the risk register reflected an increase in severity of risk as well as an increase in likelihood. Red ratings for digital services had been flagged at Audit Committee and work was underway with external partners to minimise the risks, with follow up actions for PSN accreditation being reported to Audit Committee in the new year. With regards to budget implications from the reduction in expected savings, it was noted that targets were now in line with original estimates and still delivered what was set out in the Medium Term Financial Strategy. Savings were still able to be delivered, it was the timescales that were changing and mitigations were being explored.

**Decision:**

Cabinet:

1. Approved the "digital-first" contact strategy, roadmap and associated IT operating principles;
2. Noted that alternative options have been considered and rejected;
3. Approved the proposed digital-first customer service standards;
4. Agreed access to agreed investment funding as described in section 6.2;
5. Noted the revised financial forecast including two new proposals to mitigate some slippage in savings delivery; and
6. Agreed that the recommendations achieve the savings requirement within the MTFs in accordance with available resources and wider corporate strategy and reasons for recommendation(s).

**Reasons for the decision:**

The multi-year internal transformation programme has the objectives of both improving the quality of provision and delivering financial savings by reducing costs and driving digital.

**Other options considered and rejected:**

None.

**CA.195 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY****It was agreed:**

That the minutes of the Greater Manchester Combined Authority meeting held on 29 October 2021 be noted.

**CA.196 EXCLUSION OF PRESS AND PUBLIC****Decision:**

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

**CA.197      LEVELLING UP FUND APPROVAL OF EXPENDITURE - PART B**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the Part B report which set out a detailed breakdown of the costs and programme.

**Decision:**

Cabinet:

1. Approved entering into Pre Construction Service Agreements with Vinci Construction for the design and technical development of the Radcliffe Hub and Bury Flexi Hall projects, in accordance with the delivery strategy submitted as part of the Levelling Up applications and detailed in Part B of this report; and
2. Approved the additional expenditure to support the delivery of both Levelling Up funded projects as detailed in the capital expenditure forecast submitted as part of the Levelling Up applications and detailed in part B of this report.

**Reasons for the decision:**

As set out for the Part A report.

**Other options considered and rejected:**

As set out for the Part A report.

**COUNCILLOR E O'BRIEN**

**Chair**

**(Note: The meeting started at 6.05 pm and ended at 7.10 pm)**



<b>Classification:</b> Open	<b>Decision Type:</b> Non-Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 12 January 2022
<b>Subject:</b>	Council Tax on Empty Properties and Second Homes	
<b>Report of</b>	Leader and Cabinet Member for Finance and Growth	

### Summary

The Cabinet, at its meeting on 17 November 2021, agreed to consult on the proposal to remove the Council Tax discount applied to empty properties and second homes.

Consultation commenced on 23 November 2021 and ended on 4 January 2022. Over 200 contributions were received. This report details the outcome of the consultation and seeks approval to remove the discount currently available when a property becomes unoccupied and unfurnished, to support the Council's budget position.

The proposal would bring the Council in line with all Greater Manchester authorities that no longer provide discounts on empty properties or second homes after 6 months. The proposal would also see Bury brought in line with four other neighbouring Greater Manchester authorities who offer no initial discounts. Trafford offer no discount from the first month and Salford offer no discount from the second month. Appendix 1 provides the analysis of what the other authorities allow.

### Recommendations

Cabinet is asked to:

1. Consider the outcomes of the consultation exercise attached at Appendix 2.
2. Agree to the removal of the discretionary Council Tax discount for empty properties and second homes with effect from 1 April 2022.

### Reasons for recommendations

Bury Council, like other local authorities, has seen an increase in demand on public services with reduced funding levels. A number of savings will be proposed to enable it to balance its budget. Some of the savings will affect front line services and may reduce service provision and other savings, like this proposal, have no impact on the levels of service the Council currently provides.

The Council has a strategy of bringing long-term empty homes back into use at the earliest opportunity. The return of long-term empty homes back into the community will not provide the complete solution for the demand for homes within the area, but it will play a part in its solution reducing pressure on the existing housing stock. A new level of charges should help encourage the reintroduction of long-term empty properties. Empty homes have a detrimental impact on surrounding areas and can lead to anti-social behaviour in the vicinity of empty properties.

The proposal affects a small proportion of Bury's population for a period of time but can deliver significant income for the Council. Other neighbouring authorities in the Greater Manchester area no longer provide discounts on empty properties or second homes and haven't done for some time.

The policy will reduce the number of empty properties in the Borough and support the Council in achieving a balanced budget for 2022/2023. Recognising that this will protect savings from having to be made from front line services.

## **Alternative options considered and rejected**

The Cabinet could choose to make no change to the council tax discounts for empty properties; however, alternative proposals would be required to support the production of a balanced budget, which is a legal requirement.

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## **Report Author and Contact Details:**

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Position: Deputy Director Finance  
Department: Corporate Core - Finance  
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## **1. Background**

- 1.1 In April 2013, the Government gave Local Authorities power to determine the level of empty property discounts in dwelling classes B, C and D (Section 12 of the Local Government Finance Act 2012). The changes give greater flexibilities to Local Authorities to manage pressures on council tax.
- 1.2 The Council currently applies a discount of 100% in the first month if a property is empty, 25% following the 1st month and up to 2 years. Properties undergoing major works are eligible for 50% discount for a period of 1 year.
- 1.3 In August 2021 Bury had 1,841 homes which were not only empty but were attracting a Council Tax discount of £784,368. This is against a council tax base of 84,469 properties. These homes ranged from properties in band A, to some of the more expensive properties within the district at band H.

## **2. Consultation**

### **2.1 Approach and Responses**

- 2.1.1 Cabinet agreed at its meeting on 17 November to consult on the discretionary Council Tax options. Online consultation commenced via the Council's One Community website on 23 November 2021, concluding on 4th January 2022.
- 2.1.2 The consultation was open to all, but owners of properties that were either currently empty, or were second homes, were specifically targeted and were sent a letter containing details of the online survey and hard copies provided on request.
- 2.1.3 1809 people were made aware of the consultation by writing or e-mailing to them directly. There were 254 visitors to the survey, 197 contributors leaving 201 contributions. In some questions the respondents were able to select multiple responses. The council has 84,469 properties where council tax is applied but each property may have a number of residents who are able to respond to the consultation.
- 2.1.4 The feedback from the consultation can be found at Appendix 2.

### **2.2 Themes**

- 2.2.1 Themes emerging from the consultation included:
  - Renovation works will improve standards of properties, and there can sometimes be a delay with builders, planning permission etc that the landlord is unable to control.

- When a tenant vacates a rental property, it can then take time to bring the property back up to standard to become rented again.
- If a property is empty or a second home, there was a view that Council Tax should not have to be paid as Council services are not being used.
- If a property is empty but sold and awaiting new occupants there was a concern about paying Council Tax in that circumstance.

2.2.2. As the consultation was targeted to those which would be affected by any changes, it was anticipated that feedback would largely not support the proposal to remove the discount. However, it should be noted that the proposal affects a small proportion of Bury's population for a period of time but can deliver significant income for the Council. The current number of empty properties reflects 2.2% of the total council tax base.

### **2.3 Response to Consultation Feedback**

2.3.1 Empty properties pose a risk to the community through anti-social behaviour and adversely affect neighbourhoods. Encouraging properties to come back into use can take between a couple of weeks to a number of years. This policy would encourage landlords to ensure works are undertaken within an appropriate time scale returning properties to use of the community as quickly as possible.

2.3.2 The proposal to remove the Council Tax discount would encourage landlords to bring properties back up to standard and into use of the community as quickly as possible.

2.3.3 The removal of the existing discretionary discounts on empty properties would generate additional income for the council of approx. £750,000 per annum which could then be used to support essential council services.

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### **Links with the Corporate Priorities:**

The proposals support the Council's policy on reducing the number of empty properties in the Borough, encouraging economic development and regeneration.

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### **Equality Impact and Considerations:**

1. This proposal does not adversely affect equality.
2. 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. 16.

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.

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**Environmental Impact and Considerations:**

The decision would have no carbon impact.

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**Assessment and Mitigation of Risk:**

<b>Risk / opportunity</b>	<b>Mitigation</b>
There would be a risk that it would be harder to collect Council Tax from absent owners.	A clear policy informing homeowners of the requirements and a reduction in the number of changes of rates would reduce the number of interactions and rate changes.
The increase in the number of homes within the area could help relieve pressure on the current housing requirement.	An increase in homes would lead to an increase in Council Tax collected which is then available to be spent on the community. Encouraging new home tenants to be part of our community, encouraging economic development and regeneration.

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**Legal Implications:**

The Council has held a public consultation regarding this proposal. Following the principles of good consultation legally any consultation must take place at a time when the proposals are still at their formative stages. The Council must provide the consultees with sufficient information to enable them properly to understand the proposals being consulted upon and to express a view in relation to it. The information must be clear, concise, accurate and must not be misleading. The consultees must be given adequate time to consider the proposals and to respond.

The Council must give genuine and conscientious consideration to the responses received from the consultees during the consultation before making its final decision, appendix 1 sets out the responses received from Members of the public. The report summarises the views and key themes received from the consultation.

As part of its decision-making process, the Council must have “due regard” to its equalities duties. Under Section 149 Equality Act 2010, the Council in exercise of its adult care and support functions, must have “due regard” to the need to eliminate unlawful discrimination, advance equality of opportunity between persons who share a protected characteristic and those who do not, foster good relations between persons who share a relevant protected characteristic and persons who do not share it in order to tackle prejudice and promote understanding.

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**Financial Implications:**

The removal of the existing discretionary discounts on empty properties would generate additional income for the council of approx. £750,000 per annum which could then be used to support essential council services.

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**Background papers:**

Bury Empty Homes Strategy - <https://www.bury.gov.uk/CHttpHandler.ashx?id=22243&p=0>

Council Tax Empty properties – 17<sup>th</sup> November 2021

<https://councildecisions.bury.gov.uk/documents/s29196/Council%20Tax%20for%20Empty%20Properties>

Benchmarking Data for Greater Manchester

	<b>Bolton</b>	<b>Bury</b>	<b>Manchester</b>	<b>Oldham</b>	<b>Rochdale</b>	<b>Salford</b>	<b>Stockport</b>	<b>Tameside</b>	<b>Trafford</b>	<b>Wigan</b>
<b>Unoccupied and unfurnished properties</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>	<b>2021/22</b>
Up to 6 months	No Discount	1st month 100% discount, 2-6 months 25% discount	No Discount	1st month 100% discount, 2-6 months 25% discount	1st month 100% discount, 2-6 months 25% discount	0-2 months 50% discount 3-6 months no discount	No discount	No discount	1st month 100% discount 2-6 months no discount	1st month 100% discount, 2-6 months 25% discount
Between 6 months and 2 years	No Discount	25% discount	No Discount	No discount	No discount	No discount	No discount	No discount	No discount	No discount

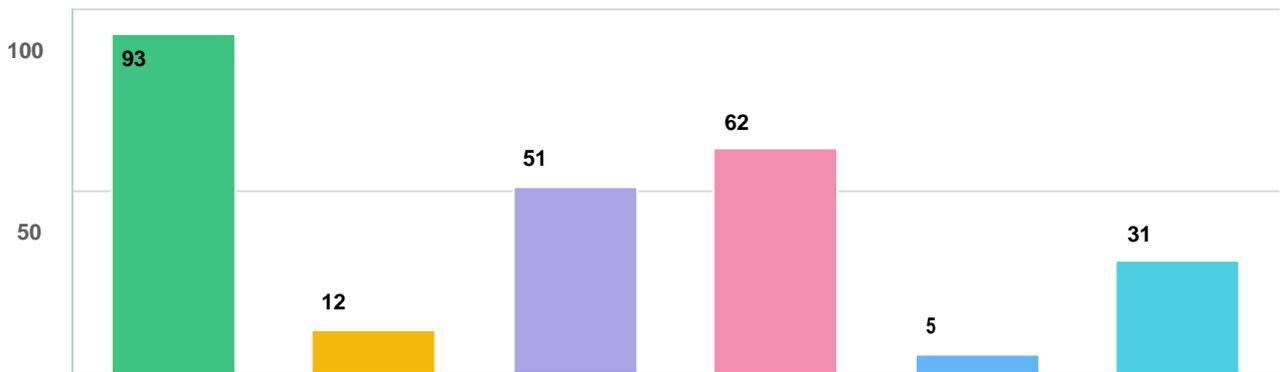
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## Appendix Two: Proposed changes to Council Tax premiums on empty homes

197 responses were received during the consultation period (1 November to 4 January 2022).

Around 44% were from landlords in Bury (with both occupied and empty properties) and a further 33% were from members of the public. A significantly smaller number of businesses and charities also responded. Thirty one other people responded including relative of second home owner, potential second home owner, Bury Council officers, owner of property but can't live in it full time due to working away.

**Q1. What answer below best describes your interest in this consultation? (Please tick all that apply)**

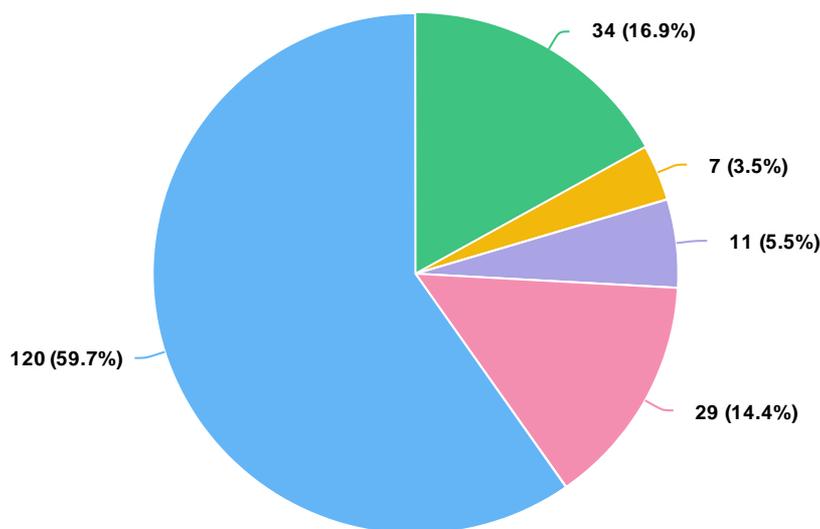


**Response options**

- A member of the public
- A local business owner
- A landlord of a property in Bury that isn't empty
- A landlord of a property in Bury that is empty
- A local charity, voluntary or community organisation
- Other (please specify)

Base: 254

**Q2. How strongly do you agree or disagree with the proposals to remove Council tax discounts and apply a 100% Council Tax on empty properties?**



**Response options**

● Strongly agree   
 ● Agree   
 ● Neither agree nor disagree   
 ● Disagree   
 ● Strongly disagree

Base : 201 responses

From the chart above it can be seen that, the majority of respondents (74%) disagreed with the proposals and further analysis shows that these respondents classified themselves as either a member of the public, a landlord with a non-empty property or a landlord with an empty property (although respondents could classify themselves as for example a member of public and a landlord) 20% agreed with the remainder neither agreeing or disagreeing.

Respondents were given the opportunity to provide any other comments. A range of themes were raised such as the justification of paying if the property is empty and council services are not being used, to perceived unavoidable delays because of renovations or letting issues.

Those whose comments related to the renovations also commented that they were bettering the property for future use. Similarly, landlords talked about the time taken to bring a property back up to standard. Some of the comments received relating to this are shown below.

*It is very unfair to charge full tax on empty property, especially during covid 19. People haven't got money for repairs or they cant find a reliable builder or even building material, easy target...*

*"Bury Council should, in my opinion, take steps to find out why a property is empty and take this into account before increasing council tax.  
In my case, the property was left to me when my parents passed away. As the property was in need of renovation, it was originally my intention to complete the works before selling/letting. Unfortunately, due to other family problems at the time, my own ill health, the loss of my job, legal issues regarding transfer of ownership and not being able to get builders during covid as they couldn't get materials etc*

*I am paying a premium for an empty property at the moment but was unable to carry on renovations due to covid but the authority didn't take it into consideration For me, the reason this property is empty and remains empty is out of my hands. I am currently selling it, but due to COVID, solicitor issues and other issues (Including Fire proofing issues and delays) I am unable to sell it. Pilling yet more costs on people like myself is a sure way of driving people into financial difficulties but on the other hand, people who are purposely hogging properties should pay a greater percentage than single person owners.*

*I am a landlord that lets a property. The property is part of my future pension arrangements (not that that should matter). The 100% one month discount is helpful as their are occasions when a tenant chooses to vacate the property and it needs to be relet. As a conscientious landlord I want the property to be in a good condition for the new tenant and will always look to make improvements where necessary - for example decorating. This is better done in between lets for the convenience of the tenants. there will be other occasions when it is not possible to get lets "back to back" and there is a short time lag between when one tenant vacates the property a new tenant arrives. Your proposals are therefore extremely unfair to those landlords that are trying to do the right things and providing rented accommodation to those people that either cannot afford to buy their own property or choose not to buy their own property as they prefer to rent instead!*

*As a landlord of twenty years with 16 apartments who is very proactive in looking after my tenants with repairs etc, it is very difficult if a tenant leaves to relet the flat immediately and one month at least gives a chance to do necessary repairs, decorate, advertise, arrange viewings and the new tenant moves in. It is very unfair to have to pay rates on an empty property when doing all within my power to relet because it is no advantage to me to keep it vacant.*

There were a smaller number of comments relating to empty properties that have been sold but are not yet occupied and whether 100% council tax should apply.

Theme	Number of comments
Delays to renovation work because of 3 <sup>rd</sup> parties e.g. builders or planning permission	47
Takes time from a tenant vacating to relet	32
Empty properties do not make use of council services	27
Second homes do not make use of council services	12
Empty properties that are sold	10

Respondents who disagreed with the proposals were more likely to give comments. 2 comments were received from those that agreed with the proposals and can be seen below:

*"We need to reduce the number of empties within the borough and bring more empties back into use. This should be in line with Bury's housing strategy and look at empties just as importantly as new build when it comes to addressing housing needs (the private sector needs just as much emphasis as RSL's).*

*By removing discounts for empties its another tool for a local authority to use to promote empties being brought back in to use proactively. "*  
*Empty properties within the private sector need to be addressed to meet our housing*

*needs. Our housing strategy is looking at empty properties proactively rather than local authority dealing with complaints. If council tax discounts are removed for any empty property over 6 months then a positive impact on the number of empties should be seen.*

## EQUALITY ANALYSIS

This Equality Analysis considers the effect of Bury Council/ Bury CCG activity on different groups protected from discrimination under the Equality Act 2010. This is to consider if there are any unintended consequences for some groups from key changes made by a public body and their contractor partners organisations and to consider if the activity will be fully effective for all protected groups. It involves using equality information and the results of engagement with protected groups and others, to manage risk and to understand the actual or potential effect of activity, including any adverse impacts on those affected by the change under consideration.

For support with completing this Equality Analysis please contact [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk) / 0161 253 6592

<b>SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY</b>	
<i>Refer to Equality Analysis guidance page 4</i>	
<b>1.1</b> Name of policy/ project/ decision	Removal of Council Tax discount applied to empty properties or second homes.
<b>1.2</b> Lead for policy/ project/ decision	Benefits Operations Manager
<b>1.3</b> Committee/Board signing off policy/ project/ decision	Cabinet
<b>1.4</b> Author of Equality Analysis	<i>Name: Andrew Eland            Role: Benefits Operations Manager            Contact details: <a href="mailto:a.eland@bury.gov.uk">a.eland@bury.gov.uk</a></i>
<b>1.5</b> Date EA completed	<i>7<sup>th</sup> January 2022</i>
<b>1.6</b> Quality Assurance	<i>Name: Sam McVaigh            Role: Director of People and Inclusion            Contact details: <a href="mailto:s.mcvaigh@bury.gov.uk">s.mcvaigh@bury.gov.uk</a>            Comments:</i>
<b>1.7</b> Date QA completed	<i>7<sup>th</sup> January 2022</i>
<b>1.8</b> Departmental recording	
<b>1.9</b> Next review date	<i>1<sup>st</sup> July 2022</i>

<b>SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT</b>	
<i>Refer to Equality Analysis guidance page 5</i>	
<b>2.1</b> Detail of policy/ decision being sought	Council Tax is charged on each domestic property in Bury. The Council Tax charge can be reduced by a series of discounts and reductions some being statutory but some being local discounts. The ability to apply discounts where a property becomes unoccupied and unfurnished is a local discount  The intention is to remove local discounts for empty and unfurnished properties to support the Councils budget position

<b>2.2</b> What are the intended outcomes of this?	<p>The proposal would bring the Council into line with neighbouring authorities in Greater Manchester who no longer provide discounts on empty properties or second homes.</p> <p>Efficiencies generated through this change of approximately £750K would contribute to the Council's budget savings targets.</p>

### SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS

*Refer to Equality Analysis guidance pages 5-8 and 11*

Please outline the relevance of the activity/ policy to the Public Sector Equality Duty

General Public Sector Equality Duties	Relevance (Yes/No)	Rationale behind relevance decision
<b>3.1</b> To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010	Yes	There is a risk that, without appropriate equality consideration, the proposal could have a differential impact on protected groups and contravene the Public Sector Equality Duty requirement to eliminate discrimination.
<b>3.2</b> To advance equality of opportunity between people who share a protected characteristic and those who do not.	Yes	There is a potential for the removal of discounts (particularly in relation to second homes) to bring more houses onto the market and hence support improved and equitable access to housing in the borough.
<b>3.3</b> To foster good relations between people who share a protected characteristic and those who do not	No	The proposal is not relevant to this duty.
<b>3.4</b> Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.		
The proposals do not contravene human rights expectations. Consideration has been given across the six FREDA principles and no detrimental impact identified.		

### SECTION 4 – EQUALITIES DATA

*Refer to Equality Analysis guidance page 8*

Protected characteristic	Outcome sought	Base data	Data gaps (to include in Section 8 log)
<b>4.1</b> Age	Through the cessation of discounts, no differential impact on this characteristic.	There is no data in relation to the protected characteristics of the Council Tax Base.	The lack of base data on current recipients of the discount means that it is not possible to provide any analysis of
<b>4.2</b> Disability			
<b>4.3</b> Gender			
<b>4.4</b> Pregnancy or Maternity			
<b>4.5</b> Race			

4.6 Religion and belief			<p>differential impact by characteristic. The proposals are, however not directly related to an individuals characteristic and the alternative assistance provided through remaining statutory discounts should provide a mitigation in key areas.</p> <p>The Council has seen no evidence which suggests a disproportionate impact in relation to protected groups of the number of second homes / empty properties more broadly.</p>
4.7 Sexual Orientation			
4.8 Marriage or Civil Partnership			
4.9 Gender Reassignment			
4.10 Carers			
4.11 Looked After Children and Care Leavers			
4.12 Armed Forces personnel including veterans			
4.13 Socio-economically vulnerable			

<b>SECTION 5 – STAKEHOLDERS AND ENGAGEMENT</b>		
<i>Refer to Equality Analysis guidance page 8 and 9</i>		
	Internal Stakeholders	External Stakeholders
<b>5.1</b> Identify stakeholders	<ul style="list-style-type: none"> <li>Staff within relevant teams within Finance</li> <li>Elected Members</li> </ul>	All Bury residents, including specifically those in receipt of the discount at present
<b>5.2</b> Engagement undertaken	<ul style="list-style-type: none"> <li>Managers of the Finance Department and other Departments</li> <li>Discussion and endorsement of the proposal as a basis for consultation at Cabinet on 17 November 2021</li> </ul>	Public consultation open to all with owners of properties that were either currently empty, or second homes, specifically targeted and sent a letter containing details of the online survey (One Community allows respondents to translate a page/survey/documents in to other languages. One community also meets all current accessibility requirements) and hard copies provided on request.
<b>5.3</b> Outcomes of engagement	<ul style="list-style-type: none"> <li>Agreement that this is a viable financial saving</li> <li>Agreement to proceed with public consultation to inform the decision to implement and that consultation would be targeted to those who would be affected most, including letters to homes</li> </ul>	<p>There were 254 visitors to the survey, 197 contributors leaving 201 contributions. – Full details are provided in the main report.</p> <p>The consultation included demographic questions. Analysis shows no difference in the nature of</p>

	receiving the discount and an article in the VCFA newsletter to engage groups offering support to vulnerable people.	responses based on protected characteristics.
<b>5.4 Outstanding actions following engagement (include in Section 8 log)</b>	<ul style="list-style-type: none"> <li>• Further engagement with members via January Cabinet meeting</li> <li>• Clear communication to Members on decision and approach to implementation to support resident engagement.</li> </ul>	Consultation did not identify any areas for further engagement

## SECTION 6 – CONCLUSION OF IMPACT

*Refer to Equality Analysis guidance page 9*

Please outline whether the activity/ policy has a positive or negative effect on any groups of people with protected inclusion characteristics

Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
<b>6.1 Age</b>	Neutral	No differential impact identified – Legislation sets out a range of exemptions which will continue to be applied which will mitigate any differential impact due to age. This includes: Class E (Hospital patient/ person in care home (permanently)) and Class T (Unoccupied Granny Annex).
<b>6.2 Disability</b>	Neutral	No differential impact identified. – Legislation sets out a range of exemptions which will continue to be applied which will mitigate any differential impact due to disability. This includes: Class E (Hospital patient/ person in care home (permanently)) and Class I (Left to receive care).
<b>6.3 Gender</b>	Neutral	No differential impact identified
<b>6.4 Pregnancy or Maternity</b>	Neutral	No differential impact identified
<b>6.5 Race</b>	Neutral	No differential impact identified
<b>6.6 Religion and belief</b>	Neutral	No differential impact identified – Legislation sets out a range of exemptions which will continue to be applied which will mitigate any differential impact due to religion or belief. This includes: Class H (Left Empty for Minister of religion).
<b>6.7 Sexual Orientation</b>	Neutral	No differential impact identified
<b>6.8 Marriage or Civil Partnership</b>	Neutral	No differential impact identified
<b>6.9 Gender Reassignment</b>	Neutral	No differential impact identified
<b>6.10 Carers</b>	Neutral	No differential impact identified - Legislation sets out a range of exemptions which will continue to be applied which will mitigate any differential impact due to caring. This includes: Class J (Left to provide care).

<b>6.11</b> Looked After Children and Care Leavers	Neutral	No differential impact identified
<b>6.12</b> Armed Forces personnel including veterans	Neutral	No differential impact identified - Legislation sets out a range of exemptions which will continue to be applied which will mitigate any differential impact due to military service. This includes: Class E (Left empty by armed forces personnel)
<b>6.13</b> Socio-economically vulnerable	Neutral	Council Tax Support is available for people in financial difficulty and resident in a property, whilst this excludes the empty property it may assist with the charge at their new home.
<b>6.14 Overall impact</b> - What will the likely overall effect of your activity be on equality, including consideration on intersectionality?	Neutral	

## SECTION 7 – ACTION LOG

*Refer to Equality Analysis guidance page 10*

Action Identified	Lead	Due Date	Comments and Sign off (when complete)
<b>7.1</b> Actions to address gaps identified in section 4			
Strengthening equality data around affected individuals to track the impact of this change and identify and respond to any disproportionate impact.	Andrew Eland	Mid February 2022	
<b>7.2</b> Actions to address gaps identified in section 5			
Following decision, inclusive and accessible communications will be issued to all current recipients.	Andrew Eland	Mid February 2022	
Communications will be shared with members to support their engagement with residents.	Andrew Eland	Early February 2022	
<b>7.3</b> Mitigations to address negative impacts identified in section 6			
Planned communication will include details of remaining discretions, in particular those which mitigate equality impact.	Andrew Eland	Mid February 2022	
<b>7.4</b> Opportunities to further inclusion (equality, diversity and human rights ) including to advance opportunities and engagements across protected characteristics			
N/A			

## SECTION 8 - REVIEW

*Refer to Equality Analysis guidance page 10*

Review Milestone	Lead	Due Date	Comments (and sign off when complete)
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Implementation	Andrew Eland	April 2022	
Initial impact and feedback	Andrew Eland	July 2022	

**Please make sure that every section of the Equality Analysis has been fully completed. The author of the EA should then seek Quality Assurance sign off and departmental recording.**

<b>SECTION 9 – QUALITY ASSURANCE</b>		
<i>Refer to Equality Analysis guidance page x</i>		
<b>Consideration</b>	<b>Yes/ No</b>	<b>Rationale and details of further actions required</b>
Have all section been completed fully?	Yes	
Has the duty to eliminate unlawful discrimination, harassment, victimization and other conducted prohibited by the PSED and Equalities Act been considered and acted upon?	Yes	
Has the duty to advance equality of opportunity between people who share a protected characteristic and those who do not been considered and acted upon	Yes	
Has the duty to foster good relations between people who share a protected characteristic and those who do not, been consider and acted upon	Yes	
Has the action log fully detailed any required activity to address gaps in data, insight and/or engagement in relation to inclusion impact?	Yes	
Have clear and robust reviewing arrangements been set out?	Yes	
Are there any further comments to be made in relation to this EA	Yes	



<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 12 January 2022
<b>Subject:</b>	Bury Community Stadium, Gigg Lane.	
<b>Report of</b>	Leader and Cabinet Member for Finance and Growth Cabinet Member for Culture and the Economy	

### 1.0 Summary

- 1.1 The report seeks approval for the Council to engage in negotiations with the Bury Football Supporters Society in relation to a proposed financial contribution in the Gigg Lane Stadium site.

### 2.0 Recommendation(s)

- 2.1 That the Cabinet agree in principle to work with the Bury Football Supporters Society to explore how the Council can provide financial assistance to bring football back to Gigg Lane.
- 2.2 That a further report be submitted to a future meeting of Cabinet seeking approval to any funding proposals.

### 3.0 Reasons for recommendation(s)

- 3.1 Gigg Lane is an important community asset, and the Council has been asked to help with the process of re-commissioning and re-developing the facility.

The proposals to re-commission Gigg Lane as a football venue are complex and the plans involve a considerable amount of risk and challenge. Given the community benefits associated with the project it is right that the Local Authority play a proactive role in working with the various stakeholders.

### 4.0 Alternative options considered and rejected

- 4.1 The alternative option is for the Council to not offer support however a solution must be found for the future of the Gigg Lane site, as it currently sits an abandoned building in the middle of a residential neighbourhood.

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#### Report Author and Contact Details:

*Name:* Paul Lakin

*Position:* Executive Director of Place

*Department:* Business, Growth & Infrastructure

*E-mail:* P.Lakin@bury.gov.uk

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## **5.0 Background**

Bury FC ran into severe financial difficulties following the end of the 2019/20 season. The owner of the club was unable to meet his obligations and the club were placed into administration.

- 5.1 During the administration process attempts were made to find a buyer for the Club. This was a process actively supported by the GMCA and the Council. The process was unsuccessful. The failure to find a new buyer led to the Club losing its much-cherished football league status.
- 5.2 The process of administration is designed to recover the maximum financial sum for any creditors. The Gigg Lane stadium site itself had been subject to a loan which the Club could no longer pay, the ultimate owners of the debt instructed administrators to dispose of the site and recover funding on behalf of the creditors.
- 5.3 At this stage there is the risk that the site would be sold to a land developer, a housebuilder or another entity with no interest in operating the site as a Stadium. The Council has put in measures to protect the land through its designation as an asset of community value. The designation was first obtained in 2014 for a five-year period and was subsequently renewed for a further five-year period from 2019.
- 5.4 The site is also potentially further protected by Sport England, who are a statutory consultee for the site and can insist that for a planning application to progress an alternative 'equivalent' site with a playing pitch and associated facilities would have to be found elsewhere in the town.
- 5.5 With the site being marketed for sale and the potential threat of the land being lost forever as a location for professional football (the above protections are not absolute), this galvanised fan groups to create a proposition for a community owned and operated facility. This led to the funding application to the 'Community Ownership' fund. On 23<sup>rd</sup> December it was confirmed in writing by the Department of Levelling Up, Housing and Communities that the fan-group had been successful in obtaining a grant of £1m.
- 5.6 The opportunity to build a genuinely fan-owned and community-based football club in Bury accorded with a prevailing view that fan ownership was the right way forward for smaller football clubs. This view was reinforced by a Parliamentary Inquiry which was held following the original collapse of Bury FC.

## **6.0 Position of Bury AFC**

- 6.1 Bury AFC were formed in 2019 following the collapse of Bury FC as a 'phoenix club' which effectively meant they started from nothing.
- 6.2 The club successfully applied for a position in the football league pyramid and were placed in the North-West Counties league.

- 6.3 The Club is managed by volunteers and is owned by a community benefit society 'the Shakers Community Society', membership of the Board is subject to elections from the Members. Since formation, the Club has established a sporting infrastructure, a strong and growing fan base, more than 700 season-tickets have been sold and the club currently stand top of the league in which they compete with a strong chance of promotion at the end of the season to the next tier of the non-league system.
- 6.4 The Club currently play home fixtures at Stainton Park in Radcliffe, the stadium is owned by Radcliffe Football Club. There is an ambition for Bury AFC to return to the town of Bury, and a recent study part-funded by the Council identified Gigg Lane as one of two viable sites as a future home for the Club.

## **7.0 Regeneration proposal for Gigg Lane**

- 7.1 The 'Forever Bury' supporters society were the applicants for the Community Ownership Fund.
- 7.2 They have received a letter from the secretary of state notifying them that they have been successful in obtaining a grant of £1m. This will be followed by a formal grant funding agreement. The grant funding agreement will bind the supporter's society to deliver the outcomes as detailed in their funding application.
- 7.3 The funding application was supported by the Council as well as other stakeholders such as the local MP. Having received the funding, the next step for the society is to secure the remaining funding required to implement the project.
- 7.4 The society have obtained £1m as a grant funding offer from Government, in addition to this, a group of fans identified as 'key founders' will collectively invest a substantial sum.
- 7.5 The society have stated that they have had positive discussions with the Football Foundation (who provide grants for grassroots football in England) regarding a funding contribution for the 3G pitch.
- 7.6 The society have approached the Council regarding a one-off financial contribution of up to c.£450k towards the overall project costs.

## **8.0 Basis for a Council Contribution**

- 8.1 The Council provided the society with a letter of support for their bid to the Community Ownership fund.
- 8.2 The following key benefits of Gigg Lane being re-commissioned and redeveloped are -

**1. Community Pride.** Bringing football back to Gigg Lane will bring a sense of pride and optimism to the town, which is much needed as we recover from Covid.

**2. Levelling Up.** It is a key part of our “Let’s Do It” strategy. Bringing Gigg Lane back into use will quickly bring trade back to the supply chain of small businesses that service the football operation. Most of this economic benefit will be felt in the local area.

Bringing the ground into community ownership will extend the economic benefits by enabling a much wider range of uses to operate from the ground. Gigg Lane lies in one of the most deprived neighbourhoods in Bury and the Council is convinced that the success of this bid will help tackle that deprivation as well promote economic growth.

**3. Culture.** Funding from the Community Ownership Fund would undoubtedly bring a culturally led renaissance to this deprived area of the Borough.

**4. Health.** A cornerstone of the Let’s Do It strategy is the Bury Locality Plan for health and care transformation. The success of the Community Ownership Fund bid would make a significant contribution to the improvement of population health in the Redvales and Fishpool areas, where levels of physical activity are low and falling.

**5. A Fan-led Club.** From its own analysis of the causes of the demise of Bury FC, the Council is convinced the fan led governance model, one which is rooted in financial prudence, is the best way of avoiding similar future difficulties for the Club.

**6. A United Place-** The collaboration between Bury AFC and the Supporters Society demonstrates that the whole of Bury is united in its determination to establish a Bury football club that is sustainable in the long term and capable of ultimately reclaiming a place in the Football League.

## **9.0 Delivering a Financial Contribution**

- 9.1 The Council has recognised that an outline economic and social case for financial support exists.
- 9.2 However, if the Council is to make a financial contribution of up to £450k towards the costs of recommissioning Gigg Lane there are several critical considerations which must be assessed.
- 9.3 In return for a funding contribution the onus is upon the applicant to demonstrate that value-for-money is being obtained, that the investment is sustainable, and, fit for purpose, lawful and governance structures are in place.
- 9.4 To obtain both value for money and sustainability it is essential that a Council financial contribution unlocks the use of the Gigg lane facility for the long-term. A key risk in the return to the Stadium is that it is a large facility, especially by non-league standards. This will require a substantial ongoing maintenance and repair budget. A programme of capital

refurbishments will be required to ensure the Stadium is modernised and complies with all stadium safety legislation.

- 9.5 The sustainability of the facility is under-pinned by the income streams that are generated both through the football operation and other ancillary activities.
- 9.6 Any proposition which includes the operation of two non-league clubs in the town would have a negative impact on the financial plans to re-commission Gigg Lane. The viability of the business plan is critically dependent upon matchday revenues, which if the supporter base is split between two non-league clubs represents a major risk to the sustainability of the business plan.
- 9.7 The most fitting way to mitigate this risk is for an agreement to be reached for a single club based at Gigg Lane. This would help bring spectators together, create a fan base of sufficient scale to compete to return to the Football League.
- 9.8 The Football Supporters Association are providing support to both parties to help try to seek an agreement. It should be noted that Bury AFC are established as a member-owned organisation, and as such any proposals to bring the organisations together will require the support of their members.
- 9.9 A successful agreement to merge would enable a refreshed business plan to be presented to the Council, one which can make much more robust assumptions about gate receipts.
- 9.10 The Council must consider the mechanism by which a funding contribution would be made. At this stage it is assumed the Council would provide a one-off contribution.
- 9.11 If the Council determine a grant is the appropriate funding mechanism this allows for the Council to take decisive action in the event of a project failure. A funding agreement may stipulate that the Council securitises its contribution against the Stadium site.
- 9.12 The Council will request that the supporters trust, provide a business and investment case alongside a detailed cost plan.
- 9.13 The cost plan must provide a detailed schedule of works with tendered costs provided; this can make some reasonable allowances for contingencies. The applicant must demonstrate that they have sought competitive quotes for the works identified. The applicant would then submit claims and payment would be made once the works have been signed-off and agreed by the Council.
- 9.14 The works programme must demonstrate that the proposed financial contribution will be sufficient to issue a stadium safety certificate.
- 9.15 This must include an assessment that the supporters trust has been properly constituted and has the appropriate financial controls.

### 10.0 Next steps

- 10.1 In order to position a formal application for funding with the Council some key milestones will have to be reached.
- 10.2 The discussions between the Supporters Society and AFC need to progress at speed. We will establish a memorandum of understanding to secure progress.
- 10.3 The Council will lay out in more detail the requirements for the submission of a business case and a detailed funding application. We will seek to make parallel progress in drafting an appropriate proposed funding agreement. The applicant will undertake to notify the Council of any government grant conditions or other relevant information.
- 10.4 The Council will establish an internal appraisal panel to assess the bid. Membership will include the Greater Manchester Combined Authority and will report to Cabinet.

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#### Links with the Corporate Priorities:

*Please summarise how this links to the Let's Do It Strategy.*

- 1. Gigg Lane plays a key role in the community of Bury, helping create pride in the town, community cohesion and local economic benefits

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#### Equality Impact and Considerations:

*Please provide an explanation of the outcome(s) of an initial or full EIA.*

- 2. None undertaken as yet.

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#### Environmental Impact and Considerations:

*Please provide an explanation of the carbon impact of this decision.*

- 3. The Gigg Lane Stadium will contain a high level of embedded carbon, and any non-football use would require the demolition and clearance of the site.

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#### Assessment and Mitigation of Risk:

<b>Risk / opportunity</b>	<b>Mitigation</b>
The risks are laid out in the paper in relation to any investment by the Council resulting in the sustainable use of the facility	The requirement to provide a credible business plan with sufficient financial

	<p>headroom to manage the facility will be a requirement of any approval.</p> <p>A full risk assessment would be carried out as a part of a due-diligence exercise associated with the appraisal of any business case for investment presented to the Council</p>
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### **Legal Implications:**

As set out in the report several matters will need to be considered prior to the Council providing funding towards this project, the Council as a public body we can only grant fund a non-profit organisation. Further detailed information is required to understand the legal model be it a community interest company or a registered charity. The objects of the community interest company/ charity will need clearly drafted to give assurance that the community objectives will be met.

The contingent actions include the need for the two interested groups to become one, the creation of properly constituted non-profit organisation and full financial and business plan and a professionally validated schedule of work. Detailed consideration will be given to the most appropriate form of funding, options include a grant or loan. The Council should require representation on the non-profit organisation that is created be it Trustee, Director or Member as appropriate.

Any agreement will specify the purpose of the funding, require regular review meetings and progress reports and financial management information and set out the circumstances in which partial or total clawback would be required. A report setting out the full detail will come to Cabinet shortly.

### **Financial Implications:**

Further due diligence is required to determine the value of financial support that is required upto a maximum of £450k. The council needs to assure itself that the business plan is robust and there is a need for council financial support in addition to the match funding already identified from the private investors referenced in the application. This requires further sensitivity analysis of the financial projections within the business case, timing of cash flows and understanding all the elements of the funding sources that formed the bid for funding to Central Government. A key part of the business case which impacts upon the financial projections is the operating model and activities that will be delivered on non-match days

The council needs to be assured that before it awards monies that the value requested is after all other avenues have been exhausted, and that it is used to support the wider health, social and economic benefits of Bury residents and that it does not exceed £450k. This is also a one off grant or loan and therefore, the due diligence process must give assurance that the business plan delivers sustainability, is robust and has sensitivity analysis built in to ensure that if various income streams are of a lesser value or over a different timeframe that the society is financially resilient and that there is no risk of a further insolvency and loss to the council in the short to medium term.

As part of this due diligence process, it is key that the council is clear on how much funding is required and be specific on what its funding will contribute towards. Following this work we will be able to determine whether this will be given as a loan, revenue grant or meet the criteria for a capital grant, as although the council will not own the asset it will seek to secure the funding against the site to protect its contribution for the benefit of the Boroughs residents and community.

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**Background papers:**

*Please list any background documents to this report and include a hyperlink where possible.*

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

Term	Meaning



<b>Classification:</b> Open	<b>Decision Type:</b> Non-Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 12 January 2022
<b>Subject:</b>	Bury Town Centre Governance	
<b>Report of</b>	Leader and Cabinet Member for Finance and Growth	

### Summary

This report proposes governance arrangements for the implementation of projects planned for Bury town centre, including the Bury Market Flexi Hall.

### Recommendations

1. That creation of a Bury Town Centre Advisory Panel with the terms of reference set out in section 2 of this report be approved
2. That the arrangements for governance of the implementation of the Bury Flexi Hall, as set out in section 3 of this report, be approved.

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### 1.0 Background

- 1.1 At its meeting on 17th November 2021 Cabinet noted the success of the Council's bid for funding from the Levelling Up Fund for Bury Market Flexi Hall and requested the Chief Executive to submit a further report on the governance of the implementation of the project.
- 1.2 In addition to the Flexi Hall there currently a number of other significant initiatives relating to Bury town centre. This report therefore also considers the governance of the wider development of Bury town centre. The other initiatives currently being pursued are:
  - (a) The acquisition of the Millgate Estate by a Joint Venture to be formed between Bruntwood and the Council to secure a phased redevelopment of the Millgate shopping centre.
  - (b) The redevelopment of the Bury Metrolink terminus and Bury transport interchange which will be funded by the success of a GMCA bid to the City Region Sustainable Transport Fund.

- (c) A Business Improvement District for Bury Town Centre which the Bury Town Centre Management Board has designed, and which will be subject to a ballot in March this year.
- (d) The sale of the former Fire Station site in Bury for development as a hotel.
- (e) A new centre for health innovation and related technologies being constructed by Bury College.
- (f) Phase two of the Chamber Hall development, a strategic employment site on the edge of the town centre.

1.2. The Council in its place shaping role has a responsibility to bring this range of projects together in a coherent way and maximise the synergies. The Council's ambitions for Bury town centre are therefore wider than the delivery of the individual projects.

1.3. A key objective is to protect and grow the economic success of the town centre. This will require a plan which responds to the continuing change in retail as online shopping grows, a trend which has of course been extenuated by Covid. This will involve protecting retail by diversifying uses for example with leisure, cultural and entertainment uses and increasing footfall for example with an improved transport hub, concentrating public services and new housing.

1.4. The aim of the Let's Do It strategy is inclusive economic growth i.e., growth which local residents continue to and benefit from. The outcome should be reduced deprivation as well as economic growth. The neighbourhoods surrounding the town centre contain some of the deepest and most enduring levels of deprivation in the borough. Therefore, the economic and physical development of the town centre has to go hand-in-hand with the objective of better life chances for the people who live in and around the town centre. The economic and physical objectives need to be brought together with the objectives for people and communities, one without the other will not work. The plan should lead to a wider range of jobs being available in the town centre, jobs, jobs which will be available for the people living in the surrounding neighbourhoods.

1.5. This report is therefore proposing that the starting point for the governance of Bury town centre is to convene an Advisory Panel as a task and finish group involving key stakeholders.

## **2. Bury Town Centre Advisory Panel.**

2.1 It is proposed to establish a Bury Town Centre Advisory Panel with the following terms of reference:

- (a) To oversee the creation of a Place Plan for the town centre a whole.
- (b) To ensure that the different projects to be delivered are producing the maximum benefit to the economic futures of the town centre and the maximum social and economic benefit for the communities surrounding town centre.
- (c) To listen to local residents and engage them in the development of Bury town centre and ensure effective resident and stakeholder involvement in all aspects of the developments in and around Bury town centre.
- (d) To ensure that the development of Bury town centre benefits the people and communities of the surrounding residential areas and supports a reduction in deprivation in those neighbourhoods.

- (e) To create a clear investment plan to guide future investment by the public and private sectors.
  - (f) To determine the optimum timing and sequencing of the various developments.
  - (g) To identify the key outputs for each stage of development.
  - (h) To advise on the future public / private sector.
- 2.2. To enable the Panel to deliver the above responsibilities the following membership is proposed :
- (a) Chair : Leader of the Council ( Chair ) and two representatives of the Cabinet, one representative each from the two largest opposition groups and a Ward Councillor to represent the east Bury township.
  - (b) MP for Bury North.
  - (c) Chair of Bury Town Centre Management Board.
  - (d) Representatives of the public and private sector partners that have decided to invest in Buy Town centre: the Rock, Bruntwood, TfGM, GMCA and Bury College.
  - (e) A representative to be nominated by the key culture and heritage organisations based in Bury town centre.

### **3. Bury Market Flexi Hall**

- 3.1. The Bury Market Flexi Hall and the associated improvements will have its own Delivery Board to be chaired by the Executive Director of Place. The Board will report to the Bury Regeneration Programme Board (see section 7 below).
- 3.2. Representatives of Bury Market Traders Association and the cultural sector in Bury Town Centre will be members of the Delivery Board.
- 3.3. Within the draft Masterplan the Flexi Hall forms part of a “Vibrant Bury” zone along with the new transport interchange and the redevelopment of the Millgate centre. The Flexi Hall Delivery Board will therefore maintain strong links with the interchange and Millgate initiatives, with representatives of Bruntwood and TfGM attending the Board as necessary.
- 3.4. The Bury Market Flexi Hall project will report to a Regeneration Programme Board supported by a Programme Management Office (PMO) within the Business Growth and Infrastructure Department. This will become the engine room for action across the key projects, ensuring that governance and engagement is working effectively and that risks and problems are well managed. A report on the establishment of the Regeneration Programme Board and the PMO will be submitted to a future meeting of Cabinet.

### **4. Bury Town Centre Business Improvement District**

- 4.1. The Development Board will work alongside the existing Bury Town Centre Management Board which has a key role in improving the attractiveness of the town centre. The Management Board is in the process of organising a ballot of business rate payers to establish a Business Improvement District (BID). The ballot will take place in March.
- 4.2. If there is a yes vote an independent company limited by guarantee will govern the BID. The Board of the company will be accountable to the BID levy payers. The BID Board will have responsibilities for the improvement of marketing, promotion, safety,

cleaning, signage, access and business support. These functions will complement the role of the new Development Board.

**5. Millgate Joint Venture**

5.1. The Joint Venture with Bruntwood to acquire and regenerate the Millgate centre will be the most significant development within the overall Masterplan. Work is progressing on the governance structure of the Joint Venture, and this will be reported to a future meeting of Cabinet.

**6. Conclusion**

6.1. The full range of developments currently being planned for Bury town centre will have a significant impact on the economic, environmental and social development of the Borough as a whole. The outcomes that can be achieved will play a key role in delivering the Let's Do It strategy.

6.2. The proposals for their governance set out in this report are designed to bring long term coherence and an inclusive approach to leadership.

6.3. Recommendations appear at the beginning of the report.

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**Links with the Corporate Priorities:**

The outcomes that can be achieved will play a key role in delivering the Let's Do It strategy as developments planned for Bury town centre will have significant impact on the economic, environmental and social development of the Borough as a whole.

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**Equality Impact and Considerations:**

None

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**Environmental Impact and Considerations:**

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**Assessment and Mitigation of Risk:**

Risk / opportunity	Mitigation

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**9.0. Legal Implications:**

9.1. It is essential that there is a robust and effective governance framework for the oversight and delivery of strategic corporate projects. The proposed arrangements set out in this report will establish an advisory panel which will ensure timely and effective engagement with all stakeholders and assist in the delivery of the strategically led place planning for Bury Town centre. A further report will set out the proposals for the regeneration programme board and the project management office.

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**10.0 Financial Implications:**

10.1. There are no direct financial consequences from the establishment of these governance arrangements although it is clear from the significant regeneration and recent Cabinet reports that there is a need for strong governance to assure members of the progress on all of these key developments and significant investment within Bury Town Centre

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**Background papers:**

*None.*

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

Term	Meaning

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<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 12 January 2022
<b>Subject:</b>	Brownfield Housing Delivery Strategy - Disposal of the Former CPU Kitchen Site on Willow Street, Bury, to Enable the Development of Specialist/Supported Accommodation (Part A)	
<b>Report of</b>	Cabinet Member for Housing Services	

## 1.0 Summary

- 1.1 This report seeks approval for the disposal of Council-owned brownfield land in Bury, which has the potential to provide much needed supported housing for young adults with a physical and/or sensory disability or learning disability.
- 1.2 The former CPU Kitchen site on Willow Street in Bury has been derelict for some time. The Council is working with Irwell Valley Homes, a registered provider, to deliver a bespoke supported housing scheme to complement their existing Queensberry Place facility which is adjacent to the site. The scheme has capacity to deliver 13 new one bed apartments.
- 1.3 The Councils integrated commissioners for adult social care have played a key role in shaping the development proposals to ensure they meet the needs of this client group.

## 2.0 Recommendations

That Cabinet:

1. Approve the disposal of this site for supported living in accordance with the terms included within Part B of this report.
2. Delegate the finalised terms of the agreement to the Director of Economic Regeneration and Capital Growth in consultation with the Cabinet Member for Finance, the Cabinet Member for Housing Services, S151 Officer and Monitoring Officer.

## 3.0 Reason for Recommendations

- 3.1 To facilitate the Councils Brownfield first approach to housing delivery.
- 3.2 To accelerate the delivery of specialist accommodation to help meet the requirements of young adults with additional support needs.
- 3.3 To reduce revenue cost to the Council for holding, maintaining, and securing long-term derelict sites.

#### **4.0 Alternative Options Considered and Rejected**

- 4.1 Do nothing: Bury has high levels of housing need for specialist accommodation and supply is required in the marketplace immediately.
- 4.2 Market the site: Irwell Valley are proposing to deliver a bespoke supported housing scheme which would not be delivered in the current housebuilding marketplace.
- 4.3 The Council is currently disposing of 50+ additional sites through the Accelerated Land Disposal Programme. Capacity is limited and there is an acute shortage of specialist accommodation in the Borough. This disposal is 'oven ready', allowing resources to be spent unlocking other brownfield housing sites.

#### **5.0 Background**

This report is a component of the Brownfield Housing Delivery Programme being led by officers from Property and Housing within the Business Growth & Infrastructure Directorate.

- 5.1 The former CPU Kitchen site on Willow Street, Bury is a Council owned brownfield site of approximately 0.28 acres. The site is now derelict and an operational and revenue burden to the Council. It was approved for disposal as part of the Accelerated Land Disposal Programme in March 2021.
- 5.2 Like many other areas, Bury is facing an increasing shortage of housing for people with additional support needs. The Greater Manchester Health and Social Care Partnership in conjunction with the Housing Learning and Improvement Network, have suggested that Bury requires an additional 138 self-contained supported living units by 2031.
- 5.3 At present, there are approximately 1,500 live applications on the Council's Housing Waiting list and around 50% require a one bed property.
- 5.4 Releasing assets and brownfield sites such as the former CPU Kitchen site for housing development, gives the Council an opportunity to meet its housing targets and increase the supply of specialist/supported accommodation across the Borough.

#### **6.0 Proposal from Irwell Valley Homes**

- 6.1 Irwell Valley Homes are proposing to develop 13 self-contained, sustainable one-bedroom apartments for young adults with a physical and/or sensory disability or learning disability, to complement their existing Queensberry Place scheme. Some of these people are currently placed out of the Borough at a high cost to the Council, owing to the lack of suitable accommodation and/or support facilities for them in Bury. The Council's integrated commissioners for adult social care have

played a major role in shaping the development proposals to ensure they meet the needs of these specific client groups.

- 6.2 The new apartments will be multifunctional, all units will be fitted with assistive technology and purposefully built to accommodate hoists, wider door frames, space for wheelchair users and walk in shower rooms, all of which can be adapted to suit need at any given time.
- 6.3 The new homes will be built to the latest low carbon, eco-friendly standards (not reliant upon fossil fuelled gas boilers) and benefit from highly efficient air source heat pumps which cost less to run than traditional heating systems and use less energy.
- 6.4 The disposal of this asset will enable the Council to meet its statutory obligations to support individuals with additional support needs and, remove operational holding costs and Council liabilities for derelict land. Irwell Valley Homes will be responsible for the demolition of the existing buildings.
- 6.5 It should be noted that the completed development will produce around £17,341 of additional Council Tax income per annum and New Homes Bonus payments may be payable subject to district wide performance and in compliance with Government policy.
- 6.6 All properties will be owned and managed by Irwell Valley Homes in partnership with Persona. However, the Council has negotiated 100% nomination rights in perpetuity to all 13 dwellings.
- 6.7 This proposal has the potential to generate savings to the Council's Adult Social Care Budget of a minimum of £65k per annum based upon low-risk, low-need clients, as a consequence of bringing out of Borough placements back into the Borough. This value could be substantially higher if the individuals have higher needs. It will also help prevent other adults from being placed out of the Borough in the future. In addition, there are considerable housing pressures in Bury and Irwell Valley Homes is an experienced provider of specialist/supported living which, in collaboration with the Council, will unlock much needed specialist accommodation.
- 6.8 The proposed development delivers on the aspirations of the Council's recently published Housing Strategy and the ambitions of the Let's Do It Strategy. The full commercial terms of the proposed disposal are outlined in Part B of this report.
- 6.9 Irwell Valley anticipate submission of a full planning application in early 2022 with a targeted practical completion from Autumn 2023.

## **7.0 Appendices:**

Appendix 1 – Proposed Site Plan.

**8.0 Links with the Corporate Priorities:**

8.1 This proposal contributes towards meeting the Council’s priorities across a range of policy areas including increasing the supply of housing to meet the requirements of those with additional support needs. It sets out plans for the delivery of housing development on brownfield land and an opportunity to create successful and inclusive neighbourhoods in conjunction with the Bury 2030 Let’s do it Strategy.

**9.0 Equality Impact and Considerations:**

- 9.1 This proposal demonstrates a positive impact on people with protected characteristics and recognises the specific housing requirements of people with additional support needs.
- 9.2 The development of this site will reduce the Council’s operational holding costs and provide 13 much need homes for residents of the Borough.

**10.0 Environmental Impact and Considerations:**

10.1 As a minimum, the new homes will be built to the ‘Future Homes Standard’, including the installation of energy efficiency measures to reduce fuel bills and cut carbon emissions.

**Assessment and Mitigation of Risk:**

Risk / opportunity	Mitigation
The scheme doesn’t get delivered.	This is unlikely as Irwell Valley will be investing a significant amount of money in achieving planning and, Homes England funding has been approved for delivery. If the scheme does not get delivered the Council will have received payment for the land and removed its liability for long-term maintenance and repair.
The proposal will generate 13 multifunctional specialist/supported homes (which can be adapted to suit need at any given time) to help meet the Council’s housing targets.	
This derelict site is a wasted resource and a liability to the Council and it costs the Council time and money to maintain.	The sale to Irwell Valley Homes will generate income and cost savings as it will remove any repair and

	maintenance liabilities to the Council and, result in other social, environmental and financial benefits including council tax revenue.
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### **11.0 Legal Implications:**

Approval to dispose of this land was agreed by Cabinet in March 2021. The Council must ensure that it meets the obligations of the best value requirements of s123 of the Local Government Act 1972. The full commercial information is set out in part B of this report. Detailed legal advice will be provided at all stages.

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### **12.0 Financial Implications:**

- 12.1 This scheme will enable the construction of 13 new homes for those with additional support needs.
- 12.2 The development proposals when complete will generate c. £17,000 per annum in additional council tax revenue to the Council, based upon current plans and current council tax levels.
- 12.3 On the basis of compliance with the government's programme and dependent upon the wider delivery of housing supply, the development proposals have the potential to generate New Homes Bonus payments. However, this is reliant upon the Council achieving the minimum threshold for new housing developments which it hasn't done for a number of years.
- 12.4 This scheme is also in accordance with the One Commissioning Organisations strategy of increasing the provision of supported living accommodation in Borough which will further deliver savings of a minimum of £65k per annum once all of the flats are fully occupied.

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### **Background papers:**

None.

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

Term	Meaning



Accommodation Schedule		
13 No.	1B2P Apartment @ 54sqm	100%
	Circulation	
	Communal area	
	Existing Building	0%
13 No.	<b>Total Units</b>	100%
17 No.	Parking Spaces	131%
0.37 Ha	Site Area	
35 No.	Dwellings per hectare	
	2 Storeys	

Considerations	
Access to site	
Existing tree study needed	
Access for refuse vehicles	
Parking levels to be confirmed. Existing unit has 10 parking spots	

--- Original site boundary

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<b>Classification:</b> Open	<b>Decision Type:</b> Non-Key
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<b>Report to:</b>	(a) Cabinet	<b>Date:</b> 12 January 2022
	(b) Children and Young People Scrutiny Committee	<b>Date:</b> 20 January 2022
<b>Subject:</b>	Inspection of Children's Services	
<b>Report of</b>	Deputy Leader and Cabinet Member for Children, Young People and Skills	

### Summary

The purpose of this report is to inform Cabinet and the Children and Young People Scrutiny Committee of the findings of an Ofsted inspection of the Council's children's services. The inspection found the services to be inadequate. The report explains the form of intervention by the Secretary of State for Education and the action already taken to implement improvements. The report seeks approval to the framework for an Improvement Plan which the Council will submit to the Department for Education by 31st March 2022.

### Recommendations

1. That the Ofsted report following the inspection of the Council's children's services be noted.
2. That Cabinet approve the framework for the Improvement Plan attached at Appendix 2 to this report.

### Reasons for recommendations

To take swift and decisive action to address the areas for improvement identified by Ofsted.

### Alternative options considered and rejected

None.

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## **1. Result of Ofsted Inspection**

- 1.1. Bury Children's Services received an inspection from Ofsted under the Inspection of Local Authority Children's Services (ILACS) framework from 25th October to 5<sup>th</sup> November 2021. The outcome of the inspection was published on 17<sup>th</sup> December 2021. A copy of the inspection report is attached at Appendix 1.
- 1.2. The findings of the inspection were that two domain areas – the 'Impact of leaders on social work practice with children and families' and the 'Experiences and progress of children who need help and protection', were graded as Inadequate. For the third domain, 'Experiences and progress of children in care and care Leavers', the finding was that the service Requires Improvement. Under the ILACS framework, the Inadequate finding for both leadership and for help and protection resulted in a judgement that the 'Overall effectiveness' of the service is Inadequate.
- 1.3. The safety and well-being of the Borough's most vulnerable children is an absolute priority for the Council and its partners. This report sets out how the Council will respond positively to the inspection both now and into the future.

## **2. Improvement Notice**

- 2.1. Arising from the inspection the Secretary of State for Children and Families has issued a draft improvement notice.
- 2.2. Under the terms of the notice the Secretary of State has decided to appoint an advisor to provide advice to the Department for Education and to the Council.
- 2.3. The improvement notice requires the Council, working with its partner agencies, to :
  - (a) produce an improvement plan to address the areas identified in the Ofsted report and any recommendations made by the advisor;
  - (b) maintain an improvement board with an independent chair who will oversee implementation of the plan and report to the board on progress to a timetable agreed by the Department; and
  - (c) aim for actions included in the plan to be delivered by the end of December 2022 or sooner if appropriate.
- 2.4. The improvement notice will last a minimum 12 months with formal reviews at least every six months and more regularly if appropriate.

## **3. Monitoring of Improvement Progress**

- 3.1. In addition to the monitoring and formal reviews from the DfE, Ofsted will carry out regular monitoring activity following the inadequate judgement.
- 3.2. There will be an Ofsted action planning visit in January 2022 and then regular quarterly monitoring visits. There will be between 4 and 6 Monitoring visits prior to a reinspection, with the first monitoring visit expected in June 2022.

- 3.3 Given the intensity of the external scrutiny of improvement, it will be important to ensure that Members have political oversight of progress. The proposals for Member involvement are :
- (a) progress reports will be submitted to future meetings of Cabinet following each six month review;
  - (b) the Children and Young People Scrutiny Committee will play an important role in providing challenge and support as the Improvement Plan is delivered; and
  - (c) the Cabinet Member for Children, Young People and Skills, the Leader of the Council and representatives from all opposition groups on the Council will be invited to all meetings of the Improvement Board referred to later in this report.

#### **4. The Council's Response**

- 4.1. The Council's response is organised into three phases:
- (a) immediate action following the LGA Peer Review of July 2021 and then responding to the Ofsted findings;
  - (b) a detailed one year action plan; and
  - (c) a three-year strategic improvement plan.
- 4.2. In relation to (a), new work to improve the service had already started following an LGA Peer Review completed last summer. This work then intensified following the Ofsted inspection. This is described in section 5 below. This phase has included work to ensure that children are safe. This is summarised in section 6 below.
- 4.3. In relation to (b), work has commenced on the improvement plan which the Council is now required to produce by 31st March 2022. The framework for the plan is explained in section 7 below.
- 4.4. In relation to (c), the ambition of the Council and its partners will not be restricted to moving out of the Ofsted judgment of Inadequate and being judged as "Requires Improvement". Bury's vulnerable children and families deserve services to be good or better. This will require a Council-wide commitment to child centred improvement and for childrens services to be at the heart of the wider reform of public services as set out in the Let's Do It Strategy.
- 4.5. Whilst the Council will not hesitate to provide the necessary financial investment to improve the service in response to the Ofsted report, there will also need to be agreement on what constitutes best value for that investment over the long term in terms of the outcomes for vulnerable children and their families.
- 4.6. These longer term issues will be discussed at the Improvement Board and reflected in the three year strategic improvement plan.

**5. Action taken before and immediately after the Ofsted inspection**

- 5.1. The Cabinet Member for Children, Young People and Skills and the Chief Executive, supported by partners, have issued public statements apologising for the failure to maintain high quality services for children and families. The public statements issued have outlined the action that has been taken so far and the actions that will now follow.
- 5.2. The Leader of the Council has written to the Secretary of State responding positively to the draft improvement notice and provided assurance in regard to the commitment to improve services for children in need of help and protection .
- 5.3. The Council's childrens services were previously rated as Requires Improvement and the Council's own assessment had recognised earlier in 2021 that improvements in the quality of services to children and families were not being made fast enough. For that reason, the Council invited the LGA to conduct a peer challenge of its childrens services. This took place in July 2021.
- 5.4. The LGA review findings confirmed that the service was facing significant challenges. In response to those findings the Council established a Children and Young People Service Delivery Board with an independent chair. In responding to the draft Improvement Notice the Council has suggested to the Secretary of State that Delivery Board transitions into an improvement board to meet the requirements of the improvement notice for an improvement board with an independent chair.
- 5.5. New leadership arrangements were put in place on an interim basis in September last year. The Ofsted report acknowledged that the Council and the interim leaders had already identified the correct priority areas and were taking the appropriate action. A new Executive Director, Jeanette Richards, was appointed in November and has now taken up her post.
- 5.6. Action has already been taken to reduce caseloads for Social Workers and to increase the stability the social care workforce. This is critical given the shortages within the market for social workers. Action is being taken to retain social workers and to attract new social workers to Bury. The Corporate Core is supporting the service to run a new continuous recruitment process. This includes refreshing and simplifying the application form to make applying for social work posts in Bury easier and creating a bespoke Bury space on Greater Jobs website with Let's Do It branding as well as implementing initial steps to make the Council's employment offer more attractive in an extremely competitive market.
- 5.7. The Council has already committed to reducing caseloads and has brought in two managed services to work within the court team and within the initial response team. Where caseloads have been protected better quality of practice was seen by Ofsted. The key workforce priorities in improvement plan will be recruitment and retention, learning and development and staff wellbeing.

## **6. Immediate Assurance**

- 6.1. Immediate action has been taken since the Ofsted inspection to ensure that children and young people are safe. This has involved extensive sampling exercises and actions have been taken promptly in response to the findings. The work completed includes the following:
- (a) remedial action has been taken for all cases raised by inspectors and additional tracking is now in place for these cases;
  - (b) there has been regular sampling of cases in the Multi Agency Safeguarding Hub (MASH);
  - (c) action has been taken to sample cases of children experiencing domestic abuse. The way that such cases appear on the case management system has been changed and there has been associated training for staff in the MASH ;
  - (d) additional sampling of child in need cases has been introduced and follow up action is being taken, including in-service training with managers to look at the child in need process and the quality of case planning;
  - (e) all Child Protection Plans which have been in place for more than nine months have been reviewed by service managers and the case planning process has been reviewed;
  - (f) immediate actions have been taken to improve the management of cases prior to court proceedings. A task and finish group with legal services has been put in place to develop training on court skills and to improve the management of pre-proceedings cases to ensure clear oversight and grip;
  - (g) child in need cases recommended for step down have been sampled. As a result “ Step Down Clinics” have been introduced to focus on the wrap around support required for children and to support better practice in relation to the application of thresholds; and
  - (h) the cases of children in care and requiring permanent placements have been reviewed. A permanence tracker is being used to ensure there is continued grip of planning for all looked after children.
- 6.2 The learning from this immediate assurance work is being use by managers to drive improvements in practice. The sampling that has been undertaken so far will continue.
- 6.3 A detailed report on this assurance work was discussed by the Delivery Board on 21st December 2021.

## 7. Improvement Plan

- 7.1. Since the inspection report was received work has progressed at pace on developing a framework for the Improvement Plan which will be submitted to the Department for Education by the end of March. The draft framework for the plan is attached as Appendix 2 to this report.
- 7.2. The framework is built around three themes:
  - (a) leadership and management;
  - (b) quality and impact of practice upon outcomes for children; and
  - (c) a skilled, confident, engaged and experienced workforce.
- 7.3. More detailed action plans within this framework will be developed with staff and partners before submission in March. The involvement of front line staff and partners is essential to achieving long term sustainable change, not just short term compliance.
- 7.4. In parallel with the development of the Improvement Plan framework, immediate action has been taken (summarised in section 5 above) and will continue to be taken to ensure that children and young people are safe.
- 7.5. All of the current action responding to the Ofsted report (summarised in section 6 above) is being aligned with the framework for the Improvement Plan. The immediate action is therefore balanced with a measured and forensic approach to planning the longer term sustainable improvements for children and young people.
- 7.6. The framework includes;
  - (a) governance arrangements to ensure robust multi-agency ownership for delivery of the improvement plan;
  - (b) arrangements for the involvement of front line staff in the design and delivery of the improvement plan;
  - (c) the framework of strategic priorities for improvement : leadership and management, quality and impact of practice upon outcomes for children and workforce;
  - (d) detailed analysis and cross referencing of the priority actions for improvement set out in the Ofsted report and the earlier LGA Peer Review; and
  - (e) a clear list of the topics where more specific action planning will be produced to provide the detail for the full plan to be submitted in March.
- 7.7. The Delivery Board has met on three occasions since October. Its initial work was paused when the Ofsted inspection began. It has met once since to approve the framework.

- 7.8 In agreeing the improvement plan framework, the board emphasised the particular criticality of focused action on workforce stability, through the third theme of the improvement strategy. This work will include action in relation to four key interconnected areas:
- (a) Recruitment and retention:** Building on the initial strategy developed and work undertaken to strengthen our employment offer and marketing and attraction approach through further initiatives and intervention. The focus here must be on attracting and retaining high quality practitioners. As well as our core employment offer, strengthening people management capabilities and, principally, addressing caseloads will be critical here in providing a high quality employee experience which supports retention.
  - (b) Learning and development:** An initial refreshed strategy has been developed which emphasises the importance of a culture of learning and continuous development to the overall improvement journey. This is an area where the Council should be ambitious and, ultimately, work to establish a Social Work academy.
  - (c) Wellbeing:** This is a key focus for the Council across the full workforce. The mental wellbeing impact of the Pandemic are well documented. Given the nature of social care work, there must be particular focus here and it will be important that the Council is honest and clear in its commitment in this area.
  - (d) Engagement:** It is crucial that the workforce are fully engaged in the improvement journey and feel a sense of shared ownership in its success. We will use the skills and expertise of our workforce to co-design new approaches and ensure a culture of transparency. A staff-led Shadow Improvement Board will be fundamental to this work.
- 7.9 The requirement to improve relates to all public services in the Borough. Partners are therefore fully represented on the Delivery Board. Partners will also play an important leadership role on the Bury Integrated Safeguarding Partnership Board. The development of the independent scrutiny of multi-agency arrangements for children's safeguarding will be a key for improvement.

## 8. Conclusion

- 8.1. This report provides the basis for debate at Cabinet, the Children and Young People Scrutiny Committee and at Council.
- 8.2. Recommendations appear at the front of the report.

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### Links with the Corporate Priorities:

The Improvement Plan will be referred to as the 'Let's Do it for Children Plan'. The drive to transform Children's Services is key to the Let's Do it Strategy ensuring that children's and parents voice influence the change and service improvement is at the heart of the transformation which will be best achieved through locality working centred around place.

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**Equality Impact and Considerations:**

Ensuring inclusive practice is a central principle of Bury's Children's Services and that the diverse needs of different communities across the borough are appropriately considered will be a core element of the overall improvement journey.

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**Environmental Impact and Considerations:**

None known.

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**Legal Implications:**

The Government's statutory powers to inspect Local Authority Childrens Services is set out in 136 (2) of the Education and Inspection Act 2006. All Ofsted inspections are carried out in accordance with the statutory guidance titled Inspecting Local Authority Childrens Services (updated 3rd December 2021). A Local Authority judged to be inadequate will receive mandatory meetings followed by a reinspection. The guidance provides a framework for how Local Authorities in this position will be monitored. A timetable provides for an action planning visit, the delivery of an action plan, a first monitoring meeting and subsequent meetings. The details of the follow up actions are set out in these reports. Members will be provided with regular updating reports.

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**Financial Implications:**

Prior to the Ofsted the Council had already committed to funding one of the managed services to manage caseloads and has now identified funding for the second team. Funding has also been identified for the new workforce practices to attract, train and retain social workers. It is recognised as the work of the delivery board progresses and in order to deliver the actions required to respond to the issues found by Ofsted, the actions within the Improvement Plan may require additional investment into Children's Services. This will be considered as part of the current and future Budget planning process.

The main financial costs for childrens social care remain in meeting the need for residential placements for Looked After Children, the committed costs in funding Fostering placements and in supporting young people leaving the care of the Council.

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**Background papers:**

None.

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

<b>Term</b>	<b>Meaning</b>
LGA	Local Government Association
ILACS	Inspection of Local Authority Children's Services
DfE	Department for Education

# Inspection of Bury local authority children's services

**Inspection dates: 25 October 2021 to 5 November 2021**

**Lead inspector:** Lorna Schlechte, Her Majesty's Inspector

<b>Judgement</b>	<b>Grade</b>
The impact of leaders on social work practice with children and families	Inadequate
The experiences and progress of children who need help and protection	Inadequate
The experiences and progress of children in care and care leavers	Requires improvement to be good
Overall effectiveness	Inadequate

There are serious failures which leave too many children at risk of harm in Bury. Children who need help and protection experience drift and delay in having their needs met as a result of frequent changes in social worker, over-optimistic assessments, poor-quality plans, and gaps in supervision and management oversight. In some cases, risk is not always recognised, or responded to, in a timely way, leaving some children with insufficient timely protection.

Since the focused visit in October 2020, the quality of practice has deteriorated, particularly for children in need of help and protection. There has been significant instability in the senior leadership team, and a lack of focus on the areas of improvement needed.

Although an internally commissioned peer review in July 2021 appropriately identified a mixed picture of progress and improvement and led to the establishment of an improvement board, this is very new and has not brought about the level of change required. The appointment of new interim senior leaders in mid-September 2021 has provided opportunities for the changes required to be identified, but this is a fragile situation and there is still much work to do to improve the experience of children in Bury.

## What needs to improve?

- The timely recognition and response to risk at the front door.
- The quality of strategy discussions and child protection investigations.
- Manageable caseloads for social workers.
- The quality of assessments, to ensure that they are regularly updated and are not over-optimistic in their analysis.
- The quality of plans and planning for children, to ensure that actions include clear timescales and contingencies, including for those children who require suitable placements when they come into care.
- The response to pre-proceedings to ensure that progress is monitored and tracked more robustly to reduce drift and delay for children.
- The quality of supervision and management challenge to ensure that social workers have time to reflect on complex cases and take account of children's changing circumstances.
- The recruitment and retention of social workers, to stabilise the workforce and reduce multiple changes in social worker for children.
- The stability of the senior leadership team to support implementation of an appropriately focused plan of improvement.

## The experiences and progress of children who need help and protection: Inadequate

1. Children in need of help and protection are not always identified. Consequently, children do not always receive the right help to meet their needs. Although screening of referrals in the multi-agency safeguarding hub (MASH) provides appropriate management oversight informing next steps, there are missed opportunities to identify risks earlier for some children. This is because the impact of cumulative harm on children is not always well understood, especially in relation to domestic abuse, and decisions are based on an overly optimistic assessment of risk. As a result, some children are at risk of further harm before more purposeful action is taken to protect them.
2. The model of co-location with partner agencies in the MASH has been adapted in response to the pandemic, but not all agencies are based together as they were previously. This has reduced the quality of information-sharing, although daily virtual meetings are held with police. Some referrals from partner agencies are not timely and this leads to a delayed protective response.
3. Children and families benefit from sensitive work to meet their needs through detailed early help assessments. However, the thresholds to signpost children

for early help support are inconsistently applied. Some children are signposted to receive early help support when they should have received a statutory social care assessment. As a result, some children do not have their needs understood and met at the right time. This sometimes leads to repeat referrals for the same concern.

4. Strategy meetings do not always identify the necessary actions to progress the child protection enquiry or to keep children safe during the enquiry period. There are missed opportunities to gain a multi-agency response to secure children's immediate safety in some cases. These concerns were raised by inspectors at the last focused visit in October 2020 and have not improved.
5. There is timely and proportionate action when children need a social work response to keep them safe out of office hours, although the detail of screening and decision-making in the emergency duty team (EDT) was not being recorded on electronic systems until the issue was raised by inspectors.
6. Assessments are mostly overly focused on adults and concerned with the presenting problem, to the detriment of understanding the impact of cumulative harm on children's broader needs and risks. Parental capacity for sustained change is not consistently considered in assessments. They are too often based on parental self-reporting, and are not regularly updated when circumstances change. This means that assessments are not focused enough on the impact of harmful experiences on children, which leads to over-optimistic decision-making and unidentified risk.
7. Many children experience multiple changes in social worker. This has an impact on their ability to form secure relationships and to share their views and worries. It is also disruptive to planned work with families and contributes to drift and delay in the delivery of social work interventions, assessments and plans, which repeatedly restart with a new social worker. Caseloads are too high, and this reduces the ability of social workers to complete appropriately focused direct work with children. Although most children are seen regularly, visits often lack purpose and this contributes to a lack of progress in plans.
8. Significant numbers of children experience delay in having their plans progressed. Most plans for children in need and for children subject to child protection planning are confusing, often too generalised and lack clear timescales or contingencies to measure children's progress. Many are adult focused or do not consider the support children need to mitigate the harm they have suffered. As a result, the plans are not easy for parents to understand what needs to be done to achieve the desired outcomes.
9. Some children do not receive sufficient protection when they are subject to child protection planning. There is an overreliance on unrealistic written agreements with parents to protect children. When risks increase, there are delays in taking appropriate protective action. Decisions to cease child protection plans are influenced by parental self-reporting and engagement with

services, rather than considering what has changed for children. The rationale for decision-making by social care and partners in child protection conferences is often unclear. Some children step down from child protection planning too early when actions are incomplete, or before an updated assessment is completed to consider whether risks have reduced. Consequently, too many children experience repeated episodes of child protection planning and lengthy social care involvement, without change being sustained. This means children are not always afforded the appropriate level of protection they need.

10. Core groups are not consistently effective forums to drive and measure progress when children are subject to a child protection plan. There is insufficient focus by social care and partners on the impact of interventions to reduce risk, and what additional actions are needed to meet children's needs in response to a lack of progress. Virtual review meetings held during the pandemic are mostly well attended.
11. When parenting does not improve, timely authoritative action to escalate into the pre-proceedings stage of the public law outline (PLO) is not always taken, leaving some children in ongoing situations of neglect. The monitoring of these children is not robust, and some children repeatedly step in and out of the PLO, despite risks not always reducing, or change being sustained.
12. Once cases are escalated into pre-proceedings, there is inconsistent management oversight to support timely applications into court should change not be achieved. Review and tracking mechanisms are not regular enough, lack rigour and do not challenge delays in completing actions. Cases in the pre-proceedings stage are sometimes extended inappropriately in response to continued risk of harm. The system of review does not consider current risks to children or reflect on changes in their circumstances to support critical decisions to extend, or step down from pre-proceedings. When risks escalate and decisions are made for children to come into care, they sometimes remain in unsuitable placements with extended family members, while alternative foster placements are sought.
13. Some disabled children have experienced significant drift and delay in having their need for help and protection met. Assessments and work undertaken with disabled children and their families is too adult focused and does not consistently identify the risk and harmful circumstances in which some disabled children have been living. A new team manager has appropriately identified what needs to change, but has limited capacity to implement the improvements needed. Children face further delay while the newly expanded team forms relationships with them, understands their communication needs, and completes updated assessments. It is acknowledged by senior leaders that the team, mostly made up of agency social workers, lacks the necessary skills to undertake direct work with some disabled children to understand their experiences. A training and development plan identifies the shortfalls but has not been implemented.

14. Children at risk of exploitation are seen regularly by social workers in the complex safeguarding team, who build meaningful relationships with them. This supports purposeful work in helping children understand and recognise when they are being exploited. However, detailed risk assessments do not sufficiently inform multi-agency plans to support these children. The service is still evolving and mapping meetings have only recently been introduced to engage wider partners to share information and intelligence. As such, this is not resulting in a comprehensive multi-agency approach to reduce risks.
15. When children go missing, the local authority response is not consistently robust. Although return home interviews are mostly timely, they lack clear analysis of push and pull factors. When children refuse to engage, information is not consistently sought from carers to understand prior events to inform intelligence gathering. Strategy meetings are appropriately triggered when children go missing for long periods or on multiple occasions, but this does not result in clear multi-agency safety planning. There is a lack of planning to minimise risk for children who regularly go missing. Plans are too broad to identify longer-term work to mitigate future risks.
16. Children aged 16 to 17 years old who present as homeless receive appropriate support to live in suitable accommodation. Although their needs are well assessed, they are not routinely informed of their rights and the benefits of entering care, which limits their understanding of what support is on offer.
17. Monitoring systems for children who are electively home educated and those missing from education are slow and inefficient. Although there have been recent improvements in the way children are tracked and monitored, capacity issues in the team have meant that visits have not routinely taken place. This also means that the lead for children missing education does not have time to sufficiently develop the network of contacts which are needed to locate children and young people efficiently. As such, the arrangements to ensure that children's whereabouts are known and closely monitored are not as effective as they need to be.
18. Allegations against professionals are mostly well managed by the designated officer. The response is timely, thorough and robust. However, when the designated officer is absent, the role is covered by two child protection chairs. This leads to delays in allegations being progressed, and actions not being completed in a timely way. Allegations management meetings are used effectively to share information and identify actions, which are regularly reviewed. Effective information-sharing between the designated officer and MASH ensures that children at risk are identified and action is taken. Tracking mechanisms are robust; however, workload demands have reduced the designated officer's ability to keep records up to date and this reduces oversight.

## **The experiences and progress of children in care and care leavers: Requires improvement to be good**

19. The majority of children come into care in a planned way and senior managers have appropriate oversight of key decisions. However, some children have waited too long in neglectful or harmful circumstances before coming into care and this has increased the complexity of their needs. In some cases, placement decision-making is influenced by the lack of foster placements to meet the needs of vulnerable children.
20. Although there is a clear focus on keeping children with family members where it is safe to do so, a minority of children have had to remain at home once the threshold is met to come into care, while a more suitable placement is found, because there are insufficient placements to meet the needs of some children.
21. Senior managers have recognised the drift and delay in care planning linked to high caseloads and commissioned an additional specialist court team. This team has improved the quality of social work practice since it was established in July 2021. Work is now being progressed more effectively for children in the court arena in this team.
22. The majority of children who have a plan to return home to their parents are able to return safely because of purposeful work both before and after they are reunited. A few children have remained at home with parents on care orders for too long. For some children, discharge of care orders is not progressed quickly enough, where it is appropriate to do so. For these children, an up-to-date assessment of their needs has not been undertaken to inform a decision about whether statutory intervention is still required.
23. Children's wishes and feelings about who they want to live with are carefully obtained and inform court statements. The quality of assessment of parents and connected carers is inconsistent. This leads to delayed court proceedings and some children having to wait too long to have their long-term plan of permanence confirmed. This is in addition to the delays in the family court, which are due to the impact of COVID-19 over the past year.
24. Children receive independent reviewing officer (IRO) visits before their reviews to gain their wishes and feelings. Reviews are written sensitively and in a way that helps the child to understand their care plan. IROs routinely escalate concerns where there is evidence of drift and delay in care planning, or when court timescales are at risk of delay. However, this is not always effective in achieving the required change swiftly.
25. Visits to children in care are mostly regular and social workers have a good understanding of children's individual needs. However, this level of understanding is not always evident in the child's record and the purpose of visits is sometimes unclear. Too many children have experienced multiple

changes of social worker due to the high turnover of agency staff. This has an impact on children forming relationships with social workers.

26. Children in care benefit from timely accessible support through a dedicated child and adolescent mental health services team. Most children's health needs are well considered and children receive appropriate medical and therapeutic support. There are delays for some children in accessing Healthy Young Minds.
27. The new virtual headteacher (VHT) has a clear focus on promoting the achievement and well-being of all children and young people in care. The experienced virtual school team is quick to respond to the needs of children, carers and the schools or provisions they attend. The VHT has quickly identified priorities to improve the quality of personal education plans (PEPs) and the use of pupil premium to enhance children's achievements. Almost all children have a PEP, although the quality is inconsistent, which means that the impact they have on children's education and achievement is variable.
28. Most children live in placements that meet their needs for care and stability and they make positive progress. However, a small number of children are still waiting to live in a permanent home. Work has progressed to increase the number of children who are subject to special guardianship orders, and to match children to their long-term placements.
29. Foster carers are well supported by their supervising social workers and receive regular supervision and virtual support. This has been particularly important due to the impact of COVID-19 on fostering families. Recruitment of new foster carers is a clear priority, albeit a challenge in the current climate, and work is undertaken collaboratively across Greater Manchester to increase the pool of carers available. Experienced foster carers act as 'ambassadors' for the service. Panel processes offer sufficient scrutiny and challenge to the recruitment and approval of foster carers.
30. There is mostly effective planning of early permanence, especially for babies and younger children. Adopters feel very well supported through the matching process, the suitability of prospective adopters is scrutinised effectively by panel and there has been an increase in the number of children matched with adopters. Training and post-adoption support are appropriately considered. Children have been supported to keep in touch with their brothers and sisters and other family members after adoption, where this is in their best interests.
31. Children in care are helped to maintain contact with people who are important to them. The impact of family time is routinely reviewed to ensure that it is in the child's best interests. There is appropriate consideration given to whether brothers and sisters can live together.
32. Care leavers benefit from positive relationships with personal advisers who are caring, conscientious and committed members of staff. During the pandemic, personal advisers have seen care leavers regularly and sent letters, sweets,

toiletries, and parcels to care leavers to keep in touch and show they care. The reopening of the hub for care leavers recently has provided a valued drop-in space for support and advice to be offered.

33. There is an appropriate focus in pathway planning on the things that matter to care leavers, such as becoming independent, keeping well, learning and finding work. Children's views are captured in their own words and plans are carefully written to encourage positive choices. Some plans need to be strengthened because they lack detail and do not sufficiently address all identified needs.
34. Care leavers are helped to understand their physical and mental health needs. When it is necessary, the looked after children nurse supports timely access to a range of specialist services. Care leavers do not always understand their health histories or why this information is important for them to have.
35. Care leavers, including unaccompanied asylum-seeking children, benefit from dedicated support with education, training and employment. There is proactive work completed to encourage work experience and apprenticeships. Often, this leads to employment and further training. Some children have been supported to achieve success through further education and university.
36. Most care leavers are living in suitable, safe accommodation with the right levels of support. Personal advisers work with the tenancy sustainment worker and support care leavers to secure permanent accommodation. The housing, employment and new opportunities project is an effective collaboration to achieve this. However, some care leavers are unclear about their entitlements.
37. Young people have access to a children's rights advocate who supports them if they wish to make a complaint.

### **The impact of leaders on social work practice with children and families: Inadequate**

38. During the last year, the changes in senior leadership in children's services have led to turmoil, instability and drift at a strategic and operational level. As a consequence, there has been an insufficient focus on children's experiences, and the quality of frontline practice has deteriorated since the last Ofsted focused visit in 2020.
39. These leadership changes culminated in the departure of both the director of children's services (DCS) and an assistant director (AD). While these interim arrangements were put in place promptly, they are still very recent. In September 2021 the Director of Education and AD Early Help stepped into these roles until permanent appointments could be secured.
40. There were mounting concerns from November 2020 onwards about high caseloads, the level of workforce churn, and the negative impact this was having on children and families, where there was significant drift and delay.

Although operational managers raised these concerns persistently at the time with senior leaders, and requested additional capacity to address high caseloads, these concerns have not been appropriately prioritised by senior leaders until recently.

41. As concerns escalated throughout the early part of 2021, the chief executive of the council commissioned an LGA peer review which was completed in July this year. This was a wide-ranging review which explored the broader corporate responsibilities of the council in relation to recruitment and retention of social workers, as well as concerns about the quality of social work practice. The findings were hard-hitting and described a mixed picture of progress and improvement aligned with inspection findings.
42. Although the response to the peer review led to the establishment of an independently chaired improvement board in late August 2021, and a review of cases in early help and children in need to address concerns about the quality of practice, corporate leaders have been too slow to act from the point of the initial concerns being raised in January 2021. This has meant that long-term sustainable improvement has not been achieved and there is still much work to do to address the known concerns.
43. A newly managed service (court team) was brought in to address high caseloads in the safeguarding teams in July 2021. Inspectors have seen the positive impact of this service on practice very recently as it features reduced caseloads, reflective supervision and more purposeful and effective practice. This has begun to address significant drift and delay in that team, but it is not making a difference to all children.
44. Since their appointment eight weeks ago, the interim DCS and AD have taken some swift action to strengthen services. This included securing another managed service team to address high caseloads in the initial response teams, although this was not established at the time of inspection and it is too soon to say if this will lead to the improvement needed.
45. The new senior leaders are more visible and accessible to frontline staff and they have appropriately prioritised the known areas for improvement in recognition of there being too much drift and delay, over-optimism and workforce churn. They have also responded quickly to concerns raised by inspectors about risk to individual children. This has led to some immediate protective action being taken to protect children, and a strengthening of practice, including a refresh of operational protocols in MASH and EDT. However, it is too early for this to have brought about the significant changes in the quality of practice required.
46. Senior leaders have struggled to implement the new model of practice during the pandemic, and it is still not embedded. Training has been rolled out virtually, but it has been difficult for staff to prioritise it, due to high caseloads. The workforce churn and a frustration with online learning have further

hindered the implementation of this model. The situation has been exacerbated by the different approaches to implementation employed by external consultants. This has led to mixed messages and a lack of clear service direction. Staff have struggled with the practice templates, and do not fully embrace the model of practice, or understand it.

47. There is a robust support programme for ASYE and established links with the local teaching partnership. Senior leaders are committed to supporting and developing newly qualified social workers and have refreshed the workforce development strategy.
48. Audits of practice have continued to be moderated and sometimes involve social workers and families. Audits identify appropriate practice issues, and mostly tell senior leaders what they need to know. However, there is more work to do to ensure that audits focus on children's experiences, and that learning leads to positive and sustainable changes in practice.
49. The approach to performance management has changed in recent weeks since the arrival of the new senior leadership team. Over the last year, there was too much attention on process and compliance, especially for children in need of help and protection, where there was insufficient focus on children's experiences to inform critical decisions. The new approach aims to encourage a more inclusive, less compliance-focused, reporting system which can close the learning loop. It is too early to see the impact of this in terms of shaping service priorities, in order to improve social work practice.
50. The new interim senior leadership team is appropriately sighted on the need to prioritise recruitment and retention, improve the Bury offer to encourage more permanent staff, and reduce the reliance on agency social workers in order to stabilise the workforce. However, there is still a long way to go for this to lead to the long-term sustainable changes required. The impact of working at home during a pandemic has also been difficult and staff have only very recently started to return to the office.
51. The Children in Care Council (CiCC) has worked hard to construct the Bury Promise. Children attend the corporate parenting board and present feedback from the CiCC on what matters to them. The council is a committed corporate parent, although it has acknowledged that the strategic approach could be strengthened in line with peer review recommendations.
52. The quality of supervision for social workers is too variable, and there are gaps in frequency across the service. This means that the level of reflection and ability to consider children's experiences is inconsistently recorded. Supervision does not always challenge unidentified risk, or drift and delay, effectively. Despite this, staff have continued to work diligently in a difficult COVID-19 context and report being supported by their managers.



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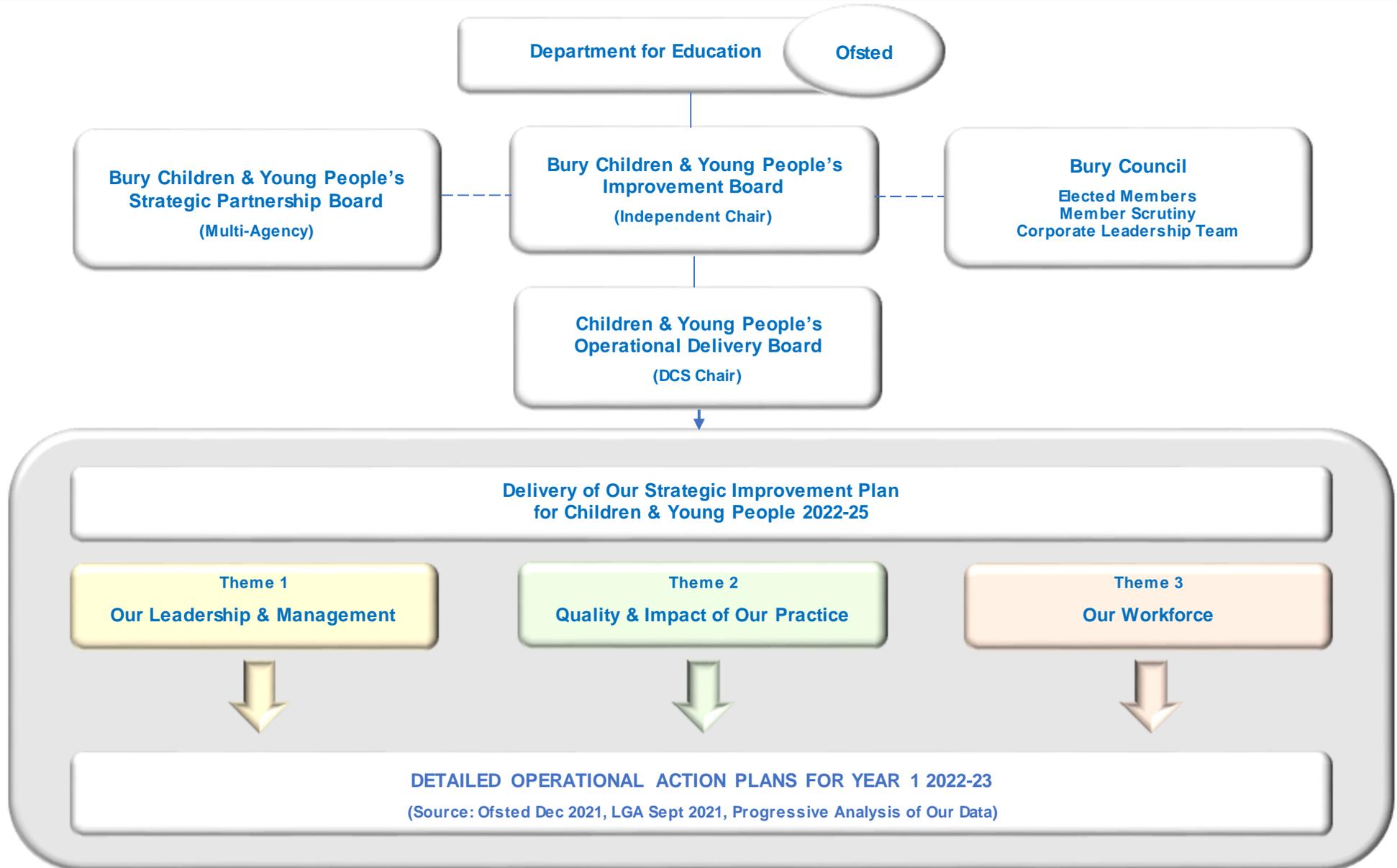
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**APPENDIX 2**

**BURY IMPROVEMENT PLAN TIMELINE  
(Ofsted Submission Date w/c 21<sup>st</sup> March 2022)**

Ref	Key Objectives		w/c 29 <sup>th</sup> Nov	w/c 6 <sup>th</sup> Dec	w/c 13 <sup>th</sup> Dec	w/c 20 <sup>th</sup> Dec	w/c 27 <sup>th</sup> Dec		w/c 3 <sup>rd</sup> Jan	w/c 10 <sup>th</sup> Jan	w/c 17 <sup>th</sup> Jan	w/c 24 <sup>th</sup> Jan	w/c 31 <sup>st</sup> Jan		Feb 2022	March 2022	April 2022		
1	Scope & approach agreed • Strategic Imp Plan 2022-25 • Year 1 Action Plan 2022-23	<b>PHASE 1 – IP FRAMEWORK</b>						<b>PHASE 2 – IP DETAILED ACTION PLAN</b>						<b>PHASE 3 – IP SIGN-OFF &amp; SUBMISSION</b>					
2	Analysis & filtering of Ofsted report and related information																		
3	IP Framework draft – develop content with leadership team																		
4	Finalise IP framework and covering report																		
5	Development of IP content with leadership team & stakeholders (to include substantive Year 1 Action Plan for sharing w/c 24 <sup>th</sup> January)																		
6	IP formal sign-off through internal governance and partnerships																		
7	Formal submission (w/c 21 <sup>st</sup> March)																		
8	Progressive Implementation																		





**DETAILED OPERATIONAL ACTION PLANS FOR YEAR 1 2022-23**  
(Source: Ofsted Dec 2021, LGA Sept 2021, Progressive Analysis of Our Data)

**APPENDIX 3 (A)**

**Source of Improvement Priorities (Grouped within Our Proposed Improvement Themes)**

Theme 1 <b>Our Leadership &amp; Management</b>		Theme 2 <b>Quality &amp; Impact of Our Practice</b>		Theme 3 <b>Our Workforce</b>	
1 Para 42	Effectiveness of the <b>independently chaired Improvement Board</b> to secure long-term sustainable improvement	1 Page 2	Timely recognition and response to risk at the <b>Front Door</b>	1 LGA/DP	Growing <b>our culture, values and ways of working</b> together
2 LGA/DP	Strengthening the <b>alignment of support for Children and Young People with the Corporate Core</b>	2 Para 2	Quality of <b>multi-agency information sharing</b> within MASH	2 LGA/DP	Develop a <b>culture and practice of co-production</b> across our multi-agency partnership and with children, young people and their families
3 Page 2	The <b>stability of the senior leadership</b> team to support implementation of an appropriately focused plan of improvement	3 Page 2	Quality of <b>assessments</b> , to ensure they are regularly updated and are not overly optimistic in their analysis	3 Page 2	The <b>recruitment and retention</b> of social workers, to stabilise the workforce and reduce multiple changes in social worker for children
4 LGA/DP	Increasing the <b>active and effective engagement of our multi-agency partners</b> in delivering improved outcomes for children and young people	4 Page 2	Quality of <b>strategy discussions and child protection investigations</b>	4 Para 46	Effective <b>implementation of the new model of practice</b> , supported by a robust programme of staff training & development
5 LGA/DP	<b>Strengthening performance management</b> arrangements at a strategic and operational level, with a focus on children's experiences	5 Page 2	Quality of <b>plans and planning</b> for children, to ensure actions are child-focused and include clear timescales and contingencies	5 Page 2	Manageable <b>caseloads</b> for social workers
6 Para 48	Strengthening the <b>quality and impact of audits</b> of practice	6 Para 14	Quality of multi-agency <b>risk assessments and planning for children at risk of exploitation</b>	6 Page 2	The quality of <b>supervision and management challenge</b> to ensure social workers have time to reflect on complex cases
7 Para 20	<b>Sufficiency of placements</b> for vulnerable children	7 Para 1	Identifying impact of <b>cumulative harm – especially in relation to domestic abuse</b>	7 LGA/DP	<b>Workforce development</b> focused on the consistent application of a strengths-based approach linked to the impact on the child
8 Para 19/21	<b>Drift and delay in care planning for children</b> , including once the threshold is met for care	8 Para 3	Consistent <b>application of thresholds</b> to signpost children to receive Early Help support		
9 Para 26	Reducing delays for children and young people <b>accessing Healthy Young Minds</b>	9 Para 9/10	More effective <b>engagement and communication with parents</b> of children on child protection plans, including at <b>core groups</b>		
10 Para 17	Monitoring systems for <b>children who are electively home educated &amp; those missing from education</b>	10 Para 23	<b>Quality of assessments of parents and connected carers</b>		
11 Para XX	Timeliness of <b>IRO action and impact</b>	11 Para 13	Quality and capacity to implement improvements needed for <b>support for disabled children</b>		
12 Para 18	Ensuring that <b>allegations against professionals</b> are progressed in a timely way in the absence of the designated officer	12 Para 15	A consistent and robust response to supporting <b>children who go missing</b>		
		13 Page 2	The response to <b>pre-proceedings</b> to ensure progress is monitored and tracked more robustly to reduce drift and delay for children		
		14 Para 16	Support for <b>children age 16-17 who present as homeless</b>		
		15 Para 27	Quality and impact of <b>Personal Education Plans</b>		

**Key**

Explicit Ofsted Finding (*What needs to improve*)

Key Ofsted findings located in main body of text

Sourced from LGA Peer Review & draft Delivery Plan

OUR IMPROVEMENT PRIORITIES TO BE SET OUT IN DETAILED OPERATIONAL ACTION PLANS

(Source: Ofsted Dec 2021, LGA Sept 2021, Progressive Analysis of Our Data)

Theme 1

Our Leadership & Management



- 1.1 High functioning Improvement / Delivery Board
- 1.2 Aligning the Corporate Core in Bury Council with improvement for children & young people
- 1.3 Stability of Senior Leadership Team
- 1.4 Strengthening active engagement of our multi-agency partners
- 1.5 Robust Performance Management, analysis & insights
- 1.6 Quality & impact of audits of our practice
- 1.7 Placement Sufficiency
- 1.8 Reducing drift and delay for children across our whole system of support
- 1.9 Reducing delays for children & young people accessing partnership support
- 1.10 Monitoring for children home educated or missing from education
- 1.11 Timeliness of IRO action & impact
- 1.12 Timely response to allegations against professionals

Theme 2

Quality & Impact of Our Practice



- 2.1 Timely recognition & response to risk at Front Door
- 2.2 Quality of multi-agency information sharing at Front Door
- 2.3 Quality of assessments & social work decision-making
- 2.4 Strategy discussions & child protection investigations
- 2.5 Quality of Plans & Planning
- 2.6 Quality of risk assessments & management of risk for children
- 2.7 Consistent application of thresholds
- 2.8 Engagement with Parents & Carers
- 2.9 Support for Children & Young People with disabilities
- 2.10 Our response for children who go missing
- 2.11 Timely management of pre-proceedings
- 2.12 Support for children and young people 16/17 who present as homeless
- 2.13 Quality of Personal Education Plans

Theme 3

Our Workforce



- 3.1 Growing Our Culture, Values & Ways of Working Together
- 3.2 Workforce Development Strategy
- 3.3 Recruitment & Retention
- 3.4 Workforce Capacity, Confidence & Resilience
- 3.5 Targeted staff training to drive improvement
- 3.6 Support for Newly Qualified Social Workers
- 3.7 Manageable Caseloads
- 3.8 Quality of Supervision
- 3.9 Management Support & Challenge

**APPENDIX 4**

PAGE	CONTENTS
3	Welcome - The Voice of Our Children & Young People in Bury
4	Our Vision, Our Values and Our Culture
5	Our Strategic Partnerships in Bury - Supporting Improvement For Children & Young People
6	Our Children and Young People – The Local Picture ( <i>Data Picture – Key Facts</i> )
7	Our Multi-Agency Governance Arrangements for Improvement in Bury
8	Our Improvement Themes
9	Our 3-Year Milestones for Embedding Improvement 2022-25
10	Our Performance, Quality & Self-Evaluation Arrangements
11	Resourcing Our Improvement Plan
12	Our 3-Year Budget for Improvement 2022-25
<b>TO BE REFERENCED IN CONJUNCTION WITH AFFILIATED DOCUMENT - OUR IMPROVEMENT ACTION PLAN - YEAR 1 (2022/23)</b>	

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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