

Geoff Little
Chief Executive

Our Ref JG
Your Ref C/JG
Date 17 May 2022
Contact Democratic Services
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TO: All Members of Council

Councillors : A Arif, S Arif, N Bayley, R Bernstein, D Berry, C Birchmore, C Boles, A Booth, N Boroda, R Brown, C Cummins, L Dean, S Donnelly, D Duncalfe, U Farooq, E FitzGerald, N Frith, I Gartside, R Gold, D Green, J Grimshaw, S Haroon, J Harris, M Hayes, K Hussain, N Jones, J Lancaster, G Marsden, J Mason, L McBriar, G McGill, C Morris, E Moss, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, I Rizvi, J Rydeheard, L Smith, M Smith, T Tariq, C Tegolo, S Thorpe, D Vernon, S Walmsley, M Walsh, M Whitby and Y Wright

Dear Member/Colleague

Council

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

Date:	Wednesday, 25 May 2022
Place:	Council Chamber Bury Town Hall
Time:	2.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

The Agenda for the meeting is attached.

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and also on the Council's Website at www.bury.gov.uk

Yours sincerely



Chief Executive

(Note: Members are reminded that under Section 106 of the Local Government Finance Act 1992, if a Member of a Local Authority has not paid Council Tax for at least two months and, even if an arrangement has been entered into to pay arrears, then at any meeting where consideration is given to matters relating to, or which might affect the calculation of Council Tax, that Member must declare the fact that he/she is in arrears and must not vote on the matter).

AGENDA

1 ANNUAL MEETING OF THE COUNCIL PART 1

1. To elect the Mayor for the Municipal Year 2022/2023
2. To elect a Deputy Mayor for the Municipal Year 2022/2023

2 APOLOGIES FOR ABSENCE

3 DECLARATIONS OF INTEREST

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

4 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

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

5 MINUTES (Pages 7 - 18)

Minutes of the meeting held on 16th March 2022 are attached.

6 ELECTION OF COUNCILLORS MAY 2022

To receive the following report from the Chief Executive on the outcome of the Election of Councillors held on 5 May 2022 for each of the seventeen wards of the Metropolitan Borough:-

Ward	Councillor Elected
Ramsbottom	Cllrs; C Cummins, S Donnelly, T Pilkington
North Manor	Cllrs; R Brown, LJ Dean, K Hussain
Tottington	Cllrs; I Gartside, L McBriar, Y Wright,
Elton	Cllrs; Hayes, C Morris, J Rydeheard
Moorside	Cllrs; C Boles, K Peel, S Walmsley
East	Cllrs; A Arif, U. Farooq, G McGill
West	Cllrs; S M Arif, J Harris, D Vernon

Redvales	Cllrs; N Frith, S Haroon, T Tariq
Unsworth	Cllrs; N Boroda, J Grimshaw, T Rafiq,
Radcliffe East	Cllrs; C Birchmore, J Mason, M Walsh
Radcliffe North and Ainsworth	Cllrs; D Berry, A Booth, J Lancaster
Radcliffe West	Cllrs; D Duncalfe, G Marsden, M Smith
Pilkington Park	Cllrs; R Bernstein, E FitzGerald, N Jones
Besses	Cllrs; N Bayley, L Smith, M Whitby
Holyrood	Cllrs; E Moss, I Rizvi, C Tegolo
St Mary's	Cllrs; D Green, S Thorpe, E O'Brien
Sedgley	Cllrs; R Gold, D Quinn, A Quinn

7 REPORT OF THE INDEPENDENT REMUNERATION PANEL (Pages 19 - 66)

Report attached.

8 ANNUAL CONSTITUTION UPDATE REPORT (Pages 67 - 118)

A report from the Council's Monitoring Officer is attached.

9 ANNUAL APPOINTMENTS 2022/23 (Pages 119 - 150)

A report from the Leader of the Council will be sent to follow.

10 STATE OF THE BOROUGH DEBATE (Pages 151 - 170)

Leader's Annual Report will be sent to follow.

Group Leaders will be invited to reply.

Questions or comments will be invited from Members of the Council, providing that such questions relate to matters raised by the Leader in his statement.

11 OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/22 (Pages 171 - 194)

Scrutiny Annual Report is attached.

12 ANNUAL MEETING OF THE COUNCIL PART 2

You are also summoned to attend Part 2 of the **Annual Meeting of the Council** which will be held on **the above date at 4.00 pm in the Council Chamber, Town Hall, Bury** for the purpose of transacting the following business:-

1. To elect the Mayor for the Municipal Year 2022/2023
2. To elect a Deputy Mayor for the Municipal Year 2022/2023
3. To resolve that this Council hereby expresses its thanks to former Councillor, Tim Pickstone and Mr Wayne Burrows for the diligent manner in which they have undertaken the duties of Mayor and Consort of the Metropolitan Borough of Bury during the Municipal Years 2020 to 2022 and places on record its appreciation of their devotion to and performance of the important duties attaching to their Offices and that Medallions be presented to them as tokens of their service as Mayor and Consort.
4. To resolve that this Council hereby expresses its thanks to former Councillor, Trevor Holt and his wife Evelyn Holt for the diligent manner in which they undertook their duties of Deputy Mayor and Deputy Consort of the Metropolitan Borough of Bury during the Municipal Year 2019.2020 and places on record its appreciation of their devotion to and performance of the important duties attaching to their Offices.

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Minutes of: **COUNCIL**

Date of Meeting: 16 March 2022

Present: The Worshipful the Mayor (Councillor Pickstone , in the Chair)
Councillors R Bernstein, C Birchmore, C Boles, R Brown,
S Butler, P Cropper, C Cummins, L Dean, U Farooq, R Gold,
J Grimshaw, S Haroon, J Harris, M Hayes, T Holt, K Hussain,
N Jones, J Lancaster, K Leach, J Lewis, L McBriar, G McGill,
C Morris, B Mortenson, E O'Brien, K Peel, T Pilkington,
M Powell, A Quinn, D Quinn, T Rafiq, J Rydeheard, A Simpson,
L Smith, G Staples-Jones, T Tariq, C Tegolo, D Vernon,
S Walmsley, C Walsh, M Whitby, S Wright and Y Wright

Apologies for Absence N Boroda, R Caserta, I Gartside, S Hurst, J Mason and M Smith

Public Attendance: 8 members of the public were in attendance.

C. 8 PRESENTATION TO COLONEL ERIC DAVIDSON

C. 9 DECLARATIONS OF INTEREST

The following declarations of interest were made at the meeting in relation to items on the agenda:

1. Councillor A Quinn declared a personal interest in all matters under consideration as both his son and daughter-in law, work for the NHS, he is a member of the Trade Union, Unite and the Downs Syndrome Association.
2. Councillor D Quinn declared an interest in all matters under consideration as an employee of the Citizens Advice Bureau and both her son and daughter-in law, work for the NHS
3. Councillor A Simpson declared a personal interest in all matters under consideration as both her and her son are employed by the NHS.
4. Councillor S. Wright declared a personal interest in all matters under consideration as his wife works for a school in the Borough.
5. Councillor Rydeheard declared a personal interest in all items on the agenda as he undertakes work representing the Taxi trade.

C. 10 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

As this was the last meeting before the all out Elections the Mayor invited Group Leaders to pay tribute and thank those Councillors stepping down.

C. 11 MINUTES

That the minutes of the meeting held on the 23rd February 2022 be approved as a correct record.

C. 12 PUBLIC QUESTION TIME

Notice had been received of 5 questions. The Leader gave an undertaking that copies of those questions and responses will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

Questioner	Topic	Responding
Martine Vaizman (not present)	Investment in Sedgley	Cllr O'Brien
Andrew Luxton	Clean Air	Cllr O'Brien
Judith Sheppard	Radcliffe Regeneration	Cllr O'Brien
Andy Hay	Pedestrian crossing, Bury New Road	Cllr Quinn
Carol Bernstein	Unadopted Road	Cllr Quinn
Kyle Finnegan	Elton roads	Cllr Quinn
Mr Mamhood	Air Quality	Cllr Quinn
Mr Warich	Taxi Licensing	Cllr Morris

C. 13 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Meeting of Democratic Arrangements Forum 5th January 2022 Meetings Timetable 2022/23.

It was moved by Councillor O'Brien and seconded by Councillor Tariq and it was:

RESOLVED:

That the timetable of meetings for the Municipal Year 2022/23 as set out be approved.

Meeting of Cabinet 23rd February 2022 Corporate Plan.

It was moved by Councillor Rafiq and seconded by Councillor Hussain and it was:

RESOLVED:

Council approves the Corporate Plan.

Meeting of Standards Committee 1st March 2022 Member Safety and Social Media Policy.

It was moved by Councillor Whitby and seconded by Councillor Butler and it was:

RESOLVED:

That the amended Member Safety and Social Media Policy be approved.

Meeting of Employment Panel – 2nd March 2022 Pay Policy Statement

It was moved by Councillor Rafiq and seconded by Councillor O'Brien it was:

RESOLVED:

The Council Agrees the Pay Policy Statement and pay structure for 2022/23.

Meeting of Cabinet 9th March 2022 Community Safety Plan.

It was moved by Councillor Gold and seconded by Councillor O'Brien and it was:

RESOLVED:

Council approves the Community Safety Plan for Bury 2022-2025.

Meeting of Audit Committee – 15th March 2022 Annual Governance Statement

It was moved by Councillor Whitby and seconded by Councillor O'Brien and it was:

RESOLVED:

1. That Council approves the proposed final Annual Governance Statement, as set out in Appendix 1.
2. That the Annual Governance Statement be signed by the Chief Executive and Leader of the Council .

C. 14 LEADER' STATEMENT AND CABINET QUESTION TIME**(a) Written question (Notice given)**

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

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

	Questioner	Cabinet Member	Topic
1	Cllr Powell	Cllr Morris	Queen's Jubilee
2	Cllr Peel	Cllr O'Brien	Cost of Living
3	Cllr Staples-Jones	Cllr Gold	Armed Forces Covenant
4	Cllr Harris	Cllr Morris	Queen's Jubilee
5	Cllr Pilkington	Cllr Simpson	GP Appointments
6	Cllr McGill	Cllr O'Brien	Refugee Crisis
7	Cllr Lancaster	Cllr Tariq	Christ Church School
8	Cllr S Wright	Cllr Quinn	Street Lighting
9	Cllr D Quinn	Cllr Gold	Parklife Community Fund
10	Cllr Hayes	Cllr Gold	Library Facilities
11	Cllr Brown	Cllr Quinn	Clearing Drains and Gullys
12	Cllr Boroda	Cllr Simpson	Mental Health Services

13	Cllr Bernstein	Cllr Tariq	Response from Ofsted
14	Cllr S Wright	Cllr Quinn	St. Mary's Flower Park
15	Cllr Caserta	Cllr O'Brien	Ukraine Conflict
16	Cllr Vernon	Cllr Morris	Support for business
17	Cllr Cropper	Cllr Quinn	Electric Vehicles
18	Cllr Gartside	Cllr Quinn	Potholes
19	Cllr Tegolo	Cllr Rafiq	Discretionary Grants
20	Cllr Powell	Cllr Simpson	Prestwich walk in centre
21	Cllr Tegolo	Cllr Quinn	Potholes

Due to the lack of time to answer questions 9 to 22 inclusive, the Leader gave an undertaking that copies of those questions and responses will be circulated to all Councillors. The Leader also gave an undertaking to make these available on the Council Web Site.

b) Verbal Questions

Questioner	Cabinet Member	Topic
Cllr N Jones	1. Cllr O'Brien	Assistance for Refugees
Cllr M Powell	2. Cllr O'Brien	Walk in Centre
Cllr Hayes	3. Cllr O'Brien	New Era For GM
Cllr Bernstein	4. Cllr Whitby	Annual Accounts
Cllr Peel	5. Cllr O'Brien	Food Strategy
Cllr McBriar	6. Cllr O'Brien	Levelling up
Cllr Pilkington	7. Cllr O'Brien	Ramsbottom Town Hall
Cllr S Wright	8. Cllr O'Brien	Council premises in Lytham St Annes

C. 15

COMBINED AUTHORITY REPORT AND QUESTIONS TO THE COUNCIL'S COMBINED AUTHORITY REPRESENTATIVES

- (a) The Council received a report on the work of the Combined Authorities.
 (b) The following questions had been received in accordance with Council Procedure Rules:

Questioner	Combined Authority Member	Topic
Cllr Wright	Cllr Peel	Metrolink service
Cllr D Quinn	Cllr Gold	Antisemitic hate crime
Cllr McGill	Cllr Peel	Impact of Covid

Cllr McBriar	Cllr Gold	GMP Inspection
Cllr Farooq	Cllr Peel	Investment in walking, cycling and road safety schemes
Cllr Harris	Cllr Peel	Metrolink Fares at Easter
Cllr Rydeheard	Cllr Peel	Recruitment of bus drivers
Cllr Tegolo	Cllr Grimshaw	GMPF
Cllr Powell	Cllr Gold	Hate Crime reporting

Due to the lack of time to answer question 9, the Mayor gave an undertaking that copies of the questions and responses will be circulated to all Councillors and made available on the Council Web Site.

C. 16 NOTICES OF MOTION

1) Making Football a Fair Game

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

Councillors: M Powell, C Tegolo and S Wright

This Council recognises that:

- 1 Football, the national game in the UK, is currently in crisis. COVID-19 has devastated the revenue of many lower-league clubs, with the loss of some notable names, and dozens more clubs teetering on the brink of survival.
- 2 Too frequently, bad management has gone unnoticed or ignored and clubs are run unsustainably, putting at risk all the history, heritage, and economic benefit they bring to an area – often in pursuit of short-term gain.
- 3 Football clubs are not ordinary businesses; they are historic sporting institutions that are both a civic and community asset, and a source of pride and unity, in their hometown or city.
- 4 Bury has its own experience at the forefront of this crisis, losing our 134 year-old league football club, and the efforts of fans, the Council and the Government to return league football to the town.

On being put with 43 voting for 0 voting against and the Mayor abstaining, it was resolved, that

The Council;

- 1 Put on record its support for 'Fair Game', a national campaign that seeks radical reform of the way football is managed and run, specifically its call for an independent regulator for the sport, and a refocus on 'values' rather than profit.
- 2 Support Fair Game's calls for an establishment of a Sustainability Index, which will reallocate the payments made to clubs to reward those which are run well, respect equality standards and properly engage with their fans and their community.
- 3 Declare its support for the Fair Game manifesto, 'Solutions for our National Game', and call on other Councils to join us in our support.
- 4 Ask the Chief Executive to write to the Minister for Sport, our local Members of Parliament, and the Chair of the Local Government Association Culture,

Tourism and Sport Board, asking them to support and work towards implementing Fair Game's manifesto and the findings of the fan-led review led by Tracey Crouch MP

- 5 Ask the Council's representatives to encourage other Authorities to support Fair Game

2) Cost-of-Living and Food Insecurity

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

Councillors: C Boles, N Boroda, S Butler, C Cummins, U Farooq, R Gold, J Grimshaw, S Haroon, M Hayes, T Holt, K Leach, G McGill, C Morris, B Mortenson, E O'Brien, K Peel, T Pilkington, A Quinn, D Quinn, T Rafiq, A Simpson, L Smith, G Staples-Jones, T Tariq, K Thomas, S Walmsley, C Walsh and M Whitby.

This Council recognises with concern that households across our borough are bracing themselves for the biggest drop in living standards in thirty years.

This Council notes that the cost-of-living crisis includes steep price increases in everyday and essential food items, making the situation worse for the 10% of households already living in food insecurity across our borough and risking more people experiencing food insecurity.

This Council celebrates the incredible work done by food banks and pantries across our six towns to support those most in need and the dedication and hard work of the volunteers who run them.

This Council regrets that the Government is making the cost-of-living crisis worse through tax hikes, low growth, falling real wages, and a failure to tackle the energy crisis.

On being put with 30 voting for 13 voting against and the Mayor abstaining, it was resolved, that

The Council:

- Writes to the Government urging Ministers to set out a national strategy for food including how it intends to ensure access to high quality, sustainable, affordable food for all and meet the United Nations goal to end hunger by 2030.
- Establish a Lead Member for Food Poverty to drive forward our local efforts to end hunger in our borough.
- Further develop our Food Plan for Bury to identify local food insecurity challenges and put in place steps to tackle them.
- Strengthen our work with the voluntary and community sector and statutory agencies to tackle food poverty through our Food Partnership and Food Network.
- Continue our efforts to alleviate all forms of poverty and tackle the root causes by investing in our people and places; ensuring our residents have access to high quality education, training and lifelong learning; delivering the Real Living Wage for our staff and contractors; regenerating our town centres and attracting businesses to create more well paid jobs; improving our housing stock and building more high quality affordable homes; and working with our partners in the NHS to tackle health inequalities.

3) Greater Manchester Clean Air Zone

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

Bernstein, Brown, Caserta, Cropper, Dean, Gartside, Harris, Lancaster, Hurst, Hussain, N Jones, Lewis, McBriar, Rydeheard, Vernon.

The Greater Manchester Clean Air Zone was first proposed by the Mayor of Greater Manchester, Andy Burnham, in 2019.

Since that date, this Council voted in favour of the Mayor's scheme, as a result, we have seen huge public criticism of the plans.

The Greater Manchester Clean Air Final Plan report, presented to the Greater Manchester Combined Authority (GMCA), on 25th June 2021 by Transport for Greater Manchester (TfGM) was misleading.

The Council notes:

- The Greater Manchester Clean Air Zone (CAZ) is 493sqm which includes every district in GM
- TfGM in July 2021 stated a database sourced from The Society of Motor Manufacturers and Traders (SMMT) estimated that approximately at present 90% of non-compliant LGV's in GM, are not retrofittable
- TfGM estimates that in 2023 there will be 75,000 non-compliant LGV's based in GM out of a total fleet of 136k LGV's
- The Greater Manchester Clean Air Final Plan report was approved by all GM Districts and the Greater Manchester Combined Authority to support the Mayor of Greater Manchester's plan for Clean Air during July 2021
- The 8 Greater Manchester Conservative MPs and 1 Labour MP wrote to the Secretary of State for Environment and Rural Affairs urging a delay to the rollout of the CAZ for further consultation

The Council resolves to:

Call on the Chief Executive to write to the Mayor of Greater Manchester to state the Clean Air Zone is not fit for purpose and ask for the scheme to be abandoned and for a new plan to be drafted to deal with air pollution

Ask the Secretary of State to abandon the current scheme which was approved by Greater Manchester authorities because The Greater Manchester Clean Air Final Plan impacts tens of thousands of small businesses and charities within Greater Manchester region in addition to thousands who are based outside of the GM region but operate within the GM region contributing to the £62 billion economy

Ask the Mayor of Greater Manchester in conjunction with the Greater Manchester Combined Authority to draw up a new plan which does not charge but focuses solely on cleaning up the air where there are breaches.

It was moved by Councillor A Quinn and seconded by Councillor L Smith as an amendment to:-

REMOVE ~~The Greater Manchester Clean Air Zone was first proposed by the Mayor of Greater Manchester, Andy Burnham, in 2019.~~

-

~~Since that date, this Council voted in favour of the Mayor's scheme, as a result, we have seen huge public criticism of the plans.~~

~~-~~

~~The Greater Manchester Clean Air Final Plan report, presented to the Greater Manchester Combined Authority (GMCA), on 25th June 2021 by Transport for Greater Manchester (TfGM) was misleading.]~~

ADD – Between 2015 and 2018 the Government lost 3 high court cases brought by Client Earth. In each case the judge found the Government to be in breach of its own air quality standards.

Following that the 10 local authorities in Greater Manchester, as well as dozens of other local authorities in England were placed under a Ministerial Direction as part of the UK Plan for tackling roadside nitrogen dioxide concentrations under 1995 Environment Act (GM Direction).

This required local authorities to undertake work to identify the preferred option to reduce NO2 levels to within legal limits in the shortest possible time and compliant by 2024 at the latest, including the development of a charging Clean Air Zone.

Labour Leaders and the Greater Manchester Mayor have argued that the 2024 deadline was no longer achievable without causing significant harm to jobs and businesses in Greater Manchester. As a result, Greater Manchester Councils took the decision to go back to the Government and request that the Ministerial Direction be lifted.

The Government argued for a one-year delay to the scheme. But the Labour Leaders and Mayor held out for a two-year delay. This was eventually agreed by the Government and is reflected in the new Ministerial Direction setting a deadline of 2026 for compliance.

This now allows for a very different scheme to be put in place and a new scheme has to be agreed by the Government by July.

The Council notes:

- Air pollution is linked to a wide range of serious illnesses and conditions. It contributes to approximately 1,200 deaths a year in Greater Manchester
- The Government has previously rejected Greater Manchester's call for an additional hardship fund
- The position of the 9 Labour Leaders and Greater Manchester Mayor, which support a non-charging zone
- The Greater Manchester Clean Air Zone (CAZ) is 493sqm which includes every district in GM
- TfGM in July 2021 stated a database sourced from The Society of Motor Manufacturers and Traders (SMMT) estimated that approximately at present 90% of non-compliant LGV's in GM, are not retrofittable
- TfGM estimates that in 2023 there will be 75,000 non-compliant LGV's based in GM out of a total fleet of 136k LGV's
- The Greater Manchester Clean Air Final Plan report was approved by all GM Districts and the Greater Manchester Combined Authority **REMOVE – [to support the Mayor of Greater Manchester's plan for Clean Air during July 2021]**
- The 8 Greater Manchester Conservative MPs and 1 Labour MP wrote to the Secretary of State for Environment and Rural Affairs urging a delay to the rollout of the CAZ for further consultation

The Council resolves to:

~~REMOVE – [Call on the Chief Executive to write to the Mayor of Greater Manchester to state the Clean Air Zone is not fit for purpose and ask for the scheme to be abandoned and for a new plan to be drafted to deal with air pollution~~

~~- Ask the Secretary of State to abandon the current scheme which was approved by Greater Manchester authorities because The Greater Manchester Clean Air Final Plan impacts tens of thousands of small businesses and charities within Greater Manchester region in addition to thousands who are based outside of the GM region but operate within the GM region contributing to the £62 billion economy~~

~~- Ask the Mayor of Greater Manchester in conjunction with the Greater Manchester Combined Authority to draw up a new plan which does not charge but focuses solely on cleaning up the air where there are breaches.]~~

ADD – Call on the Government to cooperate with the current review of future arrangements in Greater Manchester and seek to agree a fairer approach to cleaning up our air.

Lobby the Government to ensure it provides full financial support to enable individuals and businesses to upgrade their vehicles, especially in light of the current supply-chain issues.

To also call upon the Government to fully fund the Bus Service Improvement Plan and City Region Sustainable Transport Settlement to help us improve walking, cycling and clean public transport.

On being put, with 26 voting for, 17 voting against, and with the Mayor abstaining, the Mayor declared the amendment carried.

On being put with 30 voting for, 13 voting against and the Mayor abstaining the substantive motion was carried.

C. 17 EMERGENCY MOTION

Following a receipt of a valid Emergency Motion in relation to the ongoing conflict in Ukraine. The Mayor agreed that it would not be practical to defer consideration of the motion:

The motion was received in the names of Councillors Powell, Tegolo and S Wright.

BURY STANDS WITH UKRAINE

This Council joins all residents across Bury in opposing Vladimir Putin's barbaric war on Ukraine.

This Council notes that Bury has a proud history of providing sanctuary to those forced to flee their homeland.

This Council recognises that we must play our part in supporting Ukrainian people and communities affected by this terrible conflict.

This Council therefore resolves to:

1. Reach out to the Ukrainian Community in Bury and the wider city region and offer the help and assistance they require during this heart-breaking period.
2. Note the commitments already made by the government to house displaced Ukraine families and making it clear that the Borough will go over and above to offer sanctuary and shelter to those that need it
3. Support, promote and work in partnership with local charitable, community and religious organisations who are working to provide resources and assistance for those affected and displaced by the conflict in Ukraine.
4. Work with our local school community to urgently find placement for any school age children seeking refuge in Bury.
5. Support the local Russian community who are opposed to the violence and terror being wrought on Ukraine by a regime they do not support.
6. Promote opportunities to support other organisations working on the ground in Ukraine to provide humanitarian aid and shelter - these include but are not limited to the British Red Cross, UNICEF and the UN Refugee Council.
7. Ask the Chief Executive to raise with the Home Office the situation children without passports are experiencing at the UK Border.
8. This Council also recognises it has a role to play to ensure Russian political and financial interests are not promoted in any of its activities and investments.

We welcome that the Council does not have any direct energy contracts with Russian firms and we will ensure this remains the case.

This Council therefore further resolves to:

Immediately request a report from the Greater Manchester Pensions Authority on the investments our Council's Pension Fund currently has in Russian companies. Where these investments still exist, Council calls on the Pension Fund to make immediate arrangements to divest any shares in Russian companies.

Write to the Home Office to give Bury's support to stricter sanctions on the Russian regime - and in particular to extend sanctions against Russian oligarchs with ties to Putin's regime to fully block their access to financial operations in the UK.

This Council also resolves to ask all Group Leaders sign a joint letter to the Prime Minister and Foreign Secretary calling on the UK Government to;

1. Offer sanctuary to Ukrainian people in their hour of need and ensure there is a swift and efficient visa application process.
2. End our dependence on Russian energy and fast-track the transition to renewable energy sources.

3.Impose the severest economic, financial, technical and cultural sanctions on the Russian state.

On being put with all 44 Members voting in favour the motion was carried.

C. 18 COUNCIL MOTION TRACKER

The Council tracker was presented for information.

C. 19 SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS "CALLED IN" BY SCRUTINY COMMITTEES

There were no scrutiny review reports or specific items called in by scrutiny committees.

C. 20 QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS

There were no questions on the work of outside bodies or partnerships.

THE WORSHIPFUL THE MAYOR

(Notes: The meeting started at 7pm and ended at 10.43pm)

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Classification	Item No.
Open	

Meeting:	Democratic Arrangements Forum Standards Committee Council
Meeting date:	25 th May 2022
Title of report:	Report from the Independent Remuneration Panel – Review of the Member Allowance Scheme
Report by:	The Monitoring Officer
Decision Type:	Council
Ward(s) to which report relates	All

EXECUTIVE SUMMARY:

This report is a synopsis of the deliberations and recommendations made by the Independent Remuneration Panel (the IRP or Panel) for Bury Council to advise the Council on its Members' Allowances scheme.

The IRP report states that evidence shows that the Bury Council Members' Allowances scheme is a low paying scheme both comparatively and in real terms. Benchmarking shows that the Bury are the lowest or next to lowest in every category across all the Greater Manchester. Moreover, the SRAs are now lower than what they were in 2010.

The IRP received anecdotal evidence that the current level of allowances was acting as a barrier to the recruitment of a wide range of candidates to stand for Council. In particular, the time required to be a Member (whether this was at the most senior level or at the backbench level) was not recompensed by the current level of allowances payable.

While the Basic Allowance and SRAs were never intended to reflect the 'market value' of the workload and responsibilities undertaken by Members, they are intended to go a large way to recognising that there is a substantial time commitment and complexity to being an elected Member that is largely unrecognised in their current remuneration. Legislative

changes have increased the demands on all Members but on leading Members in particular. The current allowances payable do not reflect the increased demands made on Members.

Currently, it is the IRP's view that the Bury Council Members' Allowance scheme does not meet this core principle underpinning the purpose of establishing such schemes.

RECOMMENDATIONS:

- 1. That Council notes the report of the Independent Remuneration Panel dated November 2021 (Appendix 1)**
- 2. Following consultation with the Group Leaders, the Mayor and the Standards Committee Council consider the recommendations 1- 24 with a minor amendment to recommendation 13 to reflect the revised GM position**

1. Basic allowances for Members to be reset at £10,791. Note that the Basic Allowance continues to be deemed inclusive of all in-Council travel and subsistence costs and telephone allowance and that Schedule 2 of the allowances scheme is amended to reflect this situation.
2. The Special responsibility allowance for the Leader is set at £32,733
3. The SRA for the Deputy Leader is set at £19,424.
4. The Cabinet members SRA is set at £14,568, Deputy Cabinet Members SRA to be reset at £2,185.
5. SRA for the Chairs of the six main committees to be set at £8,093

Chairs of the main Committees (x6) -Overview & Scrutiny Committee/Children's & Young People's Scrutiny Committee/Health Scrutiny Committee/Planning Control Committee/Licensing & Safety Committee/Audit Committee

6. That Members who sit on Licensing Hearings Panels who attend more than 6 meetings in any one year are paid an SRA as follows:

Meetings over 4 hours: £106

Meetings up to 4 hours: £53

As per current practice this SRA should only be paid to Members who are not otherwise in receipt of an SRA.

7. The SRA for the Leader of the Main Opposition Group is reset at £10,683.
8. The SRA for the Deputy Leader of the Main Opposition Group only be payable if the Main Opposition Group holds 20 per cent of seats (11) on Council and is reset at £4,273.
9. That where there are two or more Other Opposition Groups then the recommended SRA of £5,342 should be divided on a pro rata basis and paid accordingly to Leaders of all Other Opposition Groups.
10. The SRA for the Deputy Leader(s) of Other Opposition Groups is reset at £1,870. This is only paid when an Other Opposition Group attains 10 per cent of seats

(five) on Council. Where there are two or more Other Opposition Groups of five or more seats the SRA of £1,870 should be paid to their respective Deputy Group Leaders on a pro rata basis.

11. The Leader is paid a separate SRA of £6,000 as a Member/Portfolio Holder on the GMCA under the 2011 Order.
12. The SRA for the two Bury Members appointed to the GMTC is reset at £3,000.
13. The SRA for the two (now only one) Bury Council Members appointed to the GM Waste and Recycling Committee is reset at £1,5000.
14. That the council discontinue the SRA for the Council's appointment to the GM Pension Fund.
15. The 1-SRA only rule is maintained with the exception of the additional SRAs paid under the 2011 GMCA Order.
16. That for Shadow Portfolio Holders and Group Whips it is not recommended an SRA is paid.
17. That the financial loss allowance is discontinued and the Audit and Standards Hearings Panel Co-optees to be paid a Co-optees' Allowance that has two elements as follows:

Standard element	£500 per year
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Meetings element

Meetings over four hours	£106 per meeting
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Meetings up to four hours	£53 per meeting
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18. Note that there is no change to the Mayoral Civic Allowance (£16,472) and Deputy Mayor Civic Allowance (£4,118).
19. That the current allowances paid to the Independent Members who sit on Council Education Appeals Panels are discontinued and reset as follows:

£106 for meetings over 4 hours

£53 for meetings up to 4 hours

Mileage/public transport reimbursement – maintain where applicable

Parking fee reimbursement – maintain where applicable

20. That the carers allowance is maintained but there are two types of care identified to be paid at the following maximum rates:

Child care:	maximum rate paid at real living wage
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(Currently £9.50)

Elderly/disabled care:	maximum rate paid at the hourly rate charged by Bury Council Social Services Department for a Home Help
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An annual cap be for these payments to be set at £2,000

21. That the current approved duties and conditions for which the Travel and Subsistence Allowances may be claimed outwith the Council are maintained but that the mileage reflect the full range of HMRC AMAP (Approved Mileage Allowance Payment) rates as follows:

Mode of Travel	First 10,000 business miles in the tax year	Each business mile over 10,000 miles in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

Passenger payments – cars and vans

5p per passenger per business mile for carrying fellow Member or Council employee in a car or van

Current mileage rates are clarified to include provision that if a Member is claiming out of Council mileage by driving a hybrid or electric vehicle that the applicable mileage rates continue to be HMRC approved rates.

22. The subsistence rates for attending approved duties outwith the Council area should be based on current Officer rates as follows:

Subsistence - Breakfast	£7.31
Subsistence - Lunch	£9.74
Subsistence - Evening Meal / Networking	£18.28

23. That the allowances scheme is amended to include a statement that clarifies the continued right of remuneration for a Member when they are required to take maternity, paternity or adoption leave for up to a period of 12 months, subject to the legal attendance requirements.
24. The revised members allowance scheme is adopted from the date of the Council's Annual Meeting 2022 and that indexation is applied in accordance with the IRP recommendations.
- 3. Instructs the Monitoring Officer to amend the Councils Members Allowance scheme in accordance with the decision of the Full Council meeting held on 25th May 2022.**

1.0 INTRODUCTION

Each year, the Council must approve a Members' Allowances Scheme before the end of the preceding financial year. Before doing so it must consider the views of its Independent Remuneration Panel.

The Democratic Arrangement Forum gave authority in June for the Monitoring Officer to establish a new Independent Remuneration Panel (IRP) to carry out this review of all Member allowances.

2.0 BACKGROUND AND TERMS OF REFERENCE

- 2.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Local Authorities must establish and maintain an Independent Remuneration Panel. The purpose of the Panel is to make recommendations to the Local Authority about the allowances to be paid to Members. Councils cannot alter or update their schemes without first considering a report from an Independent Remuneration Panel.
- 2.2 The Regulations require that Independent Remuneration Panels should have at least three members, none of whom is a Member of the Council or of a committee or sub committee of the Council or is disqualified from being a member of the Council by virtue of s 80 of the Local Government Act 1972 and s 79 and 83 (11) of the Local Government Act 2000. Members of Panels cannot be Members of any Local Authority in respect of which the Panel makes recommendations and must be independent of the Council.

The Panel was Chaired by Dr Declan Hall who has extensive experience in Chairing IRPs across the country including Greater Manchester. The Chair was assisted by two independent members, Dr Andrew Hall Managing Director of Avoira Limited and a John Thompson Trade Union representative, Unison Branch Secretary.

- 2.3 It was agreed that the Panel be asked to consider the following specific issues:-
- i. The amount of basic allowance that should be payable to its elected members.
 - ii. The responsibilities or duties which should lead to the payment of a special responsibility allowance (SRA) and as to the amount of such an allowance.
 - iii. About other allowances including an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a

recommendation, the amount of this allowance, travel and subsistence and phone.

- iv. The level of allowances paid to co-opted members of the Council's Audit Committee and co-opted members of the Standards Committee.
- v. The level of allowance paid to the Mayor and Deputy Mayor for the purpose of meeting the expenses of those offices (i.e., the Civic Allowances).
- vi. The implementation date for the recommendations, including whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended.
- vii. The payment of member(s) appointed to the Greater Manchester Combined Authority (GMCA) in respect of duties and responsibilities undertaken as a member of the GMCA, and if so to specify the amount of any such allowance (in accordance with the Greater Manchester Combined Authority Order 2011 Schedule 1 - Constitution (Remuneration page 18).
- viii. The level of Travelling, utility and Subsistence Allowances for members of the Independent Education Appeals Panels.
- ix. The consideration of a Parental Leave Policy for elected members. This item was added at the request of the standards Committee.
- x. Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run.

3.0 METHODOLOGY AND TIMELINE FOR UNDERTAKING THE REVIEW

- The Panel sought views of Members both written and oral, with opportunities for selected Members to meet the Panel (See Appendix XXX list of interviewees)
- Factual Briefings from Officers
- The Statutory Guidance on Regulation for Local Authority Allowances 2006.
- The 2003 Members' Allowances Regulations
- Roles and Responsibilities as contained within the Council's Constitution
- That recommendations should conform to existing legislation and anticipate likely future legislation so far as possible.
- The requirement for their report and recommended changes to the scheme of allowances to be easy to understand and adequately justifiable to the electorate.

To assist in its deliberations, as background information the Panel was provided with comparative information from other GM authorities.

The Panel considered each item listed in the terms of reference and have made recommendations. The supporting information is set out in their report dated 5th November 2021. Members are asked to note that in addition to the specific recommendation relating to individual allowances the IRP also recommends that indexation should run for four

years (2022-2026), which is the maximum length of time permitted by the 2003 Regulations. For authority for indexation to be extended beyond the fourth anniversary of the establishment of the new scheme of allowances the Council is required to first seek advice from the IRP.

The IRP recommends that the new scheme of allowances based on the recommendations contained in this report is adopted from the date of the Council's Annual Meeting 2022.

Community impact/links with Community Strategy

An up to date Member Allowance Scheme will ensure decision are taken lawfully and in an open and transparent manner.

Equality Impact and considerations:

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

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

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

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

Equality Analysis *Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.*

An up to date Member Allowance Scheme will ensure decisions 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. An Equality Impact Assessment has been completed

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Ensure compliance with the Under the Local Authorities (Members' Allowances) (England) Regulations 2003	Independent panel establish and report to Members for consideration

Consultation:

Group Leaders and the Mayor at the Democratic Arrangements Forum and Members of the Standards Committee. The terms of reference set out members would be interviewed by the IRP and a Member survey was sent to all Members to obtain their views.

Legal Implications:

The legal implications are set out in the report.

Financial Implications:

The report includes a broad range of recommendations. Depending upon whether some, none or all of the recommendations are adopted the financial consequence will differ. The current budget is £753,600 for the allowances noted within the report. Adoption of all of the proposed recommendations based upon the same number of members and special responsibility allowances thereby comparing on a like for like basis would require an increase in the budget of £110,500 to create a revised budget of £863,700, representing a 14.61% increase. There would also be additional costs for independent members attendance at meetings but based upon current activity this is not anticipated to exceed £5k per annum. If the new rates are adopted from the Councils annual meeting in May 2022 there would be a part year effect in the 2022/23 financial year.

Report Author and Contact Details:

Jacqui Dennis, Monitoring Officer and Council Solicitor

**A Review
Of
Members' Allowances
For
Bury Council**

**A Report by the
Independent
Remuneration Panel**

**Declan Hall PhD (Chair)
Dr Andrew Roberts
John Thomson**

November 2021

Executive Summary – Recommendations

The Table below sets out the Panel's recommendations for the Basic Allowance and SRAs (2022/23), including total number of SRAs and maximum amounts payable. In reality the total paid out in SRAs is likely to be less due to the 1-SRA only rule.

Bury November 2021 Review	Recommended Maximum Payable 2022/23			
POSITION	Nos Paid	Basic Allowance	Total P/Mbr (BA+SRA)	Sub Total Per Category
BASIC ALLOWANCE	51	£10,791		£550,341
SPECIAL RESPONSIBILITY ALLOWANCES		SRA annual		
EXECUTIVE				
Leader	1	£32,373	£43,164	£32,373
Deputy Leader	1	£19,424	£30,215	£19,424
Other Cabinet Members	6	£14,568	£25,359	£87,407
Deputy Cabinet Members	7	£2,185	£12,976	£15,296
OVERVIEW AND SCRUTINY (O&S)				
Chairs O&S Committees	3	£8,093	£18,884	£24,280
REGULATORY				
Chair Audit Committee	1	£8,093	£18,884	£8,093
Chair Planning Control Committee	1	£8,093	£18,884	£8,093
Chair Licensing & Safety Committee	1	£8,093	£18,884	£8,093
OPPOSITION POSTS				
Leader Main Opposition Group	1	£10,683	£21,474	£10,683
Deputy Leader Main Opposition Group (where Group has reached threshold of 11 members)	1	£4,273	£15,064	£4,273
Leader(s) Other Opposition Groups total payable regardless of number of Other Opposition Groups	0	£5,342	NA	NA
Leader Other (Liberal Democrat) Opposition Group	1	£2,671	£13,462	£2,671
Leader Other (Radcliffe First) Opposition Group	1	£2,671	£13,462	£2,671
Deputy Leader(s) Other Opposition Groups total payable regardless of number of Other Opposition Groups (Where Group has reached threshold of 5 Members)	0	£1,870	NA	NA
Sub Total - Basic Allowance	51			£550,341
Sub Total - SRAs	25			£223,358
Total (BA+SRAs)				£773,699
SRA paid to Members appointed to GMTC	2	£3,000	£13,791	£6,000
SRA paid to Members appointed to GM Waste Committee	2	£1,500	£12,291	£3,000
Leader's SRA under GMCA Order	1	£6,000	£49,164	£6,000
Total BA+SRAs + GMCA SRAs				£788,699

The IRP also recommends:

Opposition SRAs – Deputy Leader of Main Opposition Group

That the SRA (£4,273) for the Deputy Leader of the Main Opposition Group is only payable if the size of the Main Opposition Group attains 11 Members

Opposition SRAs – Leader of Other Opposition Group(s)

That where there are two or more Other Opposition Groups then the recommended SRA of £5,342 should be divided on a pro rata basis and paid accordingly to Leaders of all Other Opposition Groups.

Opposition SRAs – Deputy Leader[s] of Other Opposition Group

That the SRA for the Deputy Leader(s) of Other Opposition Groups of £1,870 is only paid when an Other Opposition Group attains 10 per cent of seats (five) on Council. Where there are two or more Other Opposition Groups of five or more seats the SRA of £1,870 should be paid to their respective Deputy Group Leaders on a pro rata basis.

Members who sit on Licensing Hearings Panels

That Members who sit on Licensing Hearings Panels who attend more than six meetings in any one year are paid an SRA as follows:

- Meetings over 4 hours: £106
- Meetings up to 4 hours: £53

As per current practice this SRA should only be paid to Members who are not otherwise in receipt of an SRA.

Other SRAs considered but not recommended

That Shadow Portfolio Holders, Group Whips and the Council's appointee to the GM Pension Fund are not recommended an SRA is paid.

Maintaining the 1-SRA Only Rule and Exceptions

That the 1-SRA only rule is maintained with the exception of the SRAs paid in respect of appointments to the GMCA.

The Co-optees' Allowance

That the financial loss allowance is discontinued and the Audit and Standards Hearings Panel Co-optees to be paid a Co-optees' Allowance that has two elements as follows:

- Standard element £500 per year
- Meetings element
 - Meetings over four hours £106 per meeting
 - Meetings up to four hours £53 per meeting

The Civic (Mayoral) Allowances

That there is no change to the Mayoral Civic Allowance (£16,472) and Deputy Mayor Civic Allowance (£4,118).

The Independent Members of the Educations Appeals Panels Allowance

That the current allowances paid to the Independent Members who sit on Council Education Appeals Panels are discontinued and reset as follows:

- £106 for meetings over 4 hours
- £53 for meetings up to 4 hours

The Dependants' Carers' Allowance (DCA)

That the DCA is maintained but there are two types of care identified to be paid at the following maximum rates:

- Child care: maximum rate paid at real living wage (Currently £9.50)
- Elderly/disabled care: maximum rate paid at the hourly rate charged by Bury Council Social Services Department for a Home Help

The IRP also recommends that the current annual cap be raised to £2,000 and as a matter of course all claims to be receipted.

Travel and Subsistence Allowances - Within the Council

That the Basic Allowance continues to be deemed inclusive of all in-Council travel and subsistence costs and that Schedule 2 of the allowances scheme is amended to reflect this situation.

Travel and Subsistence Allowances - Outside the Council

That the current approved duties and conditions for which the Travel and Subsistence Allowances may be claimed outside the Council are maintained but that the mileage reflect the full range of HMRC AMAP (Approved Mileage Allowance Payment) rates as follows:

Mode of Travel	First 10,000 business miles in the tax year	Each business mile over 10,000 miles in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

Passenger payments – cars and vans

5p per passenger per business mile for carrying fellow Member or Council employee in a car or van

The IRP also recommends that the current mileage rates are clarified to include provision that if a Member is claiming out of Council mileage by driving a hybrid or electric vehicle that the applicable mileage rates continues to be HMRC approved rates.

Furthermore the IRP recommends that the subsistence rates for attending approved duties outwith the Council area should be based on current Officer rates as follows:

Subsistence - Breakfast	£7.31
Subsistence - Lunch	£9.74
Subsistence - Evening Meal / Networking	£18.28

The Telephone Allowance

That the Telephone Allowance is discontinued.

Adopting a Parental (Maternity, Paternity and Adoption) Leave Policy

That the allowances scheme is amended to include a statement that clarifies the continued right of remuneration for a Member when they are required to take maternity, paternity or adoption leave for up to a period of 12 months, subject to the legal attendance requirements.

Issues arising I – amendment of scheme paragraph 8 (1)

That the current paragraph 8 (1) of the allowances scheme is removed.

Indexation

That the following indices are applied to the allowances paid to Members and appointees of Bury Council:

- **Basic Allowance, SRAs (including those paid in accordance with the GMCA 2011 Order), Co-optees' Allowance, Civic (Mayoral) Allowances and the remuneration for Independent Members appointed to Education Appeals Panels:**
 - Indexed to the annual percentage salary increase for local government staff (at spinal column 49) as agreed each year by the National Joint Council for Local Government Services and applicable to the same year it applies to Officers but with an implementation date from the start of the municipal rather than financial year.
- **Mileage Allowance (Outwith only):**
 - Members' mileage allowances rates indexed to HMRC Approved Mileage Allowance Payment rates.
- **Subsistence Allowances (Outwith only):**
 - Subsistence allowances should continue to be indexed to the same rates that are applicable to Officers.

- **The Dependants' Carers' Allowance:**
 - **Child care:** maximum rate indexed to the real living wage (Currently £9.50 per hour)
 - **Elderly/disabled care:** maximum rate indexed to the hourly rate charged by Bury Council Social Services Department for a Home Help

The IRP also recommends that indexation should run for four years (2022-2026), which is the maximum length of time permitted by the 2003 Regulations

Implementation

That the new scheme of allowances based on the recommendations contained in this report is adopted from the date of the Council's Annual Meeting 2022.

A Review
Of
Members' Allowances for Bury Council
By the
Independent Remuneration Panel
November 2021

Regulatory context

1. This report is a synopsis of the deliberations and recommendations made by the Independent Remuneration Panel (the IRP or Panel) for Bury Council to advise the Council on its Members' Allowances scheme.
2. The IRP was convened under The Local Authorities' (Members' Allowances) (England) Regulations 2003 (SI 1021) ("the 2003 Regulations"). These regulations, which arise out of the relevant provisions contained in the Local Government Act 2000, require all local authorities to establish and maintain an advisory Independent [Members] Remuneration Panel to review and provide advice on Members' allowances on a periodic basis.
3. All Councils are required to convene their IRP and seek its advice before they make any changes or amendments to their Members' Allowances Scheme. They must 'pay regard' to their IRPs recommendations before setting a new or amended Members' Allowances Scheme. On this particular occasion, the IRP has been reconvened under the 2003 Regulations [19. (1)], which states:

Before an authority referred to in regulation 3(1) (a), (b) or (c) [which includes a metropolitan authority] makes or amends a scheme, the authority shall have regard to the recommendations made to it by an independent remuneration panel.

4. It is this requirement that provides an opportunity for IRPs to publicly scrutinise their Councils' allowances schemes and enhance public accountability.

Terms of Reference

5. The terms of reference provided to the IRP for this review were as follows:

In accordance with the 2003 Members' Allowances Regulations the IRP shall make recommendations to be considered by the Council at Full Council on 24th

November 2012 for a proposed implementation date at Annual Council 2022 regarding:-

- i. The amount of basic allowance that should be payable to its elected members
 - ii. The responsibilities or duties which should lead to the payment of a special responsibility allowance (SRA) and as to the amount of such an allowance
 - iii. About other allowances including an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance, travel and subsistence and phone
 - iv. The level of allowances paid to co-opted members of the Council's Audit Committee and co-opted members of the Standards Committee
 - v. The level of allowance paid to the Mayor and Deputy Mayor for the purpose of meeting the expenses of those offices (i.e., the Civic Allowances)
 - vi. The implementation date for the recommendations, including whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended
 - vii. The payment of member(s) appointed to the Greater Manchester Combined Authority (GMCA) in respect of duties and responsibilities undertaken as a member of the GMCA, and if so to specify the amount of any such allowance (in accordance with the Greater Manchester Combined Authority Order 2011 Schedule 1 - Constitution (Remuneration page 18)
 - viii. The level of Travelling, utility and Subsistence Allowances for members of the Independent Education Appeals Panels
 - ix. The consideration of a Parental Leave Policy for elected members
 - x. Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run
6. In arriving at its recommendations the IRP shall also take into account:
- A. The views of Members both written and oral, with an opportunity for selected Members to meet with the IRP
 - B. Factual Briefings from Officers
 - C. The Statutory Guidance on Regulation for Local Authority Allowances 2006.
 - D. The 2003 Members Allowances Regulations (SI 2003/1021)
 - E. Roles and Responsibilities as contained with the Council's Constitution
 - F. That the recommendations should confirm to existing legislation and anticipate likely future legislation as far as possible

- G. The requirement for their report and recommended changes to the scheme of allowances to be easy to understand and adequately justifiable to the electorate
- H. Allowances paid in comparable councils, namely the other Greater Manchester Metropolitan Councils

Membership of the Independent Remuneration Panel

7. In accordance with the decision of Bury Council on 17th March 2021, the Director of Law and Public Services in consultation with the Mayor was authorised to appointed a new IRP, consisting of the following appointees:
 - Dr Declan Hall (Chair): an independent consultant specialising in members' allowances and support and a former lecturer in local government and politics at the Institute of Local Government, The University of Birmingham.
 - Dr Andrew Roberts: A local businessman and MD of a local IT Company; Chair of Bury Business Leaders Group and a Governor of the University of Bolton
 - John Thomson: UNISON Bury Branch Secretary
8. The IRP was supported by Julie Gallagher Head of Democratic Services and Jacqui Dennis, Director of Law and Democratic Services, who were the organisational leads in facilitating and supporting the work of the IRP.

The Review Process and Methodology

9. The IRP met in person at Bury Council Offices on 6th and 7th October 2021 to consider all the written evidence and data and receive factual briefings on the Council and how it operates from relevant Officers. It was during this time that a representative range of Members met with the IRP to discuss their roles and responsibilities and to raise any issues of concern. Any Member not invited but who wanted to meet with the IRP was accommodated.
10. In addition, every Member was sent a short questionnaire through which they could make their views known and raise any concerns directly with the IRP, of which 17 were received. The questionnaire also had the methodological advantage of ensuring all Members were being asked a common set of questions during the interviews, the main point being that all Members had at least one opportunity to exercise their voice during the review.
11. In compliance with the terms of reference and for benchmarking purposes the IRP also took into account the range and levels of allowances paid in comparable local authorities, namely the other Greater Manchester Councils.

12. The full range of interviewees and written information received and considered by the IRP is set out in the appendices as follows:
- Appendix 1: List of information and evidence that was included in the Information Pack for IRP Members
 - Appendix 2: Elected Members and appointees who met with the IRP
 - Appendix 3: Officers who provided a factual briefing to the IRP
 - Appendix 4: Summary of benchmarking of Bury Council Allowances against other Greater Manchester Councils

Key Messages – Allowances Scheme – a low paying scheme

13. The evidence shows that the Bury Council Members' Allowances scheme is a low paying scheme both comparatively and in real terms. Benchmarking shows that the Bury are the lowest or next to lowest in every category across all of Greater Manchester. Moreover, the SRAs are now lower than what they were in 2010 and have not been fundamentally reviewed since then; the Basic Allowance has not been fundamentally reviewed since at least a few years prior to 2010.

The Changing roles of Members

14. The generally low level of allowances and the fact that they have not been reviewed at all for over 11 years is in a context whereby that the roles of Members have changed dramatically since then. Legislative changes have increased the demands on all Members but on leading Members in particular. The current allowances payable does not reflect the increased demands made on Members

Allowances acting as a deterrent to becoming and remaining a Member

15. The IRP received anecdotal evidence that the current level of allowances was acting as a barrier to the recruitment of a wide range of candidates to stand for Council. In particular, the time required to be a Member (whether this was at the most senior level or at the backbench level) was not recompensed by the current level of allowances payable. Moreover, the relatively high churn of Members in Bury it was argued was partially a function of the lack of support provided by the current level of allowances payable.
16. While the Basic Allowance and SRAs were never intended to reflect the 'market value' of the workload and responsibilities undertaken by Members, they are intended to go a large way to recognising that there is a substantial time commitment and complexity to being an elected Member that is largely unrecognised in their current remuneration.
17. This purpose is highlighted by the original policy underpinning the work of remuneration panels when considering the principles for establishing a Members Allowances Scheme¹:

¹ Modern Local Government – In touch with the People: Cm 4014 July 1998, 3.54

The financial support for Councillors must also reinforce the culture of the modern council and address, as far as possible, any disincentives to serving in local politics. People do not enter public service to make their fortune. But neither should they pay a price for serving the public.

18. Currently, the Bury Council Members' Allowances scheme does not meet this core principle underpinning the purpose of establishing such schemes.

Putting the Allowances scheme on a par with Greater Manchester peers

19. A strong view that came across in both the written and oral representation made to the IRP was that the allowances paid in Bury Council should be broadly in line with that paid across the other Greater Manchester Council. The broad view expressed was it was inequitable that Bury Council should generally pay lower allowances than that in their peer authorities.
20. There was a further minority view expressed that there should be a national scheme of allowances. However, this is beyond the remit of the IRP, local discretion is in place and the IRP must work within the required legislative framework. As a result of this local discretion it has led the IRP to make Bury appropriate recommendations that have cognisance of the allowances paid across Greater Manchester but not wholly driven by them.

Function of this review – fundamental reform required

21. The IRP recognises that it is never a good time to recommend increases in Members' allowances and now is a particularly difficult time to do so. However, for all the reasons outlined above the IRP has concluded that its role goes beyond that of addressing any particular anomalies arising, its role is to fundamentally modernise the scheme and to ensure it is fit for purpose.

The IRPs Recommendations – recalibrating the Basic Allowance

22. In arriving at recommendations the IRP is required to pay regard to the 2006 Statutory Guidance. In considering the Basic Allowance the 2006 Statutory Guidance (paragraph 67) states:

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

24. The Statutory Guidance (paragraphs 68-69) expands on the above statement by breaking it down to three variables, namely
- Time required to fulfil the role of the ordinary Member
 - Recognising public service principle
 - The rate of remuneration

Time to fulfil duties for which the Basic Allowance is paid

25. The Basic Allowance is primarily a time-based payment (see 2006 Statutory Guidance paragraph 10). It is paid to compensate for workload. Obviously Members work in different ways and have varying commitments and the time spent on council duties varies. Yet, the Basic Allowance is a flat rate allowance that must be paid equally to all Members. So the time assessment is typically taken as the average time required to carry out all those duties for which the Basic Allowance is paid.
26. The most up to date information available on what is a reasonable time expectation for which the Basic Allowance is paid has been derived from the 2018 Councillors Census. In data supplied to the Chair of the IRP from the Local Government Association, it showed that Councillors in metropolitan councils who held "no positions" of responsibility put in on average hours per week "on council business"². The LGA includes within "council business"
 - Council/committee meetings
 - Working with community groups
 - Engaging with constituents, etc.
 - Other³
27. For the purposes of recalibrating the Basic Allowance in line with the 2006 Statutory Guidance the IRP has equated 24 hours per week to 156 days per year (or the equivalent of three days per week) based on an eight hour working day as the expected time input from Members for their Basic Allowance.
28. The IRP recognises that based on the representation received some Members who hold no positions do put in more than the equivalent of 3 days per week. But that is through choice rather than requirement.

Recognising the Voluntary Principle – A Public Service Discount (PSD)

29. The 2006 Statutory Guidance (paragraph 67) says that it is necessary to establish out of the time required to do the work of the ordinary Member how many of those hours "ought to be remunerated." What is meant by this is explained further in the Statutory Guidance (paragraph 68) which goes on to state

It is important that some element of the work of [elected] members continues to be voluntary – that some hours are not remunerated.

30. The element of unremunerated time often known as the 'Public Service Discount' (PSD) recognises the principle of public service. Thus, the voluntary principle is realised by discounting an element of the expected time inputs associated with the Basic Allowance. The typical range for this public service discount is between 30% - 40%, largely on the basis that is broadly in line with the proportion of time backbenchers spend on

² Information based on National Census of Local Authority Councillors 2018 (LGA), breakdown of mean weekly hours put in on council business by councillors by number of positions held and type of council, in email from S. Richards, LGA 21 October 2019.

³ See LGA, National census of local authority councillors 2018, Chart 3, page 5

- Dealing with constituents
 - Attending surgeries
 - General enquiries from citizens and
 - Other constituent/ward related activities.
31. The IRP has opted for voluntary discount of 35 per cent as it is the mid-point between the typical range of 30-40 per cent that most IRPs utilise as the size of the voluntary discount utilised. It is also the most common size of voluntary discount used by IRPs in principal councils.
32. Thus, by applying a voluntary discount of 35 per cent to the expected time input of 156 days per year it produces a voluntary element of 54.6 days per year. These are the hours that are 'not remunerated', deemed to be public service, leaving 101.4 remunerated days per year.

The rate for remuneration

33. Historically, in settling on the appropriate rate of remuneration to utilise in arriving at the recommended Basic Allowance IRPs primarily relied upon an advisory day rate published by the LGA each year to assist IRPs in setting a rate of remuneration, which by 2010 had reached £152.77 per day.⁴
34. However, the LGA has since stopped issuing this advice as IRPs switched to a more locally based rate of remuneration as it more closely reflects the typical earnings of elected Members' constituents. A reason for the switch was one of data availability: the Office of National Statistics started to collect and publish data on average earnings on a council by council basis about 10 years ago in its Annual Survey of Hours & Earnings (ASHE). A second reason for the switch is that by using a rate of remuneration that is based on average earnings of Members constituents it has robustness and is readily defensible.
35. In 2020, the median gross daily salary for all full time employee jobs within the area of the Bury Council was £106.42 as published by the Office of National Statistics (ONS).⁵ Thus, for the purposes of recalibrating the Basic Allowance the IRP has adopted a rate for remuneration at £106.42 per day.
36. If the IRP updated the variables to arrive at a recalibrated Basic Allowance to take into account the most recent data available it gives the following values:
- Time required for backbencher: 156 days per year (3 days per week)
 - Public Service Discount: 35% (54.6 days)
 - Rate for Remuneration: £106.42 per day
37. By following the methodology as set out in the 2006 Statutory Guidance with the updated variables it produces the following recalibrated Basic Allowance:

⁴ See LGA alert 62/10, Members' Allowances, 23 June 2010

⁵ See ASHE, 2020, Table 7.1a - Media weekly pay - gross - for full time employee jobs in area of Bury Council, which is £532.10 and divided by 5 working days equals £106.42 per day, <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/placeofworkbylocalauthorityashtable7>

- 156 days per year input minus 35% PSD (54.6 days)
= 101.4 remunerated days per year multiplied by £106.42 per day
= £10,791

Benchmarking

38. Benchmarking⁶ shows that the current Bury Council Basic Allowance is significantly below the average paid in peer Councils across Greater Manchester:

- | | |
|---|---------|
| • Benchmarking group mean Basic Allowance | £11,368 |
| • Benchmarking group median Basic Allowance | £11,108 |
| • Bury Council 2021/22 Basic Allowance | £8,948 |

Representation received by the IRP

39. Finally, the third 'corner' of the triangulation process was the representation received from elected Members. There was an overwhelming view that the Basic Allowance was in need of revision, particularly to place it on a par with peers across Greater Manchester, although it must be acknowledged that within that view there was a minority view expressed that despite the case to do so now was not the right time to increase the Basic Allowance. However, conversely the minority view that indicated they did not wish to increase the Basic Allowance many did so not on the grounds that they felt the Basic Allowance was appropriate but rather on grounds of cost.

Recommending the recalibrated Basic Allowance

40. By undertaking this triangulation process it produced the following potential values for the Basic Allowance

- | | |
|--|-----------------|
| • Recalibrated Basic Allowance | £10,791 |
| • Benchmarking group mean/median Basic Allowance | £11,368/£11,108 |
| • Representation received | GM mean |

41. Rather than recommend the GM average Basic Allowance the IRP has opted for the recalibrated Basic Allowance primarily because it is based on the methodology set out in the Statutory Guidance and establishes a direct link with the current median earnings of the constituents of elected Members. Furthermore, opting for a Basic Allowance slightly below the GM average it also goes some way to recognise that most meetings ordinary Members attend are in the evening, which will not be the case in most other GM Councils.

42. **The IRP recommends that the Basic Allowance is reset at £10,791.⁷**

Special Responsibility Allowances - The Leader's SRA

⁶ See Appendix Four BM1

⁷ All recommendations relate to 2022/23, subject to any indexation that may be applicable

43. The last review (2010) to look at the SRA for the Leader increased it from £25,174 to £28,500. Through indexation the Leader's SRA currently stands at £25,503. This is a result of the Council first voluntarily then since last year as a matter of Council policy agreeing to cut all SRAs by 10 per cent as a cost cutting measure. Despite the fact that the role of Leader has undergone some of the greatest changes in the intervening years their SRA is now lower than it was 11 years ago.
44. The role of Leader has undergone significant change and it is clear that it requires a full time commitment, and certainly precludes any meaningful paid employment in the normal sense. In addition, the role of Leader had grown in responsibility with the passage of The Localism Act 2011. This Act enhanced the powers of all Leaders by requiring all Councils operating the executive model of governance to adopt the strong Leader model. Consequently the Leader now has all executive powers vested in the post and is responsible for the discharge of all executive functions, although much is delegated through the appointment of a Cabinet. The Leader also holds the portfolio for Finance and Growth, as well as currently being the Leader of the Labour Group.
45. The IRP received representation that the role of Leader continues to develop, particularly in relation to the setting up of the Strategic Commissioning Board (SCB - which involves a number of senior Members) and meets monthly, which broadly has the remit:
- To commission high quality all age health, social care and related services for the people of the Borough of Bury in order to meet assessed population, community and individual need, within the financial resources over which the Board has control.
 - To agree the Health, Social care and Well-being commissioning strategies and commissioning outcomes for Bury Council and NHS Clinical Commissioning Group (CCG) in accordance with the agreed delegations from RBC and CCG.
 - To manage all the pooled budgets established under section 75 of the National Health Service Act 2006.
 - The SCB will be replaced by the Locality Board which is currently operating in shadow form but is anticipated to be formalised from May 2022. This has the same remit as the SCB but its membership also includes representatives from the Northern Care Alliance.
46. The other aspect of the Leader's role that continues to develop is at the sub-regional level, namely at the Greater Manchester Combined Authority (GMCA). Although the Leader's responsibilities at the GMCA are addressed below, the reality is that regardless of whether there was a GMCA, the Leader of Bury Council would have a sub-regional and regional, and indeed national, dimension to their role. This was evident before the GMCA was set up in 2011 as the Leader became the key post in representing Bury at relevant forums regionally and nationally, such as the Association of Greater Manchester Authorities (AGMA) and the Local Government Association (LGA) – roles the Leader continues to carry out.
47. The representation received by the IRP was overwhelmingly of the view that the current SRA received by the Bury Council Leader was too low. It demands a full

time role and the responsibilities have increased dramatically over the years – as borne out by legislative changes since the role was last reviewed. In fact the IRP received anecdotal evidence that at least two previous Leaders had to stand down as their remuneration was insufficient to support the need to make a full time commitment. Once again, when pressed the oral representation (partially backed up the written representation) suggested that the SRA for the Leader should be on a par with the average SRA paid to Leaders of GM Councils.

48. Benchmarking shows that the SRA for the Bury Council Leader is low, with mean GM Councils Leaders/elected Mayors' SRA being £35,690 and a median SRA of £32,834. In fact, the SRA for Leader of Bury Council is the lowest across all the GM Councils.
49. In arriving at the Leader's recommended SRA the IRP has been mindful of the 2006 Statutory Guidance (paragraph 76) which states:

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.

50. This is known as the factor approach and is commonly deployed by IRPs in arriving at the recommended SRA for Leaders on the basis that it is easy to understand, simple, transparent. A factor from a range of 2.75 – 3.25 is the commonly acceptable multiple of the Basic Allowances regardless of type of council (although it tends to be towards the lower range of the typical multiple range in district councils and the higher end in London Boroughs).
51. Currently, the Leader's SRA (£25,502) is a multiple of 2.85 of the current Basic Allowance, but that figure is based on the 10 per cent reduction in SRAs. If the 10 per cent reduction was not factored in the factor would be 3.14 (£8,948/£28,053). Benchmarking shows a mean Leaders' SRA of £35,690 across the GM Councils, which is also 3.14 times the mean Basic Allowance (£11,368). In order to keep it clean and simple the IRP has opted to utilise the mid-point between the current multiple (2.85) and original and benchmarked mean multiple (3.14) of the Basic Allowance/Leaders' SRA, which is a multiple of 3 times the recommended Basic Allowance (£10,791) to arrive at the recommended SRA for the Leader, which equates to £32,373).
52. **The IRP recommends that the SRA for the Leader is reset at £32,373 for 2022/23.**

The Deputy Leader of the Council (x1)

53. In recommending other SRAs the IRP has in the main followed the approach laid out in the 2006 Statutory Guidance (paragraph 76) which states:

A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

54. This is known as the 'pro rata' approach in that the other remunerated posts are assessed as a ratio or percentage of the Leader's role. By definition the size of the Leader's roles is 100% and other SRAs are set as a proportion of 100%. Again it has the advantage of being simple, transparent and easy to understand. The IRP has chosen to maintain this approach and adjusted the current ratio for SRAs where there is a demonstrable case to do so.
55. The Deputy Leader, current SRA £15,307 set at 60 per cent of the Leader's SRA, also has a portfolio - Children, Young People and Skills. The Deputy Leaders undertakes the traditional role of attending briefings with the Leader, acting as a sounding board and stepping in for the Leader in the Leader's absence, which occurs more frequently as the Leader has had to undertake a larger GM wide role. Indeed it means that the Deputy Leaders (as do most other executive members but to a lesser extent) have acquired a larger GM wide role. This includes deputizing for the Leader at the GMCA when required and being appointed to GMCA committees, e.g., the Deputy Leader with the Children, Young People and Skills Portfolio is also appointed to the GM Work and Skills Executive. The Deputy Leader will also have a national role through being one of the Council's appointees (alongside the Leader and Leader of the Main Opposition Group) onto the Local Government Association (LGA) General Assembly.
56. Benchmarking shows that the SRA for the Bury Deputy Leader SRA (£15,307) is the lowest across Greater Manchester, with the mean SRA (£20,056) and median SRA (£19,103) being paid to Deputy Leaders across the GM Councils. In terms of methodology, the mean GM Deputy Leaders' SRA is 56 per cent of the mean GM Leaders/elected Mayors' SRA, which is in line with the current ratio of 60 per cent deployed in Bury Council.
57. Although in the main there was less representation received regarding the role of other post holders (as being less visible than that of the Leader) insofar there was representation received regarding the SRA for the Deputy Leader the view expressed was that it should be on a par with that paid across the GM Councils. As such, the current ratio (60% of the Leader's SRA) is still appropriate in setting the recommended SRA for the Deputy Leader which equates to £19,424.
58. **The IRP recommends that the SRA for the Deputy Leader is reset at £19,424, which is 60 per cent of the Leader's recommended SRA (£32,373).**

Other Cabinet Members (x6)

59. Currently, the Leader appoints six other Cabinet Members (Portfolio Holders), who each receive an SRA of £10,203, which is 45 per cent of the Leader's SRA. The IRP did receive some representation that questioned the need for six other Cabinet Members. It is beyond the remit of the IRP to comment on how the Council decides to organise itself. However, the IRP does note that the Local Government Act 2000 places a legal maximum of 10 Executive Members (including Leader and Deputy Leader) and Bury has at present eight Executive Members in total. The IRP was also informed that the average number of Executive Members across the GM Councils was nine; Bury has eight in total.

60. The only other (albeit limited) representation the IRP received regarding the SRAs of the other Cabinet Members was that it should be on a par with that of other Cabinet Members across the GM Councils. Benchmarking shows that the current SRA paid to other Cabinet Members in Bury Council, is the second lowest (Bolton is the lowest at £7,140 although there are eight other Cabinet Members in Bolton). The mean SRA paid to other Cabinet Members across the GM Councils is £15,246 (43 per cent of the Leaders mean SRA), with a median figure of £15,579.
61. The IRP received no evidence to revise the current ratio of 45 per cent of the Leader's recommended SRA in arriving at the recommended SRA for the other Cabinet Members, which equates to £14,568.
62. **The IRP recommends that the SRA for the six other Members of the Cabinet is reset to £14,568, which has been set at 45% of the Leader's recommended SRA.**

The Deputy Cabinet Members (x7)

63. The Leader also appoints seven Deputy Cabinet Members, with five of the Executive Members having a Deputy Cabinet Member; one Cabinet Member having two Deputy Cabinet Members and two Executive Members not assigned a Deputy Cabinet Member. In effect, one of the larger portfolios (Environment, Climate Change and Operations) has the support of two Deputy Cabinet Members and two of the smaller portfolios (Culture and the Economy and Housing Services) being deemed not requiring a Deputy Cabinet Member. The SRA for this role, currently £1,338, was brought in following a very specific review in December 2013 and set at 12 per cent (now 13 per cent with indexation variation) of the SRA for the full Cabinet Members on the basis that they have role profiles (albeit very limited) as set out in current Bury Council Constitution Section 7, part one.
64. Again, the IRP received representation questioning the necessity of this non-statutory role and whether it should be remunerated. Without commenting on the requirement of the role itself as that is beyond the IRP's remit, the IRP's remit is to decide on whether the roles it has in front of it merit remuneration or not.
65. On balance the IRP is content that there is a significant responsibility to merit an SRA. They do attend all Cabinet weekly briefing meetings, chair relevant other meetings when asked by their Portfolio Holder and take the lead on relevant issues when directed. Much of their work is also carried out during the day. Moreover, an equivalent post is remunerated in eight out of the 10 GM Councils, with a mean SRA of £6,464 and a median SRA of £7,150.
66. On the other hand, they are not formal deputies to Cabinet Members and are not executive members under the Local Government Act 2000. Thus they cannot operate as formal substitutes for the Portfolio Holders, exercise any executive powers nor have assigned to them any delegated decision making. In law, they cannot vote at Cabinet meetings or make decisions on behalf of their respective Cabinet Member. There is also an element of succession planning in the role, so as to identify and train up future Executive Members.

67. While the IRP decided that the current SRA was little more than tokenistic at its current level it has chosen not to be guided by the benchmarking in arriving at the recommended SRA for the Deputy Cabinet Members as there is nothing in their roles and responsibilities to suggest such a high level of SRA. As such the IRP has simply rounded up the ratio from 13 per cent to 15 per cent of the recommended SRA (£14,568) for other Cabinet Members, which equates to £2,185.
68. **The IRP recommends that the SRA for the seven Deputy Cabinet Members is reset at £2,185, which is 15 per of the recommended SRA (£14,568) for the other Cabinet Members.**

Chairs of the main Committees (x6)

- **Overview & Scrutiny Committee**
 - **Children's & Young People's Scrutiny Committee**
 - **Health Scrutiny Committee**
 - **Planning Control Committee**
 - **Licensing & Safety Committee**
 - **Audit Committee**
69. Currently, all the main Committee Chairs are paid the same SRA (£6,379), which has been set at 25 per cent of the Leader's SRA. The IRP did receive some representation that there was a case to differentiate the SRA between those who chaired the larger committees. Indeed, a case can be made as some committees, such as Planning Control, meet more often than others such as Audit.
70. However, the IRP has decided to maintain the flat rate model for the SRA for main Committee Chairs as there was greater support in the representation to do so. Moreover, the flat rate SRA model for main Committee Chairs occurs in six out of the ten GM Councils, so there is a GM preference for such a model.
71. Benchmarking shows that the SRAs paid to the main Committee Chairs in Bury Council is either the lowest in two cases,, namely the Chairs of Overview & Scrutiny and Planning Control Committees and second lowest in all other cases. Specifically the mean/median SRAs payable across the GM Councils are as follows:
- | | |
|---|---------------|
| • Overview & Scrutiny Committee mean/median SRA | £8,016/£8,383 |
| • Other Scrutiny Committees mean/median SRA | £8,180/£8,353 |
| • Planning Control Committee mean/median SRA | £9,600/9,662 |
| • Licensing & Safety Committee mean/median SRA | £8,923/£8,910 |
| • Audit Committee mean/median SRA | £7,675/£8,114 |
72. In terms of the mean ratios (mean Chairs SRAs as a percentage of the mean Leaders SRAs) they all fall into the 22-27 per cent range, thus being on broad par with the current ratio (25 per cent) utilised to arrive at the SRA for the main Committee Chairs.
73. Consequently, the IRP has decided that in arriving at the recommended SRA for the main Committee Chairs to keep it at 25 per cent of the Leader's recommended SRA (£32,373), which equates to £8,093.

74. **The IRP recommends that the SRA for the Chairs of the six main Committees is reset at £8,093, which is 25 per cent of the recommended SRA (£32,373) for the Leader.**

Attendance at meetings of Licensing Hearing Panels

75. Currently the scheme contains provision for Members who attend more than 10 Licensing Hearing Panels per year an SRA as follows:
- £25 per full day
 - £12.50 – 2 to 4 hours
 - £6 up to 2 hours
76. The basis of these SRAs is unknown and is simply tokenistic. It is a difficult SRA to benchmark largely because only one other GM Council, Manchester, pays a similar SRA, £554 to all Members who sit on Licensing Appeals Panels.
77. However, this SRA did have continued support on the grounds that reaching the threshold of attending more than 10 Licensing Hearing Panels in any one year was deemed above and beyond the role of ordinary Member. There are a great number of Licensing Hearing Panels in Bury as taxi licensing is a major, Bury specific issue so it was perceived to be an appropriate Bury-specific SRA.
78. As such the IRP has decided to maintain this SRA but to simplify it and set it at a more realistic level. It has done this by simply reclassifying meetings that last up to and over four hours. It has also taken the rate of remuneration (£106 per day) utilised in arriving at the recommended Basic Allowance as the appropriate level. Furthermore, as all Members of Licensing are attending 11 Licensing Committee meetings per year already the qualifying threshold for this SRA should be reduced to more than six meetings per year.
79. **The IRP recommends that the SRA for Members who attend more than six Licensing Hearings Panels in any one year is reset as follows:**
- **Meetings over 4 hours: £106**
 - **Meetings up to 4 hours: £53**
80. **As per current practice this SRA should only be paid to Members who are not otherwise in receipt of an SRA.**

Opposition SRAs – Leader of Main Opposition Group

81. The 2003 Regulations require that where the Council is controlled by one or more political groups (defined as having a minimum of two Members) then at least one SRA must be paid to an Opposition Member. The current Bury Council allowances scheme fulfils this requirement by appointing Opposition Members to Chairs of Scrutiny Committees. Nonetheless, it is typical to remunerate the Leaders of the Main Opposition Groups at least.

82. The current SRA (£8,419) for the Leader of the Main Opposition Group has been set at 33 per cent of the Leader's SRA, which is in line with the mean ratio (32 per cent) in the benchmarking group. Benchmarking also shows that the mean SRA paid to Leaders of Main Opposition Groups across the GM Councils is £11,399, with a median SRA of £11,143.
83. The IRP received no evidence to suggest the current ratio (33 per cent) utilised in arriving at the SRA for the Leader of the Main Opposition Group required revision. The Leader of the Main Opposition Group has the prime responsibility to present alternative views to the majority group and provide critical challenge to the Leadership. They also by virtue of holding their post gain access to meetings with Officers and are appointed to a number of Council and external bodies. Thus, the IRP has arrived at the recommended SRA for the Leader of the Main Opposition Group by multiplying the recommended SRA (£32,373) for the Council Leader by 33 per cent, which equates to £10,683
84. **The IRP recommends that the SRA for the Leader of the Main Opposition Group is reset at £10,683, which is 33% of the Leader's recommended SRA.**

Opposition SRAs – Deputy Leader of Main Opposition Group

85. Currently the Deputy Leader of the Main Opposition Group receives an SRA of £3,364, which has been set at 40 per cent of their Group Leader's SRA. Benchmarking shows that this role is not always remunerate elsewhere, it is a paid post in five of the ten GM Councils, with a mean SRA of £5,163 and median SRA of £5,986. Often this SRA is only paid where there is a substantial Main Opposition Group which is the case in Bury but the IRP has decided that a size criteria should be in place for this SRA to be paid, namely the Main Opposition Group would need to hold 20 per cent of Council seats, which the IRP has defined as being 11 in total, before the Deputy Leader of the Main Opposition Group. The IRP received no evidence to alter the current ratio utilised in arriving at the recommended SRA for the Deputy Leader of the Main Opposition Group. Therefore the IRP has arrived at the recommended SRA for the Deputy Leader of the Main Opposition Group by multiplying the recommended SRA (£10,683) for the Leader of the Main Opposition Group, which equates to £4,273
86. **The IRP recommends that the SRA for the Deputy Leader only be payable if the Main Opposition Group holds 20 per cent of seats (11) on Council and is reset at £4,273, which is 40 per cent of the recommended SRA for the Leader of the Main Opposition Group.**

Opposition SRAs – Opposition Shadow Portfolio Holders/Group Whips

87. There was some representation received, albeit very minor, arguing that the Opposition Shadow Portfolio Holders should receive an SRA as well as the Group Whips.
88. In the current political context, extending the scope of the Opposition SRAs payable to Opposition Shadow Portfolio Holders would be disproportionate; nearly all Members of the Main Opposition Group would receive an SRA. The enhanced recommended Basic Allowance recognises that all the Opposition

Members have a spokesperson role particularly in regards to the remits of those committees that they sit on. The IRP also took the view the role of Group Whips is primarily a party political role which does not merit remuneration. It notes that such posts are not remunerated in other GM Councils.

89. **The IRP does not recommend that the Opposition Shadow Portfolio Holders or Group Whips are paid an SRA.**

Opposition SRAs – Leader[s] of Other (Third Largest) Opposition Group

90. Currently, the Leaders of the Other Opposition Groups each receive an SRA of £4,210, which is 16.5 per cent of the Leader's SRA. Again benchmarking shows that this role is not always remunerated elsewhere, with six of the 10 GM Councils remunerating such a post. It is also the one SRA that is not out of synch with peers, as the mean SRA paid to Leaders of Other Opposition Groups is £4,265, with a median SRA of £2,940. Nonetheless, the IRP is content to keep the current ratio in arriving at the recommended SRA for the Leader of the Other Opposition (third largest) Group. Thus, the recommended Leader's SRA (£32,373) multiplied by 16.5 per cent multiplied equates to £5,342.
91. The IRP notes that currently the SRA for Leader of Other Opposition (Third Largest) Group is paid equally to both the Leaders of the third largest groups as they are of equal size. The IRP has taken the view that this contravenes the spirit of the original intent behind the SRA for this post and is an excessive SRA for when there are two Third Largest Groups of equal size.
92. Accordingly the IRP has taken the view that the recommended SRA (£5,342) for the Leader of the Third Largest Group should be paid to Leaders of Other Opposition Groups on a pro rata basis according to Group size. Thus no matter how many Other Opposition Groups there are the total sum paid to their respective Group Leaders will not exceed £5,342. On the current political configuration with two Other Opposition Groups each having four members each that equates to £2,671 apiece.
93. **The IRP recommends that the SRA for Leaders of Other Opposition Groups is reset at £5,342, which has been set at 16.5 per cent of the recommended SRA for the Leader. Furthermore where there are two or more Other Opposition Groups then the recommended SRA of £5,342 should be divided on a pro rata basis and paid accordingly to Leaders of all Other Opposition Groups.**

Opposition SRAs – Deputy Leader[s] of Other Opposition Group

94. Currently, both the Deputy Leaders of the Other Opposition Groups receive an SRA of £1,515 apiece, which has been set at 35 per cent of their respective Group Leaders SRA. Benchmarking this SRA is difficult as only one other GM Council remunerate an equivalent post (Trafford at £2,774). The IRP has decided to maintain this SRA at its current ratio, which equates to £1,870, but to be only paid if the Other Opposition Group attains 10 per cent of the seats on Council, which is five seats. On the current political configuration this SRA would no longer be payable. Where there are two or more Other Opposition Groups that attain 10

per cent (five) of Council seats then the SRA for Deputy Leader of Other Opposition Group should be paid on a pro rata basis according to group size.

95. **The IRP recommends that the SRA for the Deputy Leader(s) of Other Opposition Groups is reset at £1,870, which is 35 per cent of the recommended SRA for Leader(s) of Other Opposition Groups. The IRP also recommends it is only paid when an Other Opposition Group attains 10 per cent of seats (five) on Council. Where there are two or more Other Opposition Groups of five or more seats the SRA of £1,870 should be paid to their respective Deputy Group Leaders on a pro rata basis.**

Recommended SRAs in accordance with the GMCA Order 2011

96. The IRP has been asked to consider whether a SRA should be paid to Bury Member[s] appointed by the Council to the Greater Manchester Combined Authority (GMCA) in respect of duties and responsibilities undertaken as a member of the GMCA and any of its committees, and if so to specify the amount of any such allowance. The GMCA is prohibited from paying allowances to any of its Members or appointees to its committees. This point was made specifically in the 2015 amendment to the GMCA 2011 Order, and any remuneration in this regard has to be paid through the schemes of the constituent councils.
97. The IRP notes that there is very little consistency in the scope and level of SRAs paid to Members across the Greater Manchester Councils who are appointed to the GMCA and its committees. However, this is largely a function of the GMCA constitutional set up and historical factors.

Bury Leader appointed to the GMCA

98. The rolling implementation of devolution since the previous review has created a different set of challenges for all GM Council Leaders/elected Mayor and the Bury Leader in particular. All GM Leaders/elected Mayor are full Members of the GMCA.. Each Leader on the GMCA has a particular policy lead; the Leader of Bury is the GMCA and AGMA portfolio lead for Young People and Cohesion, which also involves appointments to other relevant bodies, such as being appointed to the AGMA Draft Joint Development Plan – Places for Everyone Committee. Also the Leader, as with all Leaders/District elected Mayor on the GMCA, sits on the GM Health and Social Care Strategic Partnership.
99. The GM region is the only region thus far to take control of its combined health and social care budgets, which is more than £6 billion. More recently, through the GMCA Devolution Agreement with the Government, there has been a further significant devolution of powers and responsibilities to GMCA designed to drive economic growth and reform of public services. There was general agreement that the GMCA-related work of the Leader had increased significantly and it is an area of work that did not exist the last time the remuneration for the Leader was reviewed in 2010. As such, the IRP has decided to recognise this aspect of the Leader's workload and responsibilities by recommending a separate SRA payable under the GMCA 2011 Order.

100. The IRP notes that currently four of the 10 GM Councils make separate SRA provision for their Leader on the GMCA. The fact that it is not paid in the six other GM Councils has as much to do with the fact that their respective IRPs have not had the opportunity to review the role recently rather than being a conscious decision.
101. Although the benchmarking is limited (as only four out of the 10 GM Councils pay their Leader a GMCA SRA under the 2011 Order) it does show the following:
- Oldham Leader's GMCA SRA: £5,985
 - Rochdale Leaders GMCA SRA: £5,879
 - Trafford Leader's GMCA SRA: £10,367
 - Wigan Leader's GMCA SRA: £10,367
102. Although it is on very limited data, it produces a GMCA Leader's mean SRA of £8,121 and a median figure of £8,119.
103. In this particular instance, the IRP has taken a relatively cautious approach and has chosen to be guided by the level of SRA paid for GMCA related duties to the Leaders of Oldham and Rochdale, and rounded that indicative figure up to £6,000.
104. **The IRP recommends that the Leader is paid a separate SRA of £6,000 as a Member/Portfolio Holder on the GMCA under the 2011 Order.**

Bury Members appointed to the GM Transport Committee (x2)

105. Currently, the Bury allowances scheme contains provision to pay two Members it appoints to the Transport for Greater Manchester Committee (TfGMC) an SRA of £4,272. The TfGMC was a joint GM committee to make decisions on transport issues delegated to it by the GMCA. However, the TfGMC no longer exists as the elected Mayor of the GMCA now holds all transport powers for GM.
106. As a consequence, the TfGMC has been replaced by the GMCA Transport Committee (GMTC). The GMTC is primarily an advisory committee with very limited powers. However, the residual SRA paid to Members appointed to the TfGMC that is still listed in the Bury Members' Allowances scheme has been transposed and paid to the Bury Members appointed to the GMTC, which in turn was originally set when there was a separate GM Integrated Transport Authority, with its own powers of precept. The IRP notes that this is also the case in a handful of other GM Councils as they continue to list the SRA for appointees to the TfGMC in their allowances schemes, rather than appointees to the GMTC. On the other hand, four GM Councils have completely discontinued this SRA.
107. The IRP accepts that there is a role at the GMTC for Bury Members to undertake at the GMTC. It is a joint committee of the made-up of the principal transport decision-making bodies – the ten GM Councils, the Greater Manchester Combined Authority (GMCA) and the Mayor of Greater Manchester. It is responsible for driving the delivery of 'Our Network' - the city region's vision for an integrated, efficient and reliable transport system.

108. Members of the GMTC represent residents and businesses across Greater Manchester and have a unique oversight across all aspects of Greater Manchester's transport network. It also oversees the performance of the transport system and holds rail, tram, and bus operators, TfGM, and highways authorities to account. This effectively allows the Committee to act in an advisory capacity to the Mayor and the GMCA, through the Mayor's Transport Board.
109. It has six scheduled meetings per year but has recently set up two sub-Committees (Bus Services and Metrolink & Rail) that also have at least five scheduled meetings per year. So each Bury Council appointee to the GMTC should be sitting on at least one sub-Committee and be attending up to 11 meetings per year.
110. Nonetheless, the current level of SRA payable is primarily a legacy SRA, being set in a different context. Moreover, the current SRA (£4,272) if maintained would be the equivalent of 40 per cent of the recommended Basic Allowance (£10,791). The IRP does not accept that being a member of the GMTC is 40 per cent of the size of being an ordinary Member of Bury Council. The IRP has simply taken the view that the role of Bury Council appointee on the GMTC cannot be more than half the size of the role of Bury Council Leader on the GMCA. As such, the SRA for the members appointed to the GMTC should be reset at £3,000.
111. **The IRP recommends that the SRA for the two Bury Members appointed to the GMTC is reset at £3,000, which is 50 per cent of the recommended SRA (£6,000) for Leader appointed to the GMCA.**

Bury Members appointed to the GM Recycling and Waste Committee (x2)

112. Similarly the allowances scheme contains provision for an SRA (£2,364) payable to Bury Council Members appointed to the GM Waste Disposal Authority. Again, this is a legacy SRA and the Waste Disposal Authority no longer exists with responsibility for waste transferred to the GMCA. The level reflects an era when the workload and responsibility was different. It has now been replaced by the GM Recycling and Waste Committee.
113. Bury appoints two Members to the GM Recycling and Waste Committee. The GMCA has delegated powers to the GM Recycling and Waste Committee relating to the establishment and implementation of waste disposal strategies of the GMCA and oversees matters relating to the effective management of waste disposal operations including contracts and the behavioural change programme. It meets up to five times per year.
114. The IRP notes that only two other GM Council remunerate their Members appointed to the GM Recycling and Waste Committee, both at a similar level to that of Bury. Again Bury takes the view that the current SRA reflects the role in a different time and era and by definition attending up to five meetings per year is not in excess of 20 per cent of the size of the role of the Bury Council ordinary Member, which is the case when comparing current SRA (£2,364) to recommended Basic Allowance (£10,791). As such the IRP has decided to reset the SRA to reflect the changed context and on a similar basis as it has for arriving at the recommended SRA for members appointed to the GMTC it has utilised a

ratio of 25 per cent of the recommended SRA for the Leader's GMCA SRA (£6,000), which equates to £1,500.

115. **The IRP recommends that the SRA for the two Bury Council Members appointed to the GM Waste and Recycling Committee is reset at £1,500, which is 25 per cent of the recommended SRA (£6,000) for the Leader appointed to the GMCA.**

Bury Member appointed to the GM Pension Fund

116. The IRP received some representation that consideration be given to pay an SRA to the Council's representative on the GM Pension Fund. Only two other GM Councils pay such an SRA (Oldham and Tameside both at £1,460. Actually the GM Councils do not appoint to the Pension Fund but the Pension Fund Management Panel which makes recommendations to the Pension Fund. However, the IRP did not during the course of the review receive enough information on the work of the Bury appointee to the Pension Fund Management Panel to make an informed judgement. It will reconsider once more at the time of the next review.
117. **The IRP is not making a recommendation for an SRA regarding the Council's appointment to the GM Pension Fund.**

Maintaining the 1-SRA Only Rule and Exceptions

118. In common with most Councils⁸ Bury Council has adopted what is known as the 1-SRA only rule; in that regardless of the number of remunerated posts held by an elected Member they can be paid 'one SRA only', excluding those SRAs paid for GM posts. No evidence was received to change this practice.
119. **The IRP recommends that the 1-SRA only rule is maintained with the exception of the additional SRAs paid under the 2011 GMCA Order.**

The Co-optees' Allowance

120. Currently, the allowances scheme contains provision for those co-optees sitting on a Standards Hearings Panel to be paid "out of pocket expenses" and "loss of earnings allowance, up to a maximum of £250".
121. The 2003 Regulations do not permit the payment of a loss of earnings allowance so this should be replaced by a Co-optees' Allowance. The Constitution provides for in addition to the Standards Hearing Panel Co-optee a Co-optee to be appointed to the Audit Committee. However, the Council is unable to fill these positions and remuneration was cited as a contributory factor. As such the IRP has decided to revise the current remuneration arrangements largely based on the adopted rate of remuneration.

⁸ Out of the 10 GM Councils only Trafford permits the payment of more than 1 SRA. Where a Member in Trafford holds 2 remunerated posts they are paid 1.5 SRAs.

122. **The IRP recommends that the financial loss allowance is discontinued and the Audit and Standards Hearings Panel Co-optees be paid a Co-optees' Allowance that has two elements as follows:**

- | | |
|------------------------------------|-------------------------|
| • Standard element | £500 per year |
| • Meetings element | |
| ○ Meetings over four hours | £106 per meeting |
| ○ Meetings up to four hours | £53 per meeting |

The Civic (Mayoral) Allowances

123. Currently, the allowances scheme contains provision for mayoral allowances as follows:

- | | |
|----------------|---------|
| • Mayor | £16,472 |
| • Deputy Mayor | £4,118 |

124. This allowance is paid under the provisions of the Local Government Act 1972 (s3(5) and s5(4)), which permits principal councils to pay the chair and vice chair an allowance which it thinks reasonable for the purpose of meeting the expenses of those offices. It is often known as the Civic Allowance. The Council publishes these allowances the allowances scheme for transparency purposes.

125. These allowances are outside the remit of the IRP and the 2003 Regulations. However, in the absence of any other means of external validation the Council has asked the IRP to provide view on the Civic Allowance payable. It is fairly common for Councils to ask their IRPs for such advice.

126. The IRP explored with current and past holders of the posts of Mayor and Deputy Mayor whether the current levels do indeed meet the bulk of the expenses of holding the offices of Mayor and Deputy Mayor. No representation was received to suggest that the Civic Allowance did not meet its objective.

127. **The IRP is not recommending any change to the Mayoral Civic Allowance (£16,472) and Deputy Mayor Civic Allowance (£4,118).**

The Independent Members of the Educations Appeals Panels Allowance

128. Similarly, the remuneration of the Independent Members who sit on Council Education Appeals Panels is outside the remit of the IRP. However, in the absence of any other means of external validation the Council has been asked to look at their current remuneration.

129. Currently the Independent Members who sit on Council Education Appeals Panels receive a parking fee, mileage or public travel reimbursed (when meeting in person) or £5 towards utilities when meeting virtually, and £7 for lunch. They also receive a meetings allowance as follows:

- £37.50 over 6 hours
- £25 for 4-6 hours

- £12.50 for 2-4 hours
 - £6 up to 2 hours
130. The IRP made some enquiries on what was paid elsewhere and generally they were flat rate allowances ranging anywhere from £50 to £100. The IRP felt that these figures were more realistic and should be reset in line with the adopted rate of remuneration utilised in arriving at the recommended Basic Allowance, namely the median gross daily salary for all full time employee jobs within the area of the Bury Council which is £106.42, and the IRP has simply rounded that figure down to the nearest pound. Moreover, as many of these Independent Members come from outside the Council area the mileage/public transport allowance was merited.
131. **The IRP recommends that the current allowances paid to the Independent Members who sit on Council Education Appeals Panels are discontinued and reset as follows:**
- **£106** **for meetings over 4 hours**
 - **£53** **for meetings up to 4 hours**

The Dependants' Carers' Allowance (DCA)

132. The 2003 Regulations give specific authority for Members to claim an allowance for care of any dependants they may have while undertaking approved duties (that are defined by statute). It was specifically introduced to enable a wider range of Members to stand and be on Council. It is known as the Dependants' Carers' Allowance (DCA).
133. The Council has provision for a DCA that is paid at a maximum hourly rate of £6 and capped at £1,200 per year. It does not distinguish between childcare and other (elderly/disabled) type of care, which is common elsewhere. The DCA is now also commonplace across all English Councils.
134. Although it is rarely claimed the IRP received almost universal support in the representation received to maintain this allowance on the principle that it helped reduce a barrier to public service from traditionally underrepresented sections of the population. Moreover, all the GM Councils now make the DCA available.
135. The IRP understands that there may be reluctance on the part of eligible Members to claim the DCA as it appears as a published expense against a Members' name in the annual statutory publication of remuneration and reimbursements received by each Member.
136. The IRP takes this opportunity to point out that this allowance was given recognition in statute and is specifically designed to reduce a potential barrier to being an elected Member for those with caring responsibilities. The IRP suggests that if it is known that a Member has caring responsibilities then the DCA is specifically brought to their attention. It should be also pointed out that the approved duties for which this allowance may be claimed is governed by statute.

137. An internal audit did raise the issue that claims for this allowance need to be receipted. Moreover, the DCA is in need of an update to recognise more realistic costs of care and to distinguish the different costs associated with different types of care.
138. **The IRP recommends that the DCA is maintained but there are two types of care identified to be paid at the following maximum rates:**
- **Child care:** maximum rate paid at real living wage (Currently £9.50)
 - **Elderly/disabled care:** maximum rate paid at the hourly rate charged by Bury Council Social Services Department for a Home Help
139. **The IRP also recommends that the current annual cap be raised to £2,000 and as a matter of course all claims to be receipted.**

Travel and Subsistence Allowances - Within the Council

140. Currently the Basic Allowance is deemed to include all travel and subsistence expenses incurred by Members while carrying out council related duties within the Council area, although this is not reflected in Schedule 2 of the scheme.
141. There was some (albeit very minor) representation that argued all travel and subsistence related expenses incurred while carrying out council related duties should be reimbursed whether they are within or outside the Council area. However, it is pointed out that most of the duties which were quoted for which in-Council travel and subsistence allowances should be paid, such as undertaking ward duties or informal meetings, would not meet the standard definition of approved duties. Moreover, it is common practice across the other GM Councils to include all within authority travel and subsistence expenses in the Basic Allowance. The current Covid-19 pandemic also means that Members are not travelling to and from meetings to the same extent as they were so the logic of an in-Council travel and subsistence allowance is further weakened, particularly in the context when the IRP is recommending an enhanced Basic Allowance. The additional travel and subsistence expenses incurred by Members for undertaking in-Council, approved duties are so marginal that there is no justification to pay it, particularly considering the cost in Officer time that would be incurred in administering claims-based in-Council travel and subsistence allowances.
142. **The IRP recommends that the Basic Allowance continues to be deemed inclusive of all in-Council travel and subsistence costs and that Schedule 2 of the allowances scheme is amended to reflect this situation.**

Travel and Subsistence Allowances - Outwith the Council

143. It is a different context when a Member has to travel outside the Council to represent the Council at regional and national meetings or attend conferences. In these cases Members are incurring expenses that are beyond 'incidental' and are not typically incurred through a Member's routine work.

144. Currently Members can claim out of Council Subsistence Allowances that are largely historical and do not reflect actual costs. As is common practice elsewhere subsistence rates should be updated and based on the same rates that are applicable to Officers.
145. The travel allowance is either reimbursement of public transport costs (under same conditions that apply to Officers) or where a Member uses their own vehicle to attend an out of Council approved duties then the HMRC approved mileage rate of 45p per mile is applicable. This does not reflect the full range of HMRC approved mileage rates and the mileage allowances should be amended to also include for when a Member is travelling via a hybrid or electric vehicle.
146. **The IRP received no evidence to change the current approved duties and conditions for which the Travel and Subsistence Allowances may be claimed outwith the Council and recommends that they continue but that the mileage reflect the full range of HMRC AMAP (Approved Mileage Allowance Payment) rates as follows:**

Mode of Travel	First 10,000 business miles in the tax year	Each business mile over 10,000 miles in the tax year
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

Passenger payments – cars and vans

5p per passenger per business mile for carrying fellow Member or Council employee in a car or van

147. Although a Member claiming mileage for out of Council approved duties while driving a hybrid or electric vehicle was not raised with the IRP the IRP decided to address the issue, if nothing else to future proof the scheme.
148. The Office of Low Emission Vehicles advises that where mileage claims are being made for the driving of hybrid and electric vehicles then the normal HMRC approved mileage rate is applicable, currently 45p per mile for first 10,000 miles and 25p per mile after 10,000 miles.
149. **The IRP recommends that the current mileage rates are clarified to include provision that if a Member is claiming out of Council mileage by driving a hybrid or electric vehicle that the applicable mileage rates continues to be HMRC approved rates.**
150. **Furthermore the IRP recommends that the subsistence rates for attending approved duties outwith the Council area should be based on current Officer rates as follows:**

Subsistence - Breakfast	£7.31
Subsistence - Lunch	£9.74
Subsistence - Evening Meal / Networking	£18.28

The Telephone Allowance

151. Currently, Members can claim a Telephone Allowance at £14.99 per month. Once again the provision of this allowance is outside the remit of the IRP and the 2003 Regulations but the Council has asked the IRP to provide a view in absence of any other external means of validation.
152. This allowance is now largely an anachronism in the era of inclusive packages. Many Councils deem that a reasonable Basic Allowance is sufficient to cover the marginal costs of telephone usage that is required by being an elected Member. Indeed in the representation received many did not realise such an allowance was available and the general view was that if the Basic Allowance was at “a realistic level” then the rationale behind the Telephone Allowance was no longer supported.
153. **The IRP recommends that the Telephone Allowance is discontinued.**

Adopting a Parental (Maternity, Paternity and Adoption) Leave Policy

154. The IRP has been asked to provide advice on a Parental Leave Policy for elected Members if they need to take time off to care for newly arrived infants. In particular, this request came to the IRP from the Standards Committee. Again this is outside the remit of the IRP and the 2003 Regulations. Moreover, Members are not formally employees so legally have no parental leave rights under employment legislation.
155. This does not prevent the Council from voluntarily adopting a Parental Leave Policy and many Councils have done so, although none so far in Greater Manchester. On one level, particularly in relation to the Basic Allowance the issue is somewhat of a red herring. A Member receives their Basic Allowance and where applicable their SRA by right of being an elected Member and in the case of an SRA by holding that post. The only criteria they need to meet to remain a Member is attend an approved duty once every six months, in that context they continue to receive the Basic Allowance and if still in post their SRA. This to some extent makes a Parental Leave Policy somewhat redundant.
156. However, the IRP can see the value of the Council adopting a Parental Leave Policy as it underlines the principle that the Council is supportive of Members who have acquired parental responsibilities. In addition, adopting such a policy would clarify the situation for Members who have acquired parental responsibilities..
157. **The IRP recommends that the allowances scheme is amended to include a statement that clarifies the continued right of remuneration for a Member**

when they are required to take maternity, paternity or adoption leave for up to a period of 12 months, subject to the legal attendance requirements.

Issues arising I – amendment of scheme paragraph 8 (1)

158. The IRP notes that the current allowances scheme paragraph 8 (1) reads as follows:

The Chief Executive or Assistant Director of Legal and Democratic Services, after consultation with the Leader and Deputy Leader of the Council and the Leaders of the Minority Groups, has delegated authority to amend this scheme in respect of the levels and number and type of the various allowances payable under the scheme, subject to any financial ceilings contained in the Regulations.

159. This provision does not confirm with the 2003 Regulations 19 (1) which permits a Council to amend or change its allowances scheme on after having “regard to the recommendations made in relation to it by an independent remuneration panel.” **As such, the IRP recommends that the current paragraph 8 (1) of the allowances scheme is removed.**

Indexation

160. The 2003 Regulations (10 (4) permit “for an annual adjustment of allowances by reference to such index as may be specified by the authority”. The 2003 Regulations 21 (1)(e) also require IRPs to make recommendations

as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;

161. There was overwhelming support in the representation received that the allowances continue to be indexed. Typically uplifting the allowances by an annual cost of living index means that they do not lose relative value which in turn requires substantial periodic uplifts just to maintain their relative value. Moreover, the indexation of allowances is in place in almost all of the other GM Councils.
162. The main index that that historically been utilised by Bury Council (and most other Councils) is the annual percentage increase in the salary of staff as agreed each year by the National Council for Local Government Staff, known as the NJC index. It has the advantage of being nationally agreed and ensures that Members and Officers are treated equally each year in their annual cost of living remuneration increase. The IRP received no evidence to change the current practice.
163. **The IRP recommends that the following indices are applied to the allowances paid to Members and appointees of Bury Council:**

- **Basic Allowance, SRAs (including those paid in accordance with the GMCA 2011 Order), Co-optees’ Allowance, Civic (Mayoral)**

Allowances and the remuneration for Independent Members appointed to Education Appeals Panels:

- Indexed to the annual percentage salary increase for local government staff (at spinal column 49) as agreed each year by the National Joint Council for Local Government Services and applicable to the same year it applies to Officers but with an implementation date from the start of the municipal rather than financial year.
- **Mileage Allowance (Outwith only):**
 - Members' mileage allowances rates indexed to HMRC Approved Mileage Allowance Payment rates.
- **Subsistence Allowances (Outwith only):**
 - Subsistence allowances should continue to be indexed to the same rates that are applicable to Officers.
- **The Dependants' Carers' Allowance:**
 - **Child care:** maximum rate indexed to the real living wage (Currently £9.50 per hour)
 - **Elderly/disabled care:** maximum rate indexed to the hourly rate charged by Bury Council Social Services Department for a Home Help

164. The IRP also recommends that indexation should run for four years (2022-2026), which is the maximum length of time permitted by the 2003 Regulations. For authority for indexation to be extended beyond the fourth anniversary of the establishment of the new scheme of allowances the Council is required to first seek advice from the IRP.

Implementation

165. The IRP recommends that the new scheme of allowances based on the recommendations contained in this report is adopted from the date of the Council's Annual Meeting 2022.

APPENDIX ONE - Information reviewed by the IRP

1. IRP Terms of Reference
2. Report to Council, 17th March 2021 “Members’ Allowances Scheme 2021/22”, noting appointment of IRP and under of review
3. Bury Council Members' Allowances Scheme 2020/21 including full schedule of SRAs payable, travel and subsistence rates and approved duties, including the support provided to Members
4. Schedule of fees, support and other allowances provided to Members appointed to the Independent Education Appeals Panels
5. Bury Council annual statutory publication of Members’ allowances and expenses received by each Member including category sub-totals, 2020/21
6. Bury Council IRP Members’ Allowances Review Report, 18th May 2010
7. Bury Council IRP Members’ Allowances Review Report, 11th December 2013
8. Bury Council, flow diagram of Council Committees
9. Bury Council Constitution: <https://www.bury.gov.uk/index.aspx?articleid=15900>
10. Bury Council, meetings timetable
11. Bury Council, Information requested for Boundary Commission Review (September 2020) showing number of meetings and average length 2018/19, 2019/20 & 2020/21 (up to September 2021)
12. Summary of recent governance changes (establishment of the Strategic Commissioning Board and locality board and additional Scrutiny Committee as well as additional GM Committees)
13. New Council Constitutions: (Statutory) Guidance on Regulation for Local Authority Allowances, May 2006
14. The Local Authorities (Members' Allowances) (England) Regulations 2003, SI 2003/1021
15. Local Government Association, summary of hours worked (mean per week/by type of Council/by positions held) by Councillors (Census of Councillors 2018)
16. National Employers for Local Government Services, Local Government Pay Offer, 27th July 2021
17. The Greater Manchester Combined Authority Order 2011, Schedule 1, SI2011/908

18. Annual Survey of Hours and Earnings (ASHE), Table 7.1a, average earnings (gross) for all full time employee jobs within the District of Bury Council, November 2020
19. Office for Low Emission Vehicles, Ultra Low Emission Vehicles Tax Benefits 2018
20. Copy of questionnaire sent to all Councillors, including replies
21. Benchmarking - summary of allowances paid across the GM Councils 2020/21 or the latest data available
22. PowerPoint training/briefing presentation to Bury Council IRP, Reviewing Allowances: Context and the Bury Remuneration Model – Patterns, Options and Issues

APPENDIX TWO - Member Interviewees**Members and Appointees who met the IRP (24th - 25th March 2021)**

1. Cllr R. Bernstein: Chair of Overview & Scrutiny Committee (Conservative)
2. Cllr C. Birchmore: Member Radcliffe First
3. Ian Bott: Independent Education Appeals Panel representative
4. Cllr L.J. Dean: Conservative Group Whip
5. Cllr T. Holt: Chair Health Scrutiny, Deputy Mayor and Labour Group Whip
6. Cllr N. Jones: Leader Main (Conservative) Opposition Group
7. Cllr J. Mason: Leader Other (Radcliffe First) Opposition Group
8. cllr G. McGill: Chair Planning Development Committee (Labour)
9. Cllr E. O'Brien: Leader of the Council and Labour Group, Portfolio Holder for Finance & Growth and Member Greater Manchester Combined Authority
10. Cllr K. Peel: Deputy Cabinet Member Environment, Climate Change & Operations and Bury Council representative on GMCA Transport Committee (Labour)
11. Cllr T. Pickstone: Mayor & Chair Standards Committee (Liberal Democrat)
12. Cllr M. Powell: Leader Other (Liberal Democrat) Opposition Group
13. Cllr A. Quinn: Portfolio Holder for Environment, Climate Change & Operatinos and Bury representative on GMCA Recycling & Waste Committee (Labour)
14. Cllr T. Tariq: Deputy Leader (Labour) & Portfolio Holder for Children, Young People & Skills
15. Cllr S. Walmsley: Chair of Licensing Committee & Licensing Hearing Sub-Committee (Labour)
16. Cllr M. Whitby: Chair Audit Committee (Labour)
17. Cllr S. Wright: Chair Children & Young People's Scrutiny Committee (Liberal Democrat)
18. Cllr Y. Wright: Conservative Member

APPENDIX THREE - Officer Briefings

Sam Evans:	Section 151 (Treasurer) Officer
Jacqui Denis:	Director of Law & Governance & Monitoring Officer
Julie Gallagher:	Head of Democratic Services
Geoff Little OBE:	Chief Executive

APPENDIX FOUR – Benchmarking Allowances paid across the Greater Manchester Councils

BM1 Bury BM Group - Other GM Mets: BA + Exec + Scrutiny SRAs (20/21 unless indicated)										
Comparator Council	Basic Allowance	Leader or Elected Mayor	Leader Total	Deputy Leader	Executive Members	Assistant or Deputy Execs	Chair Main O&S	Chairs/Lead Scrutiny	V/Chairs Scrutiny	Chairs Scrutiny Panels/WGs
Bolton (19/20)	£11,644	£31,294	£42,938	£18,775	£7,140			£5,100		
Manchester	£17,525	£43,732	£61,257	£18,393	£18,393	£7,360		£11,048		
Oldham	£9,976	£29,929	£39,905	£20,950	£17,957	£7,482	£8,978	£8,978		
Rochdale	£11,172	£33,516	£44,688	£16,758	£15,082	£3,016	£8,379	£8,379		
Salford (19/20)	£11,043	£54,654	£65,697	£22,253	£14,253	£10,689		£8,910		
Stockport	£10,717	£32,151	£42,868	£17,683	£16,075			£6,430		£1,286
Tameside (19/20)	£12,567	£38,907	£51,474	£25,368	£21,701	£9,018		£10,345	£3,449	
Trafford	£6,940	£27,760	£34,700	£19,430	£13,879	£6,939	£8,327	£8,327	£4,163	
Wigan	£13,150	£39,450	£52,600	£25,644	£17,776	£5,866		£7,901		
Bury	£8,948	£25,503	£34,451	£15,307	£10,203	£1,338	£6,379	£6,379		
Mean	£11,368	£35,690	£47,058	£20,056	£15,246	£6,464	£8,016	£8,180		
Median	£11,108	£32,834	£43,813	£19,103	£15,579	£7,150	£8,353	£8,353		
Highest	£17,525	£54,654	£65,697	£25,644	£21,701	£10,689	£8,978	£11,048		
Lowest	£6,940	£25,503	£34,451	£15,307	£7,140	£1,338	£6,379	£5,100		
Mean Ratios	Leader = 3.14 X BA	100%		56%	43%	42%	22%	23%		

BM2 Bury BM Group - Other GM Mets: Regulatory SRAs (20/21 unless indicated)									
Comparator Council	Chair of Planning	V/Chair of Planning	Chair of Licensing	V/Chair Licensing	Chairs Liquor Licensing Panels/Subs	Chair of Audit &/or Governance	V/Chair Audit	Chair Standards	V/Chair Standards
Bolton (19/20)	£8,177	£2,813	£7,740	£2,521					
Manchester	£11,048	£3,684	£11,048	£3,684					
Oldham	£8,978		£8,978			£8,978			
Rochdale	£11,172		Inc in Planning			£6,703			
Salford (19/20)	£8,910		£8,910			£8,910			
Stockport	£8,038		£4,823		£3,858	£3,858			
Tameside (19/20)	£10,345	£3,449	£6,692	£2,492	£6,692	£10,345	£3,449	£6,692	£2,492
Trafford	£11,104	£4,163	£11,104	£4,163	£3,470	£8,327	£4,163	£2,453	
Wigan	£11,849	£3,084	£14,633	£3,658		£7,901			
Bury	£6,379		£6,379			£6,379			
Mean	£9,600	£3,439	£8,923	£3,304	£4,673	£7,675			
Median	£9,662	£3,449	£8,910	£3,658	£3,858	£8,114			
Highest	£11,849	£4,163	£14,633	£4,163	£6,692	£10,345			
Lowest	£6,379	£2,813	£4,823	£2,492	£3,470	£3,858			
Mean Ratios Leaders' SRA	27%		25%		13%	22%			

BM3 Bury BM Group - Other GM Mets: Opposition & Other & GMCA SRAs (20/21 unless indicated)								
Comparator Council	Main Opposition Leader	Main Opposition Deputy Leader	Opposition Lead or Shadow Exec	Other Opposition Group Leaders	Area Chairs	GMCA Leader's SRA	GMCA SRA - Other	Other SRAs/Comments
Bolton (19/20)	£10,555	£6,333		£2,940				Chair Bolton Cares Steering Committee £8,085, Chair Bolton at Home £5,500
Manchester	£18,393	£7,360					Mbr GM Waste Comtee £2,280, Mbr TfGMC £4,149	Opposition Lead Mbr Finance £1,821, Mbr Adoption Panel £5,927, Mbr Fostering Panel + City Centre Spokesperson £7,360, Airport Group Brd Mbr £11,048, Mbrs Licensing Appeals £554
Oldham	£14,964	£5,986	£2,993		£7,182 - £5,387	£5,985	Mbrs GM Pension Fund £1,460, TfGMC £4,069	Chairs Health & Wellbeing + Miocare + Unity Partnership £8,978, Leader's discretion SRA £1,496
Rochdale	£11,731				£8,379	£5,879	£4,182 GMTC Mbrs	
Salford (19/20)	£8,910			£8,910			Mbr TfGMC £5,317	
Stockport	£9,645			£1,101 + £330 p/Mbr	£4,823			ICT Allowance £338
Tameside (19/20)	£12,168			£2,492	£10,345		Mbrs GMWDA £2,100, TfGMC £3,825, GM Pension Fund £1,460	Chair Council Business £12,701, Dep Chairs Liquor Licensing Panels £2,492, Dep Area Chairs £3,449, Cllr Mbr of Standards £1,636, >5 Standards Hearings £108 p/hearing
Trafford	£13,879	£2,774	£2,774	£2,774		£10,253		Dep Leader Minority Opposition Group £2,774, Lead Mbr Education £8,327, Shadow Lead Education £1,699, Shadow Dep Exec Mbrs £1,386, Opposition Spokesprsns (Planning & Licensing) £2,774 + Tele Allowance
Wigan	£5,328					£10,367	Chair GMTC £5.139	
Bury	£8,419	£3,364		£4,210			Mbrs TfGMC £4,272, GMWDA £2,364	Deputy Leaders Other Opposition Groups £1,515, > 10 Licensing Hearings £25 p/day, £12.50 2-4 hours, £6 up to 2 hours + Tele Allowance
Mean	£11,399	£5,163		£4,265	£7,849	£8,121		
Median	£11,143	£5,986		£2,940	£8,379	£8,119		
Highest	£18,393	£7,360		£8,910	£10,345	£10,367		
Lowest	£5,328	£2,774		£2,492	£4,823	£5,879		
Mean Ratios to Leaders' SRA	32%			12%	22%			



Classification	Item No.
Open	

Meeting:	Annual Council
Meeting date:	25 th May 2022
Title of report:	Bury Council Annual Constitution Update Report
Report by:	The Monitoring Officer
Decision Type:	Council
Ward(s) to which report relates	All

EXECUTIVE SUMMARY:

The Council's constitution was reviewed and updated during the municipal year 2020/21. In considering the new Constitution, Members agreed that the Constitution should be reviewed annually to ensure that the changes proposed as a result of the review were fit for purpose. Following agreement at Standards Committee and Council in November 2021 Members agreed a work programme for future review, see Appendix 1.

INTRODUCTION

The Constitution sets out how the Council operates; how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The Council has a legal duty to publish an up-to-date Constitution and review regularly.

BACKGROUND

The Constitution must contain:

- a) the Council's standing orders/procedure rules;
- (b) the members' code of conduct;
- (c) such information as the Secretary of State may direct;
- (d) Such other information (if any) as the authority considers appropriate

A Constitution Direction was issued by the Secretary of State in December 2000 requiring 80 matters to be included within council constitutions, covering members' allowances schemes, details of procedures for meetings, details of joint arrangements with other local authorities and a description of the rights of inhabitants of the area.

Bury's Council Constitution is organised into 9 Parts (many divided into a number of sections). The existing Council's Constitution is available on the Council's external website.

SELECTION FOR REVIEW

One of the primary functions of the Council's Monitoring Officer is oversight and responsibility for the Council Constitution. In undertaking this role, the Monitoring Officer introduced an annual review of the Council's Constitution. Selection for review has been informed by feedback from Elected Members and discussions with fellow Council Officers.

1. Officer Employment Procedure Rules

This part of the Constitution sets out the Council's arrangements for the appointment of Officers, including Chief Officers and the Chief Executive. In response to feedback from Members and Officers a number of revisions are proposed specifically:

1. The Constitution currently specifies the arrangements for the appointment of Chief Officers and the Head of Paid Service where the appointee is not an existing Council employee/employees. Arrangements for this eventuality have now been included in the constitution.
2. The Leader of the Council has been included as a full Member of the appointment panel for Head of Paid Service.
3. The relevant Cabinet Member(s) have been included as full Member(s) of the appointment panel for Chief Officers and Deputy Chief Officers as defined. This had been normal practice by the former Human Resources and Appeals Panel but does not align with the current wording of the procedures.

4. The requirement to inform Members of the Cabinet of any appointments to Chief Officers/Deputy Chief Officer roles has been retained. However, clarification has been added to confirm that this is for information only and that the ultimate appointment decision rests with the Employment Panel.

The full proposed revised Procedure Rules are appended below as Appendix 2. A small revision to the Terms of Reference of this Committee is required to ensure they align with point 3 above. Revised Terms of Reference are appended below as Appendix 3.

2. Employees' Code of Conduct

The Employee' Code of Conduct is a key part of the Council's overall employee policy framework setting out the Council's core expectations of staff as public servants. The existing Code of Conduct is clear and robust. However, a number of minor amendments are proposed to ensure the document fully reflects standards and expectations in a number of areas which have evolved over recent years specifically:

1. Reference to the Whistleblowing Policy has been included.
2. Inclusion of expectations around the handling and disclosure of personal and sensitive data has been added.
3. Wording around Employee/Councillor relationships has been strengthened.
4. Reference to the Declaration of Interests process in relation to outside commitments and personal interests has been added.
5. Reference to the Gifts and Hospitality declaration process has been added.

The full proposed revised Code is appended below as Appendix 4.

3. Monitoring Officer Protocol

In March 2021 following a complaint against an Elected Member and a subsequent Standards Hearings Panel, the Monitor Officer Protocol was considered as evidence and included in the document pack. Elected Members (sitting on the Panel) as well as the Standards Committee Independent Person raised concerns that the protocols lacked clarity, were open to interpretation and required re-examination

The current responsibilities of the Monitoring Officer role rest with the Council Solicitor (Director of Law and Governance) who undertakes to discharge her statutory responsibilities. In doing so she must safeguard, so far as is possible, Members and Officers whilst acting in their official capacities, from legal difficulties and/or criminal sanctions. The Monitoring Officer has a broad role in ensuring the lawfulness and fairness of corporate decision making, ensuring compliance with Codes and Protocols, promoting good governance and high ethical standards.

Having excellent working relations with Members and officers will assist in the discharge of the statutory responsibilities by the Monitoring Officer. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of

any decision-making by the Council) will assist in fulfilling those responsibilities. Members and officers must, therefore, work with the Monitoring Officer (and his/her staff) to discharge the Council's statutory and discretionary responsibilities.

The Protocol provides details of the main functions of the Monitoring Officer, working arrangements including support in respect of resources, access to information and meetings, relationships, standards and governance matters, as well as sanctions for breach of the protocol.

The full proposed revised Code is appended below as Appendix 5.

4. Public Participation Guidance

A healthy democracy depends upon active citizenship. Citizens are encouraged to make conscientious use of their roles as both voters and members of a wider community, this guide gives an overview of the ways in which the public can participate.

The full proposed revised Code is appended below as Appendix 6.

5. Other Amendments

As well as the scheduled review work, following discussions with Group Leaders the following changes are proposed:

5.1 Establishment of the Locality Board

Following consideration and discussion at the Strategic Commissioning Board, in which Members reviewed the Greater Manchester wide documentation in relation to the Greater Manchester Integrated Care System development arrangements underpinned by the changes introduced by the Health and Care Act 2022. The Act establishes Integrated Care Board from 1st July 2022. The Board resolved that a key priority would be a locality approach as a precondition to addressing opportunities for integrated services and population health and wellbeing interventions. The Locality Model will include a Locality Board that will deliver accountability for decisions and budgets at a local level. The Boards membership will include Councillors, clinical and care professionals, providers, and the voluntary sector.

The Locality Board has been established in shadow form with an effective start date of the 1st July 2022. Draft terms of reference and committee membership are detailed at Appendix 7

5.2 4.1.59 State of the Borough Debate

At the annual meeting (except in a year when there are all out ordinary elections) an annual report on the priorities of the Cabinet and progress made in meeting those priorities; and a report on the state of the Borough will be brought to Full Council by the Leader of the Council or in the absence the Deputy Leader.

Delete - (except in a year when there are all out ordinary elections)

5.3 Following the consideration of the IRP report the member allowance scheme – Part 6 Member Allowance Scheme be updated.

5.4 Following changes to the Cabinet Portfolios and changes to Committee appointments Part 7 – the Cabinet Portfolios and the Committee structure be updated.

5.5 Further to consideration at the Employment Panel on the 5th April 2022 - Place Based Lead for Health and Social Care Integration, following completion of due diligence, the Council Monitoring Officer be authorised to make consequential changes to the Constitution.

5.6 The Constitution review timeline Part 8 be updated.

Recommendations

Members of council are asked to -

1. Adopt the revised sections of the constitution as highlighted in the sections 1- 4 as appended.
2. Adopt the changes as proposed in section 5.1 – 5.6 above.
3. Note the establishment of the Bury Locality Board and subsequent amendments to the Constitution. Draft details of the Committee membership and also terms of reference are appended. Following further review of the terms of the Locality Board, the Council's Monitoring Officer be authorised to make consequential changes to the Constitution.
4. Note the annual review of the constitution and review schedule as set out in Appendix 8.

Community impact/links with Community Strategy

An up-to-date Constitution will ensure decision are taken lawfully and in an open and transparent manner.

Equality Impact and considerations:

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

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

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

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

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
An up to date Constitution will ensure decisions 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. An Equality Impact Assessment has been completed	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Legal Challenge	An up-to-date Constitution will ensure decisions are taken lawfully and in an open and transparent manner.

Consultation:

Group Leaders and the Mayor at the Democratic Arrangements Forum and Members of the Standards Committee.

Legal Implications:

Section 9P of the Local Government Act 2000 as amended sets out the duty of the Council to prepare and keep up to date its constitution as follows:

(1) A local authority must prepare and keep up to date a document (referred to in this section as its constitution) which contains—

- (a) a copy of the authority's standing orders for the time being,
- (b) a copy of the authority's code of conduct (if any) for the time being under section 28 of the Localism Act 2011,
- (c) such information as the Secretary of State may direct, and
- (d) such other information (if any) as the authority considers appropriate.

A local authority must ensure that copies of their constitution are available at their principal office for inspection by members of the public at all reasonable hours. A local authority must supply a copy of their constitution to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine. The Bury constitution is made available on our public website.

It is for the Monitoring Officer to monitor and review the operation of the constitution on an ongoing basis and where necessary bring forward amendments to Council.

Financial Implications:

There are no financial implications arising from this Report.

Report Author and Contact Details:

Jacqui Dennis, Monitoring Officer and Council Solicitor

Appendix 1 – Review Schedule

Item	Existing Document	Lead Officer	Considered at
Officer Employment Procedure Rules	https://councildecisions.bury.gov.uk/documents/s29529/Section%207%20Officer%20Employment%20Procedure%20Rules.pdf	SM	EP
Employee's code of conduct	https://councildecisions.bury.gov.uk/documents/s29592/Section%202%20-%20Employees%20code%20of%20conduct.pdf	SM	EP
Monitoring officer protocol	https://councildecisions.bury.gov.uk/documents/s29595/Section%205%20-%20Monitoring%20Officer%20Protocol.pdf	JG	SC
Public participation guide	https://councildecisions.bury.gov.uk/documents/s29603/Section%206%20-%20Public%20Participation%20Guidance.pdf	JG	

Section 8 - Officer employment procedure rules

(Standing Orders relating to Staff)

4.8.1. **Recruitment and Appointment**

(a) Declarations

(i) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council; or of the partner of such persons.

(ii) No candidate so related to a Councillor or an Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him/her.

(b) Seeking support for appointment

(i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.

(ii) No Councillor will seek support for any person for any appointment with the Council.

4.8.2. **Recruitment of Head of Paid Service and Chief Officers**

(i) Where the Council proposes to appoint a Chief Officer from amongst its existing officers the Executive Director of the department concerned should:

(a) Consult with the appropriate Cabinet Member(s) and prepare a report to the Employment Panel with the rationale, evidence around existing officers' suitability and why it is not considered necessary to advertise externally.

(b) If agreed, expressions of interest would be sought from relevant existing Officers outlining how the criteria for the role are met and a shortlist will be prepared.

(c) An appointment process will follow as outlined below.

(ii) If it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

(a) draw up a statement specifying:

(i) the duties of the officer concerned; and

(ii) any qualifications or qualities to be sought in the person to be appointed.

- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) above to be sent to any person on request.
- (d) follow an appropriate recruitment process as outlined below.

4.8.3. **Appointment of Head of Paid Service**

- (a) The full Council must confirm the appointment of the Head of Paid Service following the recommendation of such an appointment by a sub-group of the Employment Panel with the Leader of the Council as a full member of the Appointment Panel.
- (b) An offer of an appointment as Head of Paid Service must not be made by the Council until:
 - (i) The Council has notified the Director of People and Inclusion of the name of the person to whom the Council wishes to make the offer and of any other particulars which the Council considers are relevant to the appointment;
 - (ii) The Director of People and Inclusion has notified (for information) every member of Cabinet of:
 - (a) the name of the person to whom the Council wishes to make the offer;
 - (b) any other particulars relevant to the appointment which the Council has notified to the Director of People and Inclusion;
 - (iii) and the Director of People and Inclusion seeks agreement on the appointment from a meeting of Full Council.

4.8.4. **Appointment of Chief Officers and Deputy Chief Officers**

- (a) A sub-group of the Employment Panel of the Council will appoint Chief Officers and Deputy Chief Officers, with the relevant Member(s) of the Cabinet as full member(s) of the Appointment Panel for these purposes.
- (b) The Chief Officer and Deputy Chief Officers posts subject to Rule 4 of the Officer Employment Rules are as defined in Section 2 of the Local Government and Housing Act 1989.

4.8.5. **Other Appointments**

(a) Officers below Deputy Chief Officer

The appointment of officers below Deputy Chief Officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her

nominee, and may not be made by Councillors.

(b) Assistants to political groups

The appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

4.8.6. Disciplinary Action - Head of Paid Service, Monitoring Officer and Chief Finance Officer

(To be considered in conjunction with the Disciplinary Procedure for Head of Paid Service, Section 151 Officer and Monitoring Officer - Appendix A)

(1) The Head of Paid Service, Monitoring Officer and S151-Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and will be reviewed after two months.

(2) The Council must approve the dismissal or other disciplinary action in relation to the Head of Paid Service, the Monitoring Officer or the S151-Chief Finance Officer following the recommendation of dismissal or disciplinary action by the Employment Panel (the Investigating and Disciplinary Committee - IDC) and an Independent Panel.

(3) The requirement to set up an Independent Panel is in accordance with the Local Authorities (Standing Orders) England Regulations 2015, the requirements of which are set out in Schedule 3 including who can sit on the Panel.

(d) The IDC will set up an initial meeting to inform the officer of the allegation, hear any representations and evidence from the officer and determine whether or not there is a case to answer. If it is determined that there is a case to answer an independent investigator will be appointed.

(e) Following receipt of the investigation report the IDC will conduct a Hearing to consider the findings/ recommendations, hear the officer's case and question any witnesses.

(f) If a disciplinary sanction/dismissal is proposed the Panel will notify the Director of People and Inclusion who will, through Democratic Services, notify every Member of the Cabinet of the name of the person and relevant details of the sanction or dismissal and give the opportunity for them to object/period of time to do this.

(g) Objections should be made through the Leader on behalf of the Cabinet to the Director of People and Inclusion; and either:-

(i) the Leader has, within the period specified in the notice under Rule 6(d)(ii)(c), notified the Panel that neither he/she nor any other Member of the Cabinet has any objection to the making of the offer;

(ii) the Director of People and Inclusion has notified the Panel that no objection was received within that period from the Leader; or

(iii) the Panel is satisfied that any objection received from the Leader/Cabinet within that period is not material or is not well founded.

(h) The IDC's proposed decision will then be put to an Independent Panel:

(4) The Independent Panel will be established comprising of two or more independent panel members:

- an independent person appointed by the Council who is a local government elector
- any other independent person appointed by the Council
- an independent person who has been appointed by another Council
- The Panel will:
 - hear the evidence of the investigator
 - hear oral representation from the officer
 - hear evidence from any witnesses
 - hear the response/proposals from the IDC

The Panel will consider all of the evidence and review the proposed decision from the IDC. A report will be prepared by the Independent Panel for Council with a clear recommendation as to whether or not they feel the officer should receive a disciplinary sanction or be dismissed. If they disagree with the IDC's proposals to issue a disciplinary sanction or dismiss, the report should include a clear rationale of the reasons why.

If the Panel are in agreement with the IDC's proposals the officer should be informed of this in writing and given the right of appeal.

(5) Under the 2015 regulations any decision to issue a disciplinary sanction or dismiss will be taken by full Council, who will take into account any advice, views or recommendations of the Independent Panel.

A special meeting of Council will be set up by Democratic Services and will take place at least 20 working days after the meeting of the Independent Panel.

At the meeting, which will also act as the officer's appeal if they have appealed, the case will be reviewed (a full re-hearing will not take place).

In addition:

- the officer will make representation first as this will effectively be their opportunity to appeal
- the advice, views and recommendations of the Independent Panel will be taken into consideration
- the conclusions from the investigation will be considered

Council may decide:

- to remove the disciplinary sanction or determine a lesser sanction
- to overturn the dismissal and award a lesser sanction (formal warning or action short of dismissal)
- to confirm the disciplinary sanction or dismissal of the officer

Decisions must be approved by way of a vote.

4.8.7. Disciplinary Action - Chief Officers and Deputy Chief Officers (other than the Head of Paid Service, Monitoring Officer and Chief Finance Officer)

(a) The Employment Panel shall approve the dismissal of or other disciplinary action in relation to Chief Officers and Deputy Chief Officers (other than the Head of Paid Service, Monitoring Officer or the Chief Finance Officer).

(b) Notice of the dismissal of the Chief Officer or Deputy Chief Officer (other than the Head of Paid Service, Monitoring Officer or the Chief Finance Officer) must not be given by the Director of People and Inclusion until:

(i) the Panel has notified the Director of People and Inclusion of the person who the Panel wishes to dismiss and other particulars which the Panel considers are relevant to the dismissal;

(ii) the Director of People and Inclusion has notified every Member of the Cabinet of;

(a) the name of the person who the Panel wishes to dismiss;

(b) any other particulars relevant to the dismissal which the Panel has notified to the Director of People and Inclusion; and

(iii) the period within which any objection to the dismissal is to be made by the Leader on behalf of the Cabinet to the Director of People and Inclusion and; Either:

(i) the Leader has, within the period specified in the notice under Rule 7(b)(ii)(c), notified the Panel that neither he/she nor any other Member of the Cabinet has any objection to the dismissal;

(ii) the Director of People and Inclusion has notified the Panel that no objection was received by him within that period from the Leader; or

(iii) the Panel is satisfied that any objection received from the Leader/Cabinet within that period is not material or is not well founded.

4.8.8. Disciplinary Action - Other Officers

Other than hearing Appeals against dismissal, Councillors shall not be involved in the dismissal of or disciplinary action in relation to any Officer below Deputy Chief Officer except where such involvement is necessary for any investigation or enquiry into alleged misconduct and also through the Council's Disciplinary, Capability and Related Procedures as adopted from time to time, which may allow a right of appeal to Members in respect of such action.

Appendix A

Disciplinary Procedure for Head of Paid Service, Section 151 Officer and Monitoring Officer

Background

The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) provide a degree of protection for chief executives and certain statutory chief officers (section 151 and monitoring officers) against unwarranted political interference in their roles as Head of Paid Service, Section 151 Officer and Monitoring Officer.

These changes have been incorporated into the Council Constitution and new procedures are required to be formalised.

Scope

This procedure sits alongside the Model Disciplinary Procedure and Guidance as outlined in the Joint Negotiating Committee for Local Chief Executives National Salary Framework and Conditions of Service Handbook (updated 13 October 2016) and will be used to manage the disciplinary process for the Head of Paid Service, Section 151 Officer and Monitoring Officer.

Should any cases involving allegations against any of these three officers also implicate other officers and there is one investigation, this higher level procedure will be used for all officers under investigation.

Where the procedure refers to a Hearing, the process will follow the Council's Hearing Procedure.

Democratic Services, in conjunction with HR, will be responsible for arranging all meetings / hearings.

Right to be accompanied

The JNC procedure provides that at all stages, officers have the right to be accompanied by a trade union representative or some other person of their choice at their own cost. The only exception being, if an emergency suspension needs to take place where there is a serious risk identified.

The disciplinary procedure cannot be delayed, however, due to the unavailability of representative although every effort will be made to arrange dates that are mutually convenient.

The statutory right to be accompanied applies in disciplinary hearings where decisions around disciplinary action, a disciplinary sanction or an appeal are

taken. In these cases should the officer's representative be unavailable to attend we will postpone the Hearing for up to a week when the Hearing will go ahead regardless of the representative's availability.

Informal Resolution

If possible, an informal resolution should be sought and the Council will pay full regard to the principles within the ACAS handbook. The advice of the Joint Secretaries may also be sought. Formal action should be a last resort.

Formal Procedure

Suspension

The decision to suspend the Chief Executive, S151 Officer or Monitoring Officer must be considered carefully taking into account the nature of the allegations, the effect on the officer and potential reputational damage to the Council.

The Deputy Chief Executive has delegated authority to suspend in relevant circumstances in conjunction with the Leader of the Council and relevant Cabinet Member. Suspension should be reviewed by the IDC after 2 months.

Investigating and Disciplinary Committee - initial meeting

As part of the procedure, an Investigating and Disciplinary Committee (IDC) is required to be set up. This committee will be politically balanced and will consist of a panel of five members, including at least one cabinet member. Members appointed to the panel should have no prior knowledge or conflicts of interest in the case/officer involved.

Prior to the initial meeting, the Council should shortlist three people (or less if three are not available) from a list of independent investigators held by the Joint Secretaries to conduct an investigation should the IDC decide that this is the appropriate way forward.

The IDC's initial role will be to inform the officer of the allegations in writing, providing any evidence that might require investigation. The officer will be invited to put forward any written representations and evidence to the meeting (this includes any written evidence from witnesses they wish to be considered at this stage). The officer will also be invited to attend the meeting to make oral representations. If they do not attend their written representations will be taken into account.

At the meeting, the IDC will consider any evidence presented by the officer, either in writing or in person, and determine if it is appropriate to call the witnesses at this stage before any decision is taken. The IDC may decide:

- no further formal action is taken, or
- there is a case to answer and an investigation is required, or

- to consider other actions (for example mediation, use of a different procedure, mutual termination etc.)

If the IDC decides that there is a case to answer they will appoint an independent investigator.

They will also consider if it is appropriate to suspend the officer. If the officer has already been suspended under emergency powers, the IDC will review the decision to determine whether or not the suspension stands. Suspension will be further reviewed by the IDC after 2 months.

The officer will be informed of the decision in writing.

Investigation

The Joint Secretaries hold a list of independent investigators. Once the options of independent investigators from the list are determined suitable by the Council, the officer will be invited to select an investigator from the list (if no selection is made within 14 days of the names being supplied the Council should select an investigator from the list).

The role of the investigator will be to establish the facts and collate evidence. The investigation should remain confidential, impartial, and should be speedy and thorough.

The investigator will prepare a report to the IDC outlining:

- the facts of the case
- findings and evidence
- their opinion as to whether or not they believe that the evidence gathered supports the allegation and the need for disciplinary action to be taken
- their recommendations as to what disciplinary action they believe to be appropriate

IDC - Hearing

On receipt of the investigation report, the IDC will conduct a Hearing which will:

- consider the findings, report and recommendations of the independent investigator including any new material evidence material to the allegations
- give the officer the opportunity to state their case
- question any witnesses where relevant The

IDC may decide on the following outcomes:

1. No further action should be taken - the officer should be informed and appropriate communication prepared to ensure no damage to the officer's reputation
2. The issue should be resolved informally or through another procedure

3. The case should be referred back to the investigator for further investigation - this should be only when it is absolutely necessary in order to make a decision (for example to investigate any new evidence)
4. To take action short of dismissal (ie to issue a disciplinary sanction) - the officer should be notified of this and given the right of appeal
5. To recommend to Council to dismiss the officer

Where the IDC proposes to recommend to dismiss the officer, the Leader and all members of the Cabinet should be informed and given the opportunity to object. This part of the process should be carried out by the Deputy Chief Executive in conjunction with Democratic Services and any objections from the Cabinet should be made through the Leader.

The IDC will then reconvene to consider any objections and reaffirm their proposed recommendations to dismiss.

The IDC's proposed recommendations to dismiss should then be put to an Independent Panel.

The IDC will reconvene once the report from the independent panel is received to consider the recommendation to dismiss. If the recommendations to dismiss do not change, the officer will be informed of the decision at this point and given the right to appeal. This will be to full Council.

Should the IDC decide not to dismiss, other options should be considered (see above IDC outcomes).

Independent Panel

If a recommendation to dismiss is made by the IDC an Independent Panel (IP) will be established comprising of three independent panel members (or at least 2) who are:

- an independent person appointed by the Council who is a local government elector in this borough
- an independent person appointed by the Council for the purpose of the Council members conduct regime under the Localism Act 2011
- an independent person appointed by another Council for the purpose of the Council members conduct regime under the Localism Act 2011

The IP will be held in accordance with the Council's Hearing Procedure and will take place at least 20 working days before the meeting of the Council. The IP will offer advice, views or recommendations to the Council at which the recommendation for dismissal will be considered. It will:

- receive the IDC recommendations and reasons - presented by the Chair of the IDC
- receive the report from the independent investigator, who will be invited to

the IP to provide clarification if required

- receive oral/written representations from the officer, who will be invited to attend
- hear evidence from any witnesses
- ask questions of either party

The IP will consider all of the evidence and formulate any advice, views or recommendations it wishes to make to Council on the proposal to dismiss the officer. A report will be prepared for the IDC / Council. If they disagree with the IDC's proposals to dismiss, the report should include a clear rationale of the reasons why.

least one cabinet member and will comprise of five elected members who were not members of the IDC.

Its purpose is to hear the officer's representation and review the case/decision taken by the IDC, IP and consider the investigation report along with any other evidence relating to the case. They will also conduct any further investigations necessary to enable them to reach a decision.

The Panel may decide:

- to confirm the sanction given
- no sanction should be given - communications should be agreed with the officer to ensure as far as possible no damage to their reputation)
- a lesser sanction should be given

The decision of the Appeals Committee is final.

Appendix 3 – EP Revised Terms of Reference

1. FUNCTION

The Employment Panel is responsible for the employment functions as set out in the Officer Employment Procedure Rules; including;

- acting as the Investigating and Disciplinary Committee for statutory officers of the Council
- Appeals against dismissal and grievances by employees of the Council
- applications for premature retirement and
- Appointment Panel for Chief and Deputy Chief Officers.

2. MEMBERSHIP

2.1 The Employment Panel will be Chaired by the Cabinet Member with responsibility for human resources. The Committee will be a politically balanced committee of the Council with nine members.

2.2 A politically balanced 3 member panel will be convened to fulfil the appeals functions.

2.3 A politically balanced 6 member panel will be convened to fulfil the employment functions, the 5th/and if necessary 6th member will be the Cabinet Member(s) with responsibility for the portfolio area under consideration.

2.4 Any panels convened must comprise of the 9 members appointed to the Employment Panel except in instances when a Cabinet Member is required to fulfil an employment function as detailed in point 2.3.

3. KEY RESPONSIBILITIES OF THE BOARD

1. Be the appropriate body including acting as the Investigating and Disciplinary Committee.
2. To fulfil the employment functions as set out in part 4 section 8, the Officer Employment Procedure Rules in relation to: Chief Officers and Deputy Chief Officers including the Head of Paid Service (to include Returning Officer and Electoral Registration Officer functions), Deputy Chief Executive; Director for Adults and Communities, Director of Children and Families; Director of Public Health, Monitoring Officer and S151 Officer.
3. Review the annual pay policy statement and make recommendations to Council.
4. Be a consultee on all terms and conditions including policies for all staff.
5. Approve the performance and development framework for annual assessment of the Chief Executive.
6. Appeals against dismissal and grievances by employees of the council and applications for premature retirement.
7. The Chair of the Employment Panel has delegated authority to suspend the Head of Paid Service.

5. MEETINGS

The Employment Panel is a Committee of the Local Authority and so as such the Access to Information provisions will apply. The Panel will meet four times a year.

The **date and timings** of the meetings will be fixed in advance by the Council, as part of the agreed schedule of meetings.

Additional meetings may be convened at the request of the Chair, and with the agreement of the Council Leader.

The meeting will be Chaired by the Cabinet Member with responsibility for the human resources function. The Chair will be appointed annually and the appointment would be ratified by Council. **In the absence of the Chair** - a replacement Chair will be elected for the duration of the meeting.

A **quorum** of three will apply for meetings.

The Director of People & Inclusion or their representative will act as the **lead officer**.

The agenda and supporting **papers** shall be in a standard format and circulated at least five clear working days in advance of meetings.

Meetings will be **clerked** by a representative of Democratic Services.

Public Engagement

Agendas will be available to view by members of the public in line with Access to Information Requirements on the Councils website at <https://www.bury.gov.uk/index.aspx?articleid=10465>

Section 2 - Employees' code of conduct

Local Employees/Officers' Code of conduct, consistent with a model code yet to be issued by the Secretary of State, will be inserted here in due course.

1.0 Standards

1.1 Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of their immediate supervisor any deficiency in the provision of service. Employees must report to their immediate supervisor or the Director of Personnel any impropriety or breach of procedure.

2.0 Disclosure of Information

2.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public.

2.2 Committee agendas and most reports and background papers are required by law to be available for public inspection. Detailed guidance is available from the Director of Legal and Democratic Services. Obstruction of a Member of the public who wishes to exercise these rights is a criminal offence.

2.3 No employee shall communicate to the public the proceedings of any 'closed' Committee or meeting associated with the business of any Committee, nor the content of any document relating to the authority, unless required by law or expressly authorised by the Chief Executive to do so. Employees making unauthorised communications shall render themselves liable to disciplinary action.

2.4 Employees should follow any specific ground rules adopted by the authority in relation to commercially sensitive information, particularly with regard to Compulsory Competitive Tendering (CCT).

3.0 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a councillor which is personal to that councillor and does not belong to the authority such as details of her/his marital/domestic arrangements, should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.

3.1 Political Neutrality

3.2 Employees serve the authority as a whole. It follows they must serve all councillors and not just those of the controlling group, and must ensure that the

individual rights of all councillors are respected.

3.3 Subject to the authority's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.

3.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

3.5 Should the authority decide to appoint political assistants in accordance with the Local Government and Housing Act 1989 these employees would be exempt from the standards set in paragraphs 3.1 to 3.3.

4.0 Relationships

4.1 **Councillors** - Employees are responsible to the authority through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

4.2 **The Local Community and Service Users** - Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the authority.

4.3 **Contractors** - All relationships of a business or private nature with external contractors or potential contractors, should be made known to your immediate supervisor and shall be recorded in a book to be kept for that purpose by the Chief Executive which shall be available for inspection by Members of the Council. Orders and contracts must be awarded on merit by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their immediate supervisor and this should be recorded in the book kept for that purpose by the Chief Executive.

5 Appointment and Other Employment Matters

5.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties

of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her. Where a Senior Officer has power to engage an employee he or she shall not appoint any relative to such a position without first referring the proposed appointment to the Committee concerned.

5.2 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

6.0 Outside Commitments

6.1 Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the authority's interests. Employees are advised to discuss any such issues with their immediate supervisor. Apart from those employees whose conditions of service require them to obtain written consent to take any outside employment, it is not intended that employees be prevented from taking outside employment except where such employment would conflict with the authority's interests.

6.2 Employees should have regard to the ownership of intellectual property or copyright arising out of and during the course of their employment and act in accordance with any rules of the authority which may be in force.

7.0 Personal Interests

7.1 Employees must declare to their immediate supervisor any non-financial interests that they consider could bring about conflict with the authority's interests.

7.2 Employees must declare to their immediate supervisor any financial interests which could conflict with the authority's interests.

7.3 In the case of any matter under consideration by the Council or any other application to the Council where employees or any close relative have a personal interest, whether pecuniary or otherwise, they should, if such matter or application falls to be dealt with by the Department in which they are employed, inform their immediate supervisor of their interest as soon as they become aware of the matter or application concerned. The immediate supervisor must then ensure that all aspects of the matter or application are conducted or supervised by an employee more senior to the individual who has declared the personal interest. On no account must employees be directly involved in the processing of any matter or application in which they or any close relative have a personal interest.

7.4 The definition of a close relative shall be as set out in the Supplemental

Conditions of Service for APT & C Staff (Appendix H). A copy of the Supplemental Conditions is available for inspection in your Department.

7.5 Employees should declare to their immediate supervisor membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

7.6 Any declarations referred to in Section 7 shall be recorded in a register kept for that purpose by the employees Chief Officer for inspection by Members of the Council.

8.0 Equality Issues

All local government employees should ensure that policies relating to equality issues as agreed by the authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equality.

9.0 Separation of Roles During Tendering

9.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness and at time discretion and confidentiality.

9.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors, in accordance with any policies and rules determined by the Council, particularly in relation to Compulsory Competitive Tendering.

9.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

9.4 Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform their immediate supervisor and withdraw from the contract awarding processes.

9.5 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

10.0 Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money for the Council and to the local community and to avoid legal challenge to the authority.

11.0 Corruption

11.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If charged with this offence it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

11.2 Rewards corruptly obtained will put your job at risk and are punishable by up to seven years' imprisonment.

12.0 Gifts and Hospitality

12.1 There can be little doubt that the acceptance of gifts by employees from persons who have, or may seek to have, dealings with their authority would be viewed by the public with grave suspicion and would make the employee concerned and the Council extremely vulnerable to criticism. An employee should, therefore, tactfully refuse any personal gift which is offered to him/her or a close relative by, or indirectly attributable to any person or body who has, or may have, dealings of any kind whatsoever with the Council or, who has applied, or may apply, to the Council for any planning or other kind of decision.

12.2 The only exceptions to this rule are:

- (a) small gifts of only token value often given by way of trade advertisements to a wide range of people, e.g. calendars, diaries, tape measures and similar articles of use in the workplace; or
- (b) small gifts of only token value given on the conclusion of a courtesy visit, e.g. to a factory or other premises

12.3 If there is any doubt about whether a gift may be accepted the gift should be politely and tactfully refused.

12.4 Employees are reminded that under provisions of Section 117 of the Local Government Act 1972, they are forbidden under the colour of their office and employment to accept any fee or reward other than their proper remuneration and any person who contravenes this provision would be liable, on summary conviction, to a fine not exceeding £2,500. (Subject to review).

12.5 In the event of an employee receiving a gift without warning, which does not fall in any of the exceptions mentioned above, this should immediately be reported to a Chief Officer who will be responsible for deciding whether the gift should be returned.

12.6 If any employee becomes aware that he/she has been included as the beneficiary in the Will of a client, for whom the Council offers or used to offer a service where there is a connection with the employee's work, the above rules apply.

12.7 Employees should only accept offers of hospitality if there is a genuine need to

impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised and recorded in a register kept for that purpose by the employee's Chief Officer.

12.8 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.

12.9 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.

12.10 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees should ensure that the authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

12.11 Employees must refuse offers of hospitality where any suggestion of improper influence would be inferred. Special caution is necessary where hospitality is offered by a person or body having or seeking business with, or a decision from the authority, particularly where the offer is to an individual employee.

12.12 Concerning offers of hospitality there should be no cause for concern if the offer is made by another non-commercial public body but in all other cases offers of hospitality must be treated with caution.

12.13 Hospitality should only be accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion and not extravagant and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of hospitality.

13.0 Sponsorship - Giving and Receiving

13.1 Where an outside organisation wishes to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

13.2 Where the authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to their immediate supervisor of any such interest. Similarly, where the authority through sponsorship, grant aid, financial or

other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

13.3 Any declaration of an interest will be recorded in a register kept for that purpose by the employee's Chief Officer. The register will be available for inspection by Members.

14.0 Interpretation

Any interpretation of this Code should be determined by the Director of Personnel after consultation with the Executive Member for Resource, Lead Member for Human Resources and Opposition spokespersons.

15.0 Disciplinary Action

Any serious contravention of this Code may result in disciplinary proceedings.

16.0 Grievance Procedure

16.1 An employee who has a grievance arising from the interpretation of the Code shall have access to the Council's Grievance Procedure.

16.2 Any officer or Member who has been involved in an interpretation of the Code which results in a grievance arising should not be involved in the consideration of that grievance.

17.0 Application of Code

The Code embodies general guidance for all employees of the Council. It is recognised, however, that specific arrangements may be made at Departmental level to address circumstances/situations encountered by certain employees

Part 5: Section 5 - Monitoring officer protocol

The Monitoring Officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. This Protocol provides some general information on how those statutory requirements will be discharged at Bury Council.

The current responsibilities of the Monitoring Officer role rest with the Council Solicitor (Director of Law and Governance) who undertakes to discharge his/her statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Council. In doing so he/she will also safeguard, so far as is possible, Members and Officers whilst acting in their official capacities, from legal difficulties and/or criminal sanctions. The Monitoring Officer has a broad role in ensuring the lawfulness and fairness of corporate decision making, ensuring compliance with Codes and Protocols, promoting good governance and high ethical standards.

The main functions of the Monitoring Officer at Bury Council are:

- a) To report to the Council and to the Cabinet in any case where he/she is of the opinion that any proposal or decision of the authority has given rise to or is likely to or would give rise to any illegality, maladministration or breach of statutory code under Sections 5 and 5A of the Local Government and Housing Act 1989; (LGHA 89)
- b) To investigate any matter which he/she has reason to believe may constitute, or where he/she has received an allegation that a matter may constitute, a reportable incident under Sections 5 and 5A of the LGHA 89;
- c) To act as the principal adviser to the authority's Standards Committee;
- d) To maintain the register of members' interests;
- e) To act as the Proper Officer for the preparation, publication and retention of records of decisions taken by or on behalf of the Council and the Executive;
- f) To have responsibility for responding to complaints to the Local Government Ombudsman
- g) To undertake, with others, investigations in accordance with the Council's Whistleblowing procedures

In general terms, the Monitoring Officer's ability to discharge these duties and responsibilities will depend, on Members and Officers; complying with the law (including any relevant Codes of Conduct) complying with any General Guidance issued making lawful and proportionate decisions; and complying with the Council's Constitution and standing orders; generally, not taking action that would bring the Council, their officers or professions into disrepute. It is essential that Members and Officers communicate effectively with the Monitoring Officer and seek advice when required on any issues relating to constitutional or ethical matters.

Working arrangements

Having excellent working relations with Members and officers will assist in the discharge of the statutory responsibilities by the Monitoring Officer. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of any decision-making by the Council) will assist in fulfilling those responsibilities. Members and officers must, therefore, work with the Monitoring Officer (and his/her staff) to discharge the Council's statutory and discretionary responsibilities. The following arrangements and understandings between the Monitoring Officer, Members and Chief Officers are designed to ensure the effective discharge of the Council's business and functions.

The Monitoring Officer will:
<p>Resources:</p> <p>(a) report to the Council, as necessary on the staff, accommodation and resources s/he requires to discharge his/her statutory functions,</p> <p>(b) have sufficient resources to enable him/her to address any matters concerning his/her Monitoring Officer functions;</p> <p>(c) have control of a budget sufficient to enable him/her to seek Counsel's opinion on any matter concerning his/her functions.</p> <p>d) appoint a deputy and keep him/her briefed on any relevant issues that he/she may be required to deal with in the absence of the Monitoring Officer. The Deputy will only act in the absence of the Monitoring Officer if urgent action is required which cannot await the return of the Monitoring Officer.</p>
<p>Access to information/meetings:</p> <p>a) be alerted by Members and officers to any issue(s) that may become of concern to the authority, including, in particular issues around legal powers to do something or not, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise:</p>

(b) have advance notice, (including receiving agendas, minutes, reports and related papers) of all relevant meetings of the authority (including meetings at which officer delegated decisions are taken) at which a binding decision may be made (including a failure to take a decision where one should have been taken);

(c) have the right to attend (including the right to be heard) any meeting of the authority (including meetings at which officer delegated decisions are taken) before any binding decision is taken (including a failure to take a decision where one should have been taken).

(d) be a member of the Executive Management Team and will have advance notice of those meetings, agenda and reports and the right to attend and speak.

(e) in carrying out any investigation(s), have unqualified access to any information held by the Council and to any officer who can assist in the discharge of his/her functions.

Relationships:

a) ensure the other Statutory Officers (Head of Paid Service and the Section 151 Officer) are kept up-to-date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;

b) meet regularly with the Head of Paid Service and the Section 151 Officer to consider and recommend action in connection with Corporate Governance issues and other matters of concern regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;

report to the Council, annually, on the Constitution and any necessary or desirable changes following consultation, in particular, with the Leader, the Head of Paid Service and Section 151 Officer;

c) in accordance with statutory requirements, make a report to the Council, as necessary on the staff, accommodation and resources he/she requires to discharge his statutory functions;

d) have an appropriate relationship with the Leader, Deputy Leader, Opposition Group Leaders and the Chairs of, Full Council, Standards Committee and Scrutiny Committees with a view to ensuring the effective and efficient discharge of Council business;

- e) develop effective working liaison and relationship with the District Auditor and the Local Government Ombudsman (including having the authority, on behalf of the Council, to complain to them, refer any breaches to them or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary) and settle any compensation payments for alleged or actual maladministration found against the Council in consultation with the Chief Executive and the appropriate Head of Service;
- f) maintain and keep up-to-date relevant statutory registers for the declaration of members' interests, gifts and hospitality;

Standards and Governance Matters:

- a) promote and maintain high standards of conduct under the Localism Act 2011 and the Council's adopted procedures for all matters relating to the Code of Conduct; which will include giving informal advice and undertaking relevant enquiries into allegations of misconduct and, if appropriate, making a written report to the Standards Committee (unless the Chair of the Standards Committee agrees a report is not necessary);
- b) in consultation, as necessary, with the Leader of the Council, Cabinet and the Standards Committee defer the making of a formal report under Section 5 Local Government and Housing Act 1989 where another investigative body is involved;
- c) subject to the approval of the Standards Committee, be responsible for preparing any training programme for members on ethical standards, the Constitution and Code of Conduct issues;
- d) advise on all applications from Council employees (or prospective employees) for exemption from political restriction in respect of their posts and where appropriate sign the certificate of opinion required by the independent adjudicator provide information in response to a contact from a member of the public about an elected member(s) provided that it would not compromise the Monitoring Officer should a formal complaint be made subsequently by the member of the public.
- f) Complaints about any breach of Bury Council's Code of Conduct for Members must be referred in the first instance to the Monitoring Officer, who will make determinations in consultation with the Independent Person. In exceptional circumstances, the Monitoring Officer will refer a complaint for assessment by the Standards Assessment Sub-Committee
- g) The Monitoring Officer will provide an annual report to the Council's Standards Committee on Member Complaints.

To ensure the effective and efficient discharge of the arrangements set out above, Members and officers will report any breaches of statutory duty procedures and other vires or constitutional concerns to the Monitoring Officer, as soon as practicable. The Monitoring Officer retains the right in all cases to make a statutory report where, after consultation with the Chief Executive and the Section 151 Officer, he/she is of the opinion that this is necessary in order to respond properly to a reportable incident. In addition, in appropriate cases, the Monitoring Officer may refer matters to the Police for investigation.

Monitoring the Protocol Annually

The Monitoring Officer will report to the Standards Committee regarding whether the arrangements set out in the Protocol have been complied with and will include any proposals for amendments in the light of any issues that have arisen during the year.

Sanctions for Breach of Protocol

Complaints of a breach of this Protocol by an Officer will be referred to the relevant Strategic Director and/or the Chief Executive for appropriate action to be considered, including disciplinary investigation if appropriate.

Part 5: Section 6 - Public participation guide

A healthy democracy depends upon active citizenship. Citizens are encouraged to make conscientious use of their roles as both voters and members of a wider community, and this guide gives an overview of the ways in which you can do that.

- Attending meetings

We encourage the public to attend all meetings of the Council and its committees, that are held in person or remotely in some circumstances and anyone attending is able to record or film what takes place at them provided that doesn't disrupt the meeting. Details of what meetings are coming up are published on the Council's website.

The agenda and papers are normally published on our website at least five working days in advance of the meeting. Draft minutes of the meeting are also published on the website as soon as possible after the meeting.

- Why are some meetings private?

On some occasions an agenda item includes information which may be personal to an individual, which would compromise the commercial position of the council or another individual or organisation or which there are other particular legal or employment reasons for considering asking the public to leave the meeting for discussion of that item. When this is the case we will explain the reasons why and, as far as is legally possible, will afterwards provide a public summary of the decision taken.

- Asking questions at meetings of the Council

Which meetings can the public ask questions at?

Questions can be asked at public meetings of:

- The Full Council
- Cabinet
- Health and wellbeing board
- Licensing and Safety Committee
- Scrutiny committees

Who can ask questions?

Questions can be put by anyone living or working in Bury.

What notice is required for questions?

A question must be delivered by email (democraticservices@Bury.gov.uk) by no later than Midday two working days before the date of the meeting. Each question must provide the name and residential/business address of the questioner.

How many questions can be asked?

A member of the public may ask one* question at any public meeting of the Council as listed above. (*=See below for supplementary questions)

What is the scope for questions?

Questions should relate to the function of the committee where they are being asked. A question at the full Council can be addressed to any Chair or Cabinet Member and must relate either to something that the Council is responsible for or that affects the borough.

We will not consider any question that is defamatory, offensive or frivolous.

What happens at the meeting?

Time is made available early on the agenda for any accepted questions to be dealt with. Copies of any questions and answers will be published on the Council's website before the start of the meeting, and will be made available to members of the public who attend the meeting.

The Chair will invite the questioner to put a supplementary question to the Councillor named in the notice.

A questioner who has put a question in person can also ask one supplementary question, without notice, in response to the reply to their question. A supplementary question must arise directly out of the original question or the reply given. The chair can reject a supplementary question on any of the grounds detailed in the section above.

What form will the reply take?

The answer may be either a direct oral answer, a referral to an existing publication, or if the question requests service information a referral to an officer to respond in writing. If the reply cannot conveniently be given orally, if the questioner or the member to whom the question is put is absent, or the time

allowed for public questions has expired, a written answer will normally be provided within ten working days.

There cannot be any discussion on questions but any matters raised by a question can be referred to the relevant Cabinet member or the appropriate committee to consider.

- Petitions

We welcome petitions from those who live or work in Bury and recognise that petitions are one way in which people can let us know their concerns or the strength of public feeling.

What is the scope for petitions?

Petitions must relate to a matter over which the Council has powers or duties and may be rejected if they: contain language or statements which are defamatory, frivolous, vexatious, discriminatory, false, or otherwise offensive; disclose confidential or exempt information; name individuals, or provides information where they may be easily identified, e.g. individual officers of public bodies; make criminal accusations; contain advertising statements; refer to an issue which is currently the subject of a formal Council complaint, Local Government Ombudsman complaint or any legal proceedings; or relate to a matter where there are other statutory processes in place for dealing with these matters (such as planning or licensing application matters or statutory petitions for a referendum).

How can a petition be submitted?

Petitions need to be submitted online and an online facility for running a petition is provided on the Council's website. There is no standard format for a petition but it must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish us to take;
- the name and address and signature of any person supporting the petition, which must be not fewer than 50 people; (the Council will use its discretion where there are fewer than 50 signatories in cases where there is clear local support for action)
- contact details, including an address, for the petition organiser who will be the person we will contact to explain how we will respond.

What happens once a petition has been submitted?

All petitions sent or presented to the Council will receive an acknowledgement within 10 working days of receipt explaining how we will respond.

Details of all petitions received, and of our response, will be published on the website. The contact details of the petition organiser or signatories to a petition will not be placed on the website.

If your petition has been signed by a certain number of people who are registered to vote in the Borough (currently 2500) then you may request that the petition is scheduled for submission at the next ordinary meeting of the full Council. If that is the case the petition organiser will have up to 5 minutes to briefly present the petition at the meeting.

- What do Councillors and officers do?

What Councillors do

Councillors are directly elected to represent the people and therefore have to consider not just the interests of their ward, but those throughout the whole Borough.

Your Councillors are responsible for making sure that the services that the council provides meet the needs of residents and those who work in Bury. They do this by setting the overall policies and strategies for the Council monitoring the way in which these are implemented. Councillors have a complex role and act in a number of capacities: as committee member, constituency representative and party activist. The full Council of 51 members is responsible for agreeing the main policies and priorities for all services, including the Council's budget. The Cabinet have responsibility for all decisions which the law, or the Council, does not require to be taken by others and agrees policies and actions to implement the budget and policies set by full Council. Councillors who are Cabinet portfolio holders have more specialised roles in agreeing particular policies, representing the Council while at the same time working with other agencies to tackle issues such as improving overall health and wellbeing, social care and safeguarding, education, housing, transport, and promoting economic growth within the borough.

What Council officers do

Council officers are the professional people who work for the Council and who are paid to deliver the services agreed by councillors.

Officers help Councillors to develop policies and objectives through providing professional expertise and advice but they must remain impartial and serve the Council as a whole. Their main role is to provide the public with the highest possible standards of service within the budget that the Councillors set and in accordance with the priorities agreed by the Councillors.

What can my Councillor do for me?

Your Councillor can:

- be contacted to discuss your problem or ideas to improve the ward or borough
- help you if you need information or are dissatisfied with a Council service by advising or directing you to someone who can help sort out your problem, and can sometimes progress the case on your behalf
- as a community leader, put forward proposals to improve the ward they represent which may include bringing together different community groups to develop a case for change
- campaign on local issues
- represent your community within the Council and to other organisations
- speak at Planning Control and Licensing and Safety Committees on matters affecting the ward they represent
- ask questions or put forward views on your behalf at public meetings of the Council
- present petitions on your behalf (See 5.8.33)
- get an issue (either within the remit of the Council or on a matter affecting the borough) debated at the full Council by submitting a motion.

- Decisions

How do I know what decisions are being taken about matters that affect me or where I live?

We provide on our website (Forward Plan) summary information about future significant decisions to be taken by the Cabinet, together with contact details so that you can find out more information or provide your views. You can also contact your ward member and ask them to put forward your views on your behalf.

Planning or licensing applications which have been submitted are also published on the Council's website so that those who may be affected are able to make comments on the proposal.

The agendas and minutes of meetings are published on the website, and where a decision has been taken by a Cabinet member or officer, the decision report and notice of the decision are published on the website.

Are all decisions recorded and published?

Many are, but there are lots of day to day decisions which are not published. The Council has decided that officer decisions with a financial value of less than £100,000 will not be published unless there is a legal requirement to do so. This is because the number of such decisions would make it impractical to publish.

Why is some information kept confidential?

We aim to publish information unless there is good reason not to. Sometimes a decision takes into account information which may be personal to an individual, or which would compromise the commercial position of the council or another individual or organisation. There may be particular legal or employment reasons for not making the information public. When this is the case we will explain why the information cannot be made public, and will periodically review whether those reasons remain valid. If they do not we will then release the information.

How long is information about decisions kept?

Generally the law requires information to be available for public inspection for six years from the date of the decision.

How do I find out about decisions taken by partnerships?

Bury Council works with a wide range of partners to achieve shared objectives in an efficient and effective way. We keep a register of strategic partnerships on our website which includes information about where decisions taken by those partners is recorded and how you can find out more about them.

What if I can't find the information I am looking for?

The Freedom of Information Act 2000 gives you a general right of access to all types of recorded information that we hold. More information about how to make a request, and about your other legal rights to information, can be found at: [Access to information](#)

- Other ways of getting involved

Planning

Information about planning applications submitted is available on the Council's website and public notices are displayed in the area affected. You may submit comments on a planning application which will be considered by the decision-maker. If the application raises unusual or sensitive planning issues you can ask your ward member to request that the application is considered by the Planning and Control Committee rather than a single officer.

If you have provided comments on a particular planning application which is considered by the Planning and Control committee you will be asked whether you wish to register to speak at the committee to present your views. Three minutes is generally set aside for public speaking in objection/support to an application and registration is on a first come first served basis.

Consultations

The Council encourages as many people as possible to give their views on decisions which affect them. Details of live consultations and how to get involved are available on the Council website at Get Involved. You can also find information about past consultations there.

Scrutiny reviews

You may request that a matter or concern be considered for inclusion in the future work programme of a scrutiny committee. The committees cannot include every suggestion but prioritise items taking into account: the significance and impact of the issue; the ability of scrutiny input to add value; the need to avoid any duplication; the timeliness of scrutiny involvement and the resources available to undertake the work. The committee may invite members of the public to submit their views or evidence to inform its work; when they do this the call for evidence will be publicised.

Vote

Elections take place for Bury Council every year as well as national elections and GM Mayoral elections. Your vote in all these elections and any other referendums that take place is important, but in order to vote you must be on the electoral register. Information about how to register is available on the Council's website.

Volunteer

We provide a wide variety of services to people in Bury, particularly to those who are vulnerable and have complex needs. As more pressure is placed on our budget, and on the budgets of partner organisations, different ways of delivering these services are being developed. Individuals and communities are doing more to help each other and themselves. If you are interested in volunteering or have an idea for your community you would like to develop more information is available at Volunteering.

Find out more...

The Council's website provides lots of advice and information as well as access to online services and you can sign up to receive updates on particular matters of interest.

Review Date April 2022

Appendix 7 – Draft Locality Board

The Bury Health, Care and Well Being Partnership**Bury Locality (System) Board****Terms of reference****1 Purpose**

- 1.1 The Bury Locality System Board (“Locality Board”) has been established to provide strategic direction to the Bury Health, Care and Well-being Partnership, to manage risk and to support the Bury Integrated Delivery Collaborative for the performance of the bury health and care system. The Bury Locality Board will undertake its duties in the context of the agreed Strategic Plan for Health, Care and Well-being for the Borough – the Locality Plan. The primary purpose of the Locality Board is to set the Strategic Direction for the reform and transformation of the operation of the health, care and well being system in Bury, and to manage an integrated budget for the place (including a pooled fund) between Bury Council and the NHS.

2 Status and authority

- 2.1 The Bury Health, Care and Well-being Partnership is formed of the parties, who remain sovereign organisations, to provide strategic coherence, shared ambition, and operational delivery of the health and care system in Bury, in pursuit of better outcomes for residents and a financially sustainable system. The Bury Health, Care and Well-being Partnership is not a separate legal entity, and as such is unable to take decisions separately from the parties or bind its parties; nor can one or more party ‘overrule’ any other party on any matter (although all parties will be obliged to act in accordance with the ambition of the Strategic Plan for Health and Care in the Borough).
- 2.2 The Bury Health, Care and Well-being Partnership establishes the Bury Locality Board to lead the Bury Health, Care and Well-being Partnership on behalf of the parties. As a result of the status of the Bury Health, Care and Well-being Partnership, the Locality Board is unable in law to bind any party so it will function as a forum for discussion of issues with the aim of reaching consensus among the parties. However the Locality Board will have responsibility via the Section 75 agreement for the operation of the Integrated Budget for the borough, the scope of which is to be determined but will not be less than the scope of

the Integrated Care Fund held by the Strategic Commissioning Board for the period 2021/22.

- 2.3 The Locality Board will function through engagement between its members so that each party makes a decision in respect of, and expresses its views about, each matter considered by the Locality Board. The decisions of the Locality Board will, therefore, be the decisions of the parties, the mechanism for which will be authority delegated by the parties to their representatives on the Locality Board.
- 2.4 Each party will delegate to its representative on the Locality Board such authority as is agreed to be necessary in order for the Locality Board to function effectively in discharging the duties within these terms of reference. The parties will ensure that each of their representatives has equivalent delegated authority. Authority delegated by the parties will be defined in writing and agreed by the parties and will be recognised to the extent necessary in the parties' own schemes of delegation (or similar).
- 2.5 The parties will ensure that the Locality Board members understand the status of the Locality Board and the limits of the authority delegated to them.

3 Responsibilities

- 3.1 The Locality Board will:
 - 3.1.1 Ensure alignment of all organisations to the Bury Health, Care and Well-being Partnership vision and objectives, as described in the Locality Plan for Health, Care and Well Being , ensuring the delivery of the triple aim of improved population health, improved experience, and financial sustainability.
 - 3.1.2 Jointly manage the Bury Health, Care and Well Being Locality Integrated fund – established to reflect the scope of services agreed to be managed at a locality level between the Council and NHS and in accordance with the GM ICS accountability agreements, and doing so on the basis of 'formally pooled, aligned and in view'.
 - 3.1.3 Ensure the Bury Health, Care and Well Being Partnership delivers on the NHS obligations under the terms of the GM ICS Accountability Agreement with Bury.

- 3.1.4 Secure the delivery of the portfolio of transformation programmes reported through the Integrated Delivery Collaborative Board and as described in the Locality Plan.
- 3.1.5 Ensure the Bury Health, Care and Well Being Partnership works as part of the Wider Team Bury approach and in the context of the Lets Do It Strategy for the borough, and secures support of all partners including other public services, the business community, and the voluntary sector in addressing health inequalities and population health.
- 3.1.6 Ensure that all partners are actively working to promote the capacity and capability of integrated neighbourhood team working in each of the 5 neighbourhoods teams in Bury, and doing so in a way consistent with the principles and values of the Locality Plan – a persona and community asset based approach.
- 3.1.7 Promote and encourage commitment to the integration principles and integration objectives amongst all parties.
- 3.1.8 Formulate, agree and ensure that implementation of strategies for achieving the integration objectives and the management of the Bury Health, Care and Well Being System partnership.
- 3.1.9 Discuss strategic issues and resolve challenges such that the integration objectives can be achieved.
- 3.1.10 Ensuring the work of the health, care and well being partnership in Bury has the voices of patients and residents, and the learning from lived experience, at the heart of the transformation programmes and service delivery.
- 3.1.11 Respond to changes in the operating environment, including in respect of national policy or regulatory requirements, which impact upon the Bury Health, Care and Well-being Partnership or any parties to the extent that they affect the parties' involvement in the Bury System Partnership.
- 3.1.12 Agree policy as required.
- 3.1.13 Agree performance outcomes/targets for the Bury Health, Care and Well-being Partnership such that it achieves the integration objectives.

- 3.1.14 Take collective responsibility for achievement of the objectives of the locality plan with regard to the performance/outcomes, financial position and contribution to population health gain. Working with the Integrated Delivery Collaborative to determine strategies to improve performance, recognise and address unwarranted variation, and work together as a system to address poor performance and outcomes.
- 3.1.15 Ensure that the Bury Integrated Delivery Collaborative identifies and manages the risks associated with the Bury System Partnership, integrating where necessary with the parties' own risk and governance management arrangements.
- 3.1.16 Generally, ensure the continued effectiveness of the Bury System Partnership, including by creating a partnership of trust and common purpose between the parties and between the Bury Health, Care and Well-being Partnership and its stakeholders.
- 3.1.17 Ensure that the Bury Health, Care and Well-being Partnership support partners to deliver their regulatory requirements through whatever means are required by such regulators or are determined by the Locality Board, including, to the extent relevant, integration with communications and accountability arrangements in place within the parties
- 3.1.18 Address any actual or potential conflicts of interests which arise for members of the Locality Board or within the Bury Health, Care and Well-being Partnership generally, in accordance with a protocol to be agreed between the parties (such protocol to be consistent with the parties' own arrangements in respect of declaration and conflicts of interests, and compliant with relevant statutory duties).
- 3.1.19 Oversee the implementation of, and ensure the parties' compliance with, this agreement and all other services contracts.
- 3.1.20 Review the governance arrangements for the Bury Health, Care and Well-being Partnership at least annually and ensuring compliance and alignment with the governance of legal entity partners.

- 3.1.21 Ensure consistent representation to the decision making arrangements of the ICS such that the GM ICS creates the conditions for rapid delivery of the system transformation described in the refreshed locality plan.

4 Accountability

- 4.1 The Locality Board is accountable to each of the parties to the Locality Board. The Locality Board is also accountable to the GM Integrated Care System (GM ICS), through an accountability agreement, for the delivery of NHS standards and for the GM ICS budget that is part of the Integrated Fund. The Bury Locality Board is therefore accountable to the GM ICS Board, and there will be Bury System representation on the GM ICS Board.
- 4.2 The minutes of the Locality Board will be sent to the parties within 10 working days.
- 4.3 The minutes will be accompanied by a report on any matters which the chair considers to be material. It will also address any minimum content for such reports agreed by the parties.

5 Membership and Quoracy

- 5.1 The Locality Board will have 15 voting members, 3 non-voting members and a number of officers will attend to advise as required. The voting members reflect senior clinical, political, managerial, and NHS non-executive leadership from across the Bury Health, Care, and Well Being partnership.

Voting Members

Political Representation (3)

- Leader of the Council
- Executive Member of the Council Adult Care and Health
- Executive Member of the Council for Children and Young People

Non Executive NHS Leadership (3)

- Independent Chair of the Integrated Delivery Collaborative Board
- Non Executive Director from an NHS provider (tbc)
- Non Executive Director of GM ICS (a representative CCG Non Executive in the interim)

Clinical Representation (4)

- Senior Clinical Leader in the Borough (as determined by the Clinical Senate via an election process – to be a GP) (Chair of the CCG in the interim)
- Medical Director from NCA (Bury)
- Medical Director of the Integrated Delivery Collaborative Board
- Senior Nurse Lead for the Borough (as determined by the Clinical Senate) (Director of Nursing and Quality – CCG, in the interim)

Managerial Leadership (5)

- The Chief Executive of the Local Authority/Place Based Lead for the GM ICS (subject to agreement that these roles are one and the same).
- Strategic Finance Group Chair – Joint Exec Director of Finance (S151 officer of the Council)
- Chief Officer NCA -Bury Care Org.
- Representative (tbc) Pennine Care NHS Foundation Trust
- Representative (tbc) Manchester Foundation Trust

Non Voting Members

Routinely attending (6)

- Chair of Bury VCFA
- Chair of Bury Healthwatch
- Executive Director of Health and Care – Bury Council
- Chief Operating Officer – IDCB
- NCA group wide Executive
- Representative NHS provider finance rep

In attendance as required (4)

- Director of Childrens Services
- Director of Adult services
- Director of Public Health

5.2 Other Persons may attend the Locality Board as agreed by the Board. This will include the Chair of each of the System Enabling Groups – the Strategic Estates Group, the Workforce Group, and Digital Transformation Group, and others.

5.3 The Locality Board will be quorate if two thirds of its voting members (10) are present, subject to the members present being able to represent the views and decisions of the parties who are not present at any meeting. Where a member cannot attend a meeting, the member can nominate a named deputy to attend. Deputies must be able to contribute and make decisions on behalf of the party that they are representing. Deputising arrangements must be agreed with the chair prior to the relevant meeting.

5.4 The Locality Board will be chaired by the Leader of the Council, the Senior Clinical Leader from the Clinical Senate, Chairing of meetings will be on an alternate basis and/or in the absence of one of the named chairs.

6. Representation of the Bury Locality Board on the GM ICS Board

6.1 to be confirmed

7. Conduct of business

7.1 Meetings will be held ***on a Monthly Basis.***

7.2 The agenda will be developed in discussion with the Chair. Circulation of the meeting agenda and papers via email will take place 5 working days before the meeting is scheduled to take place. In the event members wish to add an item to the agenda they need to notify the meeting administrators who will confirm this with the chair accordingly.

7.3 In line with statutory requirements and the discretion of the chair, business may be transacted through a teleconference or videoconference provided that all members present are able to hear all other parties and where an agenda has been issued in advance.

7.4 At the discretion of the chair a decision may be made on any matter within these terms of reference through the written approval of every member, following circulation to every member of appropriate papers and a written resolution. Such a decision will be as valid as any taken at a quorate meeting but will be reported for information to, and will be recorded in the minutes of, the next meeting.

8. Decision making and voting

8.1 The Locality Board will aim to achieve consensus for all decisions of the parties. It is not intended that the Locality Board will seek to 'outvote' one partner to the board. Any decision of the board needs to be supported by the governance of each organisation. In the event of one or more partners disagreeing with a decision following consideration within the organisation it is expected further dialogue and discussion will take place at the Locality Board.

8.2 To promote efficient decision making at meetings of the Locality Board it will develop and approve detailed arrangements through which proposals on any matter will be developed and considered by the parties with the aim of reaching a consensus. These arrangements will address circumstances in which one or more parties decide not to adopt a decision reached by the other parties.

9. Conflicts of interests

9.1 The members of the Locality Board must refrain from actions that are likely to create any actual or perceived conflicts of interests.

- 9.2 The Locality Board will develop and approve a protocol for addressing actual or potential conflicts of interests among its members (and those of the Bury Integrated Delivery Collaborative). The protocol will at least include arrangements in respect of declaration of interests and the means by which they will be addressed. It will be consistent with the parties' own arrangements in respect of conflicts of interests, and any relevant statutory duties.

10. Confidentiality

- 10.1 Information obtained during the business of the Locality Board must only be used for the purpose it is intended. Particular sensitivity should be applied when considering financial, activity and performance data associated with individual services and institutions. The main purpose of sharing such information will be to inform new service models and such information should not be used for other purposes (e.g., Performance management, securing competitive advantage in procurement).
- 10.2 Members of the Locality Board are expected to protect and maintain as confidential any privileged or sensitive information divulged during the work of the Bury System Partnership. Where items are deemed to be privileged or particularly sensitive in nature, these should be identified and agreed by the chair. Such items should not be disclosed until such time as it has been agreed that this information can be released.
- 10.3 Given that some LA decision making will go through the Board the provisions of the Local Government Access to Information legislation will apply.

11. Support

- 11.1 Governance/administrative support to the Locality Board will be provided as agreed by the Partnership.
- 11.2 The programme structure and supporting work groups will be developed and agreed as part of the Locality Board work plan.

12. Review

- 12.1 These Locality Board terms of reference will be formally reviewed annually and in the first instance in January 2022 and again in April 2022.

Version Control

Version:	9
Approved by:	Strategic Commissioning Board
Date ratified:	6 th September 2021
Reviewed and endorsed subject to minor amendments at the Inaugural Locality Board	4 th October 2021
Minor amendments incorporated	20 th October 2021
Name of originator /author (s):	Will Blandamer
Responsible Committee / individual:	Locality Board
Review dates:	June 2022

Version History:		
Version Number	Reviewing Committee / Officer	Date
5	Draft Version 5 considered by Strategic Commissioning Board Development Session	5/7/2021
6	Draft Version 6 approved by System Board with minor amendments	19/8/2021
7		20/8/21
8		24/8/2021
8	Approved by the Strategic Commissioning Board	6/9/2021
8	Endorsed by the Locality Board Inaugural meeting subject to minor amendments being incorporated.	4/10/2021
9	Minor amendments incorporated from the Locality Board meeting by Will Blandamer	20/10/2021
10	Minor amendments following NCA feedback	25/11/2021
11	Included NCA group wide Executive in members section of TOR as routinely attending.	29/12/2021

Appendix 8 Constitution Review Timeline – May 2023

Item	Existing Document	Lead Officer	Considered at
Local Choice Functions	https://councildecisions.bury.gov.uk/documents/s29520/Bury%20Co-nst%20Part%203%20-%20Section%202%20LCF.pdf	Jacqui Dennis	
Contracts procedure rules	https://councildecisions.bury.gov.uk/documents/s29524/Section%205%20Contract%20Procedure%20Rules.pdf	Sarah Janusz / Sam Evans	
Protocol on member and officer relations	https://councildecisions.bury.gov.uk/documents/s29593/Section%203%20-%20Protocol%20on%20Member%20and%20Officer%20Relations.pdf	Jacqui Dennis	
Anti-fraud and corruption - Whistleblowing policy	https://councildecisions.bury.gov.uk/documents/s29594/Section%204%20Anti%20Fraud%20and%20Corruption%20-%20Whistleblowing%20Policy.pdf	Sam Evans	



Classification	Item No.
Open	

Meeting:	Council
Meeting date:	25 May 2022
Title of report:	ANNUAL APPOINTMENTS
Report by:	Leader of the Council
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary:

The report sets out:

- a) the Executive arrangements to be adopted by the Council;
- b) the notification of Political Group Leaders and Deputy Leaders, the allocation of Portfolios to Cabinet Members and Deputy Cabinet Members; 2022/2023 Municipal Year, (Appendices A&B)
- c) the appointment of Regulatory Committees, Overview and Scrutiny Committees and other bodies affected by the Political Balance Rules contained in the Local Government and Housing Act 1989 for the 2022/2023 Municipal Year. (Appendix C)
- d) the appointment of bodies not covered or exempted from the Political Balance Rules for the 2022/2023 Municipal Year; (Appendix D)
- e) the appointment of representatives on Joint Authorities/GMCA Bodies, (Appendix E).
- f) the appointment of other internal bodies not covered by the Political Balance Rules; (Appendix F).
- g) the appointments to outside bodies;(Appendix G).

Recommendation(s)

Recommended option

1. That the Strong Leader arrangements adopted by the Council in 2011/12, be confirmed for 2022/2023.
2. That the appointments of the Political Groups' Leaders and Deputy Leaders as set out in Appendix A to this report be received.
3. That the appointment of the Cabinet Members and Deputy Cabinet Members for the 2022/2023 Municipal Year, as set out in Appendix B to this report be noted.
4. That the appointment of the Regulatory Committees, Overview and Scrutiny Committees and other bodies covered by the Political Balance Rules, including the appointment of Chairs, where stated, for the 2022/2023 Municipal Year, as set out in Appendix C to this report, be approved.
5. That the appointment of other bodies not covered by or exempted from the Political Balance Rules, including the appointment of Chairs, where stated, for the 2022/2023 Municipal Year, as set out in Appendix D to the report, be approved.
6. That the appointments to the Combined Authority and Greater Manchester Joint Authorities for the 2022/2023 Municipal Year, as set out in Appendix E to the report, be approved.
7. That the appointments to the various other internal bodies, including the appointment of Chairs, where stated, for the 2022/2023 Municipal Year, set out in Appendix F to the report, be approved.
8. That the appointments to outside bodies for the 2022/2023 Municipal Year as set out in Appendix G to the report, be approved.
9. That the amended Members Allowance Scheme for 2022/2023 as agreed and set out in agenda item C.007 be noted.
10. That the Chief Executive, in consultation with the Leaders of the political groups on the Council, be authorised to determine any appointments to bodies which remain to be filled and any changes in appointments or any new appointments to be made during the 2022/2023 Municipal Year and that any such appointments be reported to the Cabinet for information.
11. That the Monitoring Officer be authorised to make consequential changes to the Constitution as a result of any changes to Cabinet Portfolios

Key considerations

ISSUES

1 POLITICAL GROUP LEADERS AND DEPUTY LEADERS

The appointment by the Political Groups on the Council of their Leaders and Deputy Leaders has been notified and the details are set out in Appendix A to this report.

1.1 THE LEADER

In accordance with the Local Government and Public Involvement in Health Act 2007, the Council currently operates a Strong Leader with Cabinet form of decision-making.

The Council Constitution made under the provisions of the Local Government Act 2000 and its associated Regulations and directions and adopted by the Council on 24 November 2021, provides for the Council to appoint the Leader.

1.2 REGULATORY COMMITTEES, OVERVIEW AND SCRUTINY COMMITTEES AND OTHER BODIES COVERED BY THE POLITICAL BALANCE RULES

The rules and requirements for securing political balance on the Regulatory Committees (and Sub-Committees), Overview and Scrutiny Committees, Advisory Committees and certain other bodies appointed by local authorities as set out in Appendix C of this report,

are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, as amended.

The general effects of the balance rules on this Council are that it is under a duty:-

- (a) to ensure that the membership of those bodies covered by the rules reflects the political composition of the Council as far as practicable;
- (b) to allocate seats on these bodies to the political groups in proportion to their numerical strength on the Council as far as practicable;
- (c) to accept the nominations made by the Groups for the filling of seats allocated to them; and
- (d) to review the allocation of seats to political groups at, or as soon as practicable after, the Annual Council Meeting and at certain other specified times

1.3 COMMITTEE MEMBERSHIP ALLOCATION PROCESS

Composition of the Council (51 Seats)

Labour: 29
 Conservative: 12
 Radcliffe First: 8
 Liberal Democrat: 1
 Independent: 1

Proportionality principles

- Calculation is across the Council
- Individual allocation per Committee/Sub-Committee
- No Committee/Sub-Committee to have single party membership
- Disregard independents (not in a Group) in the calculations

Allocation of Seats

A	B	C
Group	Formula	No. of seats per member
Labour	no. in group (29) ÷ no. on Council (51) =	0.56
Conservative	no. in group (12) ÷ no. on Council (51) =	0.23
Radcliffe First	no. in group (8) ÷ no. on Council (51) =	0.15
Lib Dem	(1) No group	Zero
Independent	(1) No group	Zero

For Committees/Sub-Committees, this gives the following allocations to each political group ¹

¹ Round up/down to whole number; Where all are rounded down or up, the spare place is given to the highest decimal point, or the lowest decimal point loses a place.

No of seats on C'ttee	Lab	Cons	Rad 1st	Lib Dem & Ind	Ratio
9 member c'ttee	5.04	2.07	1.35	0	5:2:2:0
11 member c'ttee	6.16	2.53	1.65	0	6:3:2:0

1.4 OTHER BODIES NOT COVERED BY THE POLITICAL BALANCE RULES

The appointment of certain other bodies are not covered by the Political Balance Rules. The Council is now responsible for the Health and Wellbeing Board and jointly with Bury CCG the Strategic Commissioning Board/Locality Board. Membership is set out in Appendix D.

1.5. REPRESENTATIVES ON GREATER MANCHESTER JOINT AUTHORITIES

The Council is entitled to appoint representatives to serve on the Greater Manchester Joint Authorities for 2022/23 and to nominate, from amongst the appointed representatives, Spokespersons to answer any questions (duly notified at Council meetings) on the functions of the Joint Authorities on which they serve.

1.6 APPOINTMENTS OF OTHER INTERNAL BODIES NOT GOVERNED BY THE POLITICAL BALANCE RULES 2022/2023

Attached to this report at Appendix F is a schedule giving details of the appointments to other internal bodies not covered by the Political Balance Rules.

1.7 APPOINTMENTS TO OUTSIDE BODIES 2022/2023

Attached to this report at Appendix G is a schedule giving details of appointments to be made to outside bodies.

2.0 CONCLUSION

- Appendix A contains details of appointments of Group Leaders/Deputy Leaders.
- Appendix B contains details of appointments relating to the Cabinet.
- Appendix C contains details of the Regulatory Committees and Sub-Committees/Other Bodies to be appointed in accordance with the Political Balance Rules.
- Appendix D contains details for the appointment of the Audit Committee, Health and Wellbeing Board, Strategic Commissioning Board and other bodies not covered by the Political Balance Rules.
- Appendix E contains details of appointments of representatives on the Greater Manchester Joint Authorities.
- Appendix F contains details of appointments of other internal bodies not covered by the Political Balance Rules.
- Appendix G contains details of appointments to outside bodies.

Equality Impact and considerations:

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

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

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

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

Consultation:

Group Leaders and Unaligned Members

Legal Implications:

The appointment of the various bodies indicated in the report complies with the provisions of the Council Constitution adopted under the provisions of the Local Government Act 2000 and its related Regulations and directions; and also with the Local Government and Public Involvement in Health Act 2007, the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 as amended in respect of the political balance rules.

Financial Implications:

Report Author and Contact Details:

Jacqui Dennis, Council Solicitor and Monitoring Officer

**APPOINTMENT OF POLITICAL GROUP LEADERS/DEPUTY LEADERS FOR
2022/2023**

Group/Position	Appointees 2022/2023
	Councillors:
Labour Group	
Leader	Cllr E O'Brien
Deputy Leader	Cllr T Tariq
Conservative Group	
Leader	Cllr Bernstein
Deputy Leader	Cllr J Lancaster
Radcliffe First Group	
Leader	Cllr J Mason
Deputy Leader	Cllr M Smith

APPOINTMENT OF THE CABINET FOR 2022/2023*

Position	Appointees
Leader, Strategic Growth	Cllr Eamonn O'Brien
Deputy Leader, Health and Wellbeing	Cllr Tamoor Tariq
Children and Young People	Cllr Lucy Smith
Finance and Communities	Cllr Richard Gold
Environment, Climate Change and Operations	Cllr Alan Quinn
Corporate Affairs and HR	Cllr Tahir Rafiq
Culture and The Economy	Cllr Charlotte Morris
Housing Services	Cllr Clare Cummins

*Note- Opposition Group Leaders are invited to all Cabinet meetings in a non-voting capacity

APPOINTMENT OF DEPUTY CABINET MEMBERS FOR 2022/2023

Position	Appointees
Children and Young People	Cllr Debbie Quinn Cllr Sean Thorpe
Communities	Cllr Ummrana Farooq
Health & Wellbeing	Cllr Tom Pilkington Cllr Nathan Boroda
Environment, Climate Change and Operations	Cllr Kevin Peel
Corporate Affairs and HR	Cllr Joan Grimshaw Cllr Elliot Moss

APPOINTMENT OF SHADOW CABINET FOR 2022/2023

Position	Appointees
Leader, Finance, Strategic Growth, Corporate Core and HR	Cllr Bernstein
Deputy Leader, Environment, Highways and Operations	Cllr Lancaster
Health and Wellbeing	Cllr Brown
Culture and the Economy	Cllr Dean
Children, Young People and Skills	Cllr Mc Briar
Communities	Cllr Vernon
Housing	Cllr Hussain

APPOINTMENT OF POLITICALLY BALANCED COMMITTEES AND SUB-COMMITTEES OF THE COUNCIL FOR 2022/2023

Committees	No of Seats		Seat Allocations and Appointments 2022/2023
	Cllr	Co-Opted	
1. Planning Control Committee	11	0	<p>Lab(6) Con(3) Rad First (2)</p> <p>Cllr Gavin McGill (Chair) (Lab) Cllr Martin Hayes (Lab) Cllr Ciaran Boles (Lab) Cllr Debbie Quinn (Lab) Cllr Sean Thorpe (Lab) Cllr Debra Green (Lab) Cllr Jackie Harris (Con) Cllr Dene Vernon (Con) Cllr Shahbaz Arif (Con) Cllr Des Duncalfe (RF) Cllr Mary Walsh (RF)</p>
2. Licensing and Safety Committee	11	0	<p>Lab(6) Con(3) Rad First (2)</p> <p>Cllr Sandra Walmsley (Chair) (Lab) Cllr Joan Grimshaw (Lab) Cllr Gavin McGill (Lab) Cllr Spencer Donnelly (Lab) Cllr Nathan Boroda (Lab) Cllr Imran Rizvi (Lab) Cllr Khalid Hussain(Con) Cllr Jack Rydeheard (Con) Cllr Roger Brown (Con) Cllr Glyn Marsden (RF) Cllr Mike Smith (RF)</p> <p>(Full Panel to deal with all policy and monitoring matters) (3 members of the Panel to form individual politically balanced (where possible) Panels for individual licence applications.)</p>

Committees	No of Seats		Seat Allocations and Appointments 2022/2023
	Cllr	Co-Opted	
3. Employment Panel	9	0	<p>Lab(5) Con(2) Rad First (2)</p> <p>Cllr Tahir Rafiq (Chair) (Lab) Cllr Joan Grimshaw (Lab) Cllr Elliot Moss (Lab) Cllr Tamoor Tariq (Lab) Cllr Clare Cummins (Lab) Cllr Russell Bernstein (Con) Cllr Liam James Dean (Con) Cllr Donald Berry (RF) Cllr Mary Walsh (RF)</p> <p>Chair: Cabinet Member/Lead member for HR</p>
3a. Individual Panels/ Boards	(3) or (5)	(0)	<p>3 or 5 Members of the Panel selected to form Employment Panel dealing with:-</p> <ul style="list-style-type: none"> • Shortlisting and Appointment of Staff <p>Membership to comprise the Cabinet Member for Human Resources or nominated representative (who will act as Chair)</p>

4. Overview and Scrutiny Committee	11	<p>Lab(6) Con(3) Rad First (2)</p> <p>Cllr Kevin Peel (Lab) Cllr Nathan Boroda (Lab) Cllr Noel Bayley (Lab) Cllr Ayesha Arif (Lab) Cllr Tom Pilkington (Lab) Cllr Debra Green (Lab) Cllr Russell Bernstein (Con) Cllr Nick Jones (Con) Cllr Dean Vernon (Chair) (Con) Cllr Mary Walsh (RF) Cllr Carol Birchmore (RF)</p> <p>Chair – Councillor Dene Vernon (Con)</p> <p>(Cabinet Members not to be members of the Committee.) (Deputy Cabinet Members not to be a Member of a Committee dealing with an area in which they have an involvement or an interest).</p> <p>Overview Project Groups</p> <p>Set up as required with membership drawn from all non-Cabinet Members. Overview and Project Groups will appoint Co-opted Members as required.</p>
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Committees	No of Seats		Seat Allocations and Appointments 2022/2023
	Cllr	Co-Opted	
6. Health Scrutiny Committee	11		<p>Lab(6) Con(3) Rad First (2)</p> <p>Cllr Elizabeth FitzGerald (Chair) (Lab) Cllr Joan Grimshaw (Lab) Cllr Martin Hayes (Lab) Cllr Sandra Walmsley (Lab) Cllr Elliot Moss (Lab) Cllr Noel Bayley (Lab) Cllr Khalid Hussain (Con) Cllr Roger Brown (Con) Cllr Jackie Harris (Con) Cllr Mary Walsh (RF) Cllr Carol Birchmore (RF)</p> <p>Chair – Councillor Elizabeth FitzGerald</p> <p>(Cabinet Members not to be members of the Committee.)</p> <p>(Lead Members not to be a Member of a Committee dealing with an area in which they have an involvement or an influence).</p>

7. Audit Committee	9	1	<p>Guidance from the external auditor is that Cabinet Members should not be members of Audit Committee</p> <p>Lab(5) Con(2) Rad First (2)</p> <p>Cllr Mary Whitby (Chair) (Lab) Cllr Martin Hayes (Lab) Cllr Ayesha Arif (Lab) Cllr Elliot Moss (Lab) Cllr Elizabeth FitzGerald (Lab) Cllr Iain Gartside (Con) Cllr Nick Jones (Con) Cllr Donald Berry (RF) Cllr Mike Smith (RF)</p> <p>Co-opted - Independent Member</p>
8. Standards	9		<p>The Mayor (Councillor Haroon will chair the Committee</p> <p>Lab(5) Con(2) Rad First (2)</p> <p>Cllr Martin Hayes (Lab) Cllr Mary Whitby (Lab) Cllr Tahir Rafiq (Lab) Cllr Debra Green (Lab) Cllr Imran Rizvi (Lab) Cllr Shahbaz Arif (Con) Cllr Liam James Dean (Con) Cllr Andrea Booth (RF) Cllr Glyn Marsden (RF)</p> <p>(The Leader of the Council cannot be a Member of the Standards Committee)</p> <p>(One Member may be appointed from the Cabinet but they cannot Chair the Committee.) Independent Person(s): Craig Ainsworth Stuart Birtwell</p>

APPOINTMENT OF NON-POLITICALLY BALANCED COMMITTEES OF THE COUNCIL FOR 2022/23

*Indicative Balance calculations are provided

1. Health & Wellbeing Board	4	TB C	<p>Councillors:</p> <p style="text-align: center;">Lab Con</p> <p style="text-align: center;">4 1</p> <p>Cabinet Member for Health and Wellbeing(Chair) Cabinet Member Children and Young People Additional Labour Cabinet – Cllr Eamonn O'Brien Deputy Cabinet for Health and Wellbeing x2 Shadow Cabinet Member, Health and Wellbeing – Councillor Roger Brown</p> <p>Core Voting Members:</p> <p>A nominated representative from the Voluntary Sector – Sajid Hashmi Executive Director of Children Young People and Culture – Executive Director for Strategic Commissioning – Will Blandamer Director of Community Commissioning across the Council and CCG and Director of Adult Social Services – Director of Public Health – Lesley Jones Two nominated representatives from the GP Clinical Commissioning Group – and Geoff Little A nominated representative from the Local Healthwatch – Ruth Passman A nominated representative from Greater Manchester Police – Suzanne Downey A nominated representative of Greater Manchester Fire Service – Val Hussain A nominated representative from Northern Care Alliance – A representative of the LCO – Kath Wynne Jones A nominated representative from Pennine Acute NHS Trust – Steven Taylor A nominated representative from Pennine Care Foundation Trust – Keith Walker A nominated representative from Six Town Housing – Sharon McCambridge</p>
2. Strategic Commissioning Board	7		<p>All members of Cabinet to attend 8 members of Cabinet to be voting members Opposition Leaders of the two Largest parties to attend also in a non-voting capacity</p> <p>Other voting members:</p>

			<p>Clinical Director x 5 Voting Lay Member – Quality Lay Member - PPI Lay Member – Finance and Audit Governing Body Registered Nurse Chief Executive and Accountable Officer Joint Chief Finance Officer (S151 responsibilities) Joint Executive Director of Strategic Commissioning</p>
3. Radcliffe Cabinet Committee	7		<p>Voting Members:</p> <p>The Leader of the Council (Chair) (Lab) Two Cabinet Members</p> <p>Cllr Clare Cummins (Lab) Cllr Charlotte Morris (Lab)</p> <p>Non-Voting Members:</p> <p>Four Ward Councillors (three Radcliffe First and one Conservative). Mike Smith (RF) Glyn Marsden (RF) Carol Birchmore (RF) Jo Lancaster (Con)</p>
4. Locality Board (from July 2022)	3		<p>The Locality Board will have 15 voting members, 3 non-voting members and a number of officers will attend to advise as required. The voting members reflect senior clinical, political, managerial, and NHS non-executive leadership from across the Bury Health, Care, and Well Being partnership.</p> <p>Voting Members</p> <p>Political Representation (3)</p> <ul style="list-style-type: none"> • Leader of the Council • Executive Member of the Council Adult Care and Health • Executive Member of the Council for Children and Young People <p>Non Executive NHS Leadership (3)</p> <p>Clinical Representation (4)</p> <p>Managerial Leadership (5)</p> <p>Non-Voting Members</p> <p>Routinely attending (6)</p> <p>In attendance as required (4)</p>

GMCA & AGMA Nominations and Appointments - Local Authority 2022/23

GMCA Nominations and Appointments 2022/2023						
Body	Nominations Required	Length of Term	Meeting requirements	Notes	Existing Appointment	To be completed by Democratic Services Managers - LA Information
GM Combined Authority	10 members 1 to be appointed by each LA Plus 1 substitute member from each LA Plus GM Mayor	1 year	Monthly	Plus 1 substitute member from each LA	E O'Brien A Simpson	E O'Brien T Tariq
GM Waste & Recycling Committee	2 nominations from each LA (with the exception of Wigan) GMCA to agree final membership	Up to June Annual Meeting		The Committee will have 15 members to ensure political proportionality and gender balance. Chair of the Committee to be agreed by the GMCA following recommendation from the Waste & Recycling Committee.	A Quinn Boroda	A Quinn K Peel
GMCA Audit Committee	4 members (cannot be	Up to June Annual	Quarterly	<u>Cannot be Leaders</u>	Whitby	M Whitby

	<p>Leaders) & 2 Substitute members invited from across GM nominated by the LAs, if they wish to do so.</p> <p>GMCA to agree final membership</p>	Meeting		<p>GM Political Balance rules apply</p> <p>Plus 4 Independent persons</p>		
GM Transport Cttee (formerly TfGMC)	<p>11 Members : 1 member from each LA</p> <p>(2 members from Manchester)</p> <p>LAs to appoint substitute members</p> <p>GMCA to appoint substitute member</p> <p>Mayor to appoint substitute members</p>	Up to June Annual Meeting	Monthly	<ul style="list-style-type: none"> •The Committee will have 23 members to ensure political proportionality and gender balance. •GM Local Authorities appoint to 11 places on the Joint Committee plus substitutes •The GMCA to appoint to one place on the Joint Committee •The Mayor to be a member of the Joint Committee •The remaining 10 members (plus substitutes) are appointed by Mayor and will be made to ensure political balance across 	K Peel N Boroda (sub) J Harris	K Peel N Bayley (sub)

				<p>GM is represented.</p> <ul style="list-style-type: none"> •The Transport Committee shall select and recommend to the Mayor its own Chair •Cannot be members of substitute members appointed to the Scrutiny Cttees 		
GM Culture & Social Impact Fund Cttee	<p>10 Members - 1 member from each LA, invited from across GM, plus 1 substitute member from each LA</p> <p>GMCA to agree final membership</p>	Up to June Annual Meeting	X2 per year	*recommend membership to replicate the AGMA Statutory Functions Cttee	C Morris R Gold (sub)	C Morris R Gold (sub)
GM Work & Skills Executive	<p>10 members – 1 member (Executive Lead for Work & Skills) to be appointed by each LA</p>			(Executive Lead for Work & Skills)	Tariq	C Morris
Health & Social Care Partnership	<p>10 members one to be appointed from each LA</p>		Bi-monthly	To be replaced by the Integrated Care Partnership on 1 July and	Simpson	T Tariq

Board	<u>Plus 1 substitute from each LA</u>			request districts to appoint Leaders		
Health & Social Care - Joint Commissioning Board	10 members – 1 member to be appointed by each LA Those appointed to appoint their own deputies		Bi-monthly	Last meeting to be held on 21 June, suggest where possible the current member is reappointed	Simpson	T Tariq
Transport for the North – Substitute member for the GM Mayor	1 member invited from across GM to act a substitute member for GM Mayor. Nominated by LAs, if they wish to do so. To be appointed by the GMCA					
Transport for the North – Scrutiny Committee	1 member & 1 substitute member invited from across GM, nominated by the LAs, if they wish to do so. To be appointed by the GMCA				J Harris	
GMCA Overview & Scrutiny Committees	Each LA is requested to make 6 nominations –	Up to June Annual Meeting	Monthly	*See attached Guidance Note from Statutory Scrutiny Officer.	Lab Vacancy (Corporate Issues and Reform)	N Boroda (Corporate Issues and Reform) Hayes (Housing,

	*See Notes GMCA to agree final membership				Hayes (Housing, Planning & Environment) Whitby (Economy, Business, Growth & Skills) T Pickstone (Corporate Issues and Reform) Cllr Bernstein Cllr Cropper	Planning & Environment Whitby (Economy, Business, Growth & Skills) Cllr Bernstein Cllr Walsh
Clean Air Charging Authorities Committee	10 members - 1 member & 1 substitute member to be appointed by each LA (Lead executive member for clean air) Plus 1 substitute member from each LA	Up to June Annual Meeting		Lead executive member for clean air Recommend same members appointed to the Air Quality Administration Cttee	A Quinn N Boroda (sub)	A Quinn K Peel (sub)
Air Quality Administration Committee	11 members 1 member & 1 substitute member to be appointed by each LA (Lead executive member for clean air)	Up to June Annual Meeting		Lead executive member for clean air Recommend same members appointed to the Clean Air Charging Authorities Cttee	A Quinn N Boroda (sub)	A Quinn K Peel (sub)

	GMCA portfolio Lead for green City Region					
	GMCA to appoint 1 substitute member					
NW Regional Flood and Coastal Committee	3 nominations from across GM			Environment portfolio holders	A Quinn	A Quinn

AGMA Nominations and Appointments 2022/23

Body	Nominations Required	Length of Term	Meeting Requirements	Notes	Existing Councillor	To Be Completed by Democratic Services Managers – LA Information
AGMA Executive Board	9 Leaders, 1 City Mayor of Salford, (plus GM Mayor) to be appointed by the LA Plus <u>1 substitute from each LA</u>	1 year	As and when required	Need to appoint 1 substitute member *(AGMA Constitution changed from 2 subs to 1 in 2019)	O'Brien Tariq (substitute) Simpson (substitute)	E O'Brien T Tariq (substitute)
Draft Joint Development Plan – Places for Everyone Committee	9 members (with the exception of Stockport) Leader & Substitute member	Up to June Annual Meeting		Leader & Substitute member Plus 1 substitute member from each LA	O'Brien	E O'Brien

Statutory Functions Committee	<p>10 members (1 per Authority invited from across GM to be appointed by the LA</p> <p>Plus 1 substitute member from each LA</p>	Up to June Annual Meeting	X2 per year	*recommend membership to replicate the GM Culture & Social Impact Fund Cttee	C Morris	C Morris
Police and Crime Panel	10 members (1 per Authority & 1 substitute member) (cannot be Leaders) invited from across GM to be appointed by the LA	1 year	At least 3 times per year	<p>Cannot be Leaders</p> <p>Need to appoint substitute members</p>	R Gold U Farooq (sub)	Gold
Police & Crime Steering Group	10 members (1 per Authority (cannot be Leaders) invited from across GM to be appointed by the LA			Cannot be Leaders	R Gold	Gold
GM Health Scrutiny Committee	<p>10 members (1 per Authority) invited from across GM to be appointed by the LA</p> <p><u>Plus 1 substitute from each LA, to be non-Executive/Cabinet members from respective LA.</u></p>	1 year	Quarterly	<p>Chairs of Health Scrutiny or scrutiny members ideally (must be non-Executive/Cabinet Members)</p> <p><u>Plus 1 substitute from each LA, to be non-Executive/Cabinet members from respective LA.</u></p> <p>GM Political Balance rules apply</p>	T Holt Grimshaw (sub)	E FitzGerald J Grimshaw (sub)

Planning and Housing Commission	<p>11 members (1 per Authority) invited from across GM to be appointed by the LA</p> <p>Plus Leader portfolio holder for Planning & Housing AGMA Executive to agree final membership Plus 2 Independent members</p>	1 year	Quarterly	<p>Members to be drawn from LA Planning & Housing portfolio holders</p> <p>GM Political Balance rules apply</p> <p>Plus Leader portfolio holder for Planning & Housing</p>	C Cummins G McGill (sub)	C Cummins G McGill (sub)
GM Pensions Fund Management Panel	<p>9 members (1 per Authority – Lead Authority (Tameside) appoints its member) invited from across GM to be appointed by the LAs</p> <p>AGMA Executive to agree final membership</p>	1 year	<p>Quarterly</p> <p>Sub-groups may also require attendance (there are four)</p>		Grimshaw	J Grimshaw
Halle	<p>1 member invited from across GM nominated by the LAs, if they wish to do so, to be appointed by AGMA Executive</p>	1 year			Morris	C Morris
Peoples	1 member invited	1 year	Quarterly	Charity Trustee role	Morris	

History Museum	from across GM nominated by the LAs, if they wish to do so, to be appointed by AGMA Executive					
Christie Hospital NHS foundation Trust	1 member invited from across GM nominated by the LAs, if they wish to do so, to be appointed by AGMA Executive	3 years			nominations required – Previously appointed for 3 years	

*Guidance Note from Statutory Scrutiny Officer

Each District to nominate 5 Members (at least 3 to be from ruling group)
Please note Membership of all committees should have due regard to equality and diversity and should strive to reflect the conurbation's population. To facilitate this each district is asked to have this in mind when making their nominations and to ensure that at least two of their nominations are women

Please nominate in the following order:
Nominations 1 & 2 will sit on GMCA Scrutiny Committees
Nomination 3 will either sit on GMCA Scrutiny Committee or the within the scrutiny pool (Depending on agreed structure)
Nominations 4 and 5 will sit within the GMCA Scrutiny Pool (Depending on agreed structure)

District	Member (Please state full name and email address)	Political Group	Please list any preferred areas of interest for allocation purposes.
BURY	1.		
	2.		
	3.		
	4.CLLR BERNSTEIN	CONSERVATIVE	No Preference

	5. CLLR WALSH	RADCLIFFE FIRST	No Preference
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APPOINTMENT OF OTHER INTERNAL BODIES 2022/2023

APPENDIX F

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Internal Body	Composition and Allocation	Appointment 2021/2022	Appointment 2022/2023
Fostering Panels (Susan Harris)	3 Members 2 Lab 1 Con	C Cummins Lab Vacancy Con Vacancy	C Cummins S Donnelly Cllr McBriar
Community Safety Partnership (Tom Houghton)	Cabinet or deputy cabinet member	Gold	Gold
Corporate Parenting Board (Democratic services)	11 Members: Chair - Cabinet Member for Children and Families 10 members based on political balance: Lab (5) Con (3) Rad First (2)	O'Brien Tariq Walsh Cummins Peel Lab Vacancy T Pickstone LJ Dean J Lancaster L McBriar	L Smith (Chair) D Quinn S Thorpe E O'Brien C Cummins K Peel Cllr McBriar Cllr Hussain Cllr Rydeheard Cllr Booth Cllr Berry
Corporate JCC (Democratic services)	10 Members: 3 Con 6 Lab 1 Rad First	Holt Rafiq Quinn O'Brien Hayes T Pickstone I Gartside D Vernon S Hurst C Birchmore	T Rafiq A Quinn E O'Brien M Hayes E Moss D Green Cllr Bernstein Cllr Lancaster Cllr S Arif Cllr Birchmore
Democratic Arrangements Forum (Democratic services)	4 Members: Leader or Dep Leader Chair of Standards 1 RF	O'Brien/Tariq M Powell Nick Jones Sub P Cropper	E O'Brien/T Tariq Cllr Bernstein Cllr Mason

Internal Body	Composition and Allocation	Appointment 2021/2022	Appointment 2022/2023
	1 Con		
Joint Consultative Committee Health and Safety (Democratic services)	4 Members: 1 Con 2 Lab 1 Rad First	Rafiq Hayes Bernstein	T Rafiq M Hayes Cllr Bernstein Cllr Mason
JCC with Teachers and JCC with Lifelong Learning Staff (Democratic services)	8 Members: 2 Con 4 Lab 2 Rad First	Tariq Thomas McGill Lab Vacancy T Pickstone R Bernstein S Hurst C Birchmore	T Tariq G McGill S Thorpe Lab Vacancy Cllr Bernstein Cllr McBriar Cllr Birchmore Cllr Berry
Local Access Forum (David Chadwick)	2 Members Cabinet Members for Environment/Leisure/ Tourism/Culture - Deputy Cabinet Members as substitutes	Quinn Morris Boroda/Peel (sub)	A Quinn C Morris Peel (sub)
Member Development Group (Democratic services)	Group Leaders where possible and Lead Member for Human Resources/member development	Holt Rafiq Powell Cropper	T Rafiq T Tariq Cllr Lancaster
Older People/Ageing Well Partnership Board (Deborah Yates)	1 Labour	Simpson D Quinn	C Cummins
Persona (Shareholder panel) (Catherine Nugent) C.nugent@bury.gov.uk	2 Cabinet Members	O'Brien Simpson	E O'Brien T Tariq
Six Town Housing Board	4 Members:	Peel	N Boroda

Internal Body	Composition and Allocation	Appointment 2021/2022	Appointment 2022/2023
(Alison Leach) A.J.Leach@bury.gov.uk	1 Con 2 Lab 1 Rad First	L Smith N Jones	Lab Vacancy Cllr N Jones Cllr Duncalfe
Six Town Housing Limited – Shareholder (Alison Leach) A.J.Leach@bury.gov.uk	Cabinet Member to attend meetings as sole shareholder.	Cummins	C Cummins
Standing Advisory Council on Religious Education (SACRE) (Rebecca Hoyle) R.Hoyle@bury.gov.uk	3 Members: 1 Con 2 Lab	Lab Vacancy Lab Vacancy K Hussain	S Thorpe Lab Vacancy K Hussain
Youth Cabinet (Democratic services)	9 Members: 2 Con 5 Lab 2 Rad First	Tariq Morris Hayes Butler Tegolo P Cropper J Rydeheard	L Smith C Morris M Hayes S Donnelly Lab Vacancy Cllr Dean Cllr McBriar Cllr Marsden Cllr Smith
Adult Learning Advisory Group (Joanne Hatton/Amanda Dixon)	One Member from each township, and one other with an expertise in this subject area and Deputy Cabinet member for Communities and safer neighbourhoods to Chair	Pilkington – Ramsbottom Y Wright – West Holt – East Grimshaw (Chair)– Whitefield and Unsworth Opposition – Radcliffe McGill – Specialist Knowledge) U Farooq	T Pilkington – Ramsbottom Lab Vacancy – East J Grimshaw (Chair)– Whitefield and Unsworth E Moss - Prestwich

Internal Body	Composition and Allocation	Appointment 2021/2022	Appointment 2022/2023
			G McGill – Specialist Knowledge)

APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES 2022/2023

Outside Body	Entitlement and Allocation	Existing Appointment 2021/22	Nomination (Councillor) 2022/2023
Citizens Advice Bury and Bolton (Richard Wilkinson, Chief Officer of CABB rwilkinson@cabb.org.uk)	3 Members 2 Lab 1 Con	Vacancy x1 Lab J Lewis K Peel	K Peel Cllr Gartside
Team Bury Strategic Leadership Group (Chris Woodhouse C.Woodhouse@bury.gov.uk)	1 Member plus 2 Officers: 1 Lab	E O'Brien Tariq (sub)	E O'Brien Tariq (sub)
Bury Metro Arts Association (Executive) (Victoria Robinson Victoria.robinson@themet.biz)	3 Members: 2 Lab 1 Con	Morris K Thomas L McBriar	C Morris C Cummins
Bury Music Service Ltd (Holly Gledhill holly.gledhill@burymusic.co.uk 0161 796 9910)	3 Members: 2 Lab 1 Con	Vacancy x2 Lab P Cropper	D Quinn G McGill Cllr Dean
Bury Society for the Blind and Partially Sighted (Jill Logan jill.logan@buryblindsociety.org)	3 Members: 1 Con 2 Lab	J Lewis Grimshaw Vacancy x1 Lab	J Grimshaw D Quinn Cllr Bernstein
Bury Town Centre Management Board (Jill Youlton J.Youlton@bury.gov.uk)	2 Members: Cabinet Member with responsibility for Regeneration 1 Member for East Ward	O'Brien Holt	E O'Brien G McGill
East Lancashire Railway Trust Board of Management (Democratic Services – Michael Cunliffe M.Cunliffe@bury.gov.uk)	3 Members: 1 Con 2 Lab	J Harris K Peel C Morris	C Morris N Bayley Cllr Brown

Outside Body	Entitlement and Allocation	Existing Appointment 2021/22	Nomination (Councillor) 2022/2023
Hollins Institute Educational Fund (Stephen Blake - S.F.Blake@bury.gov.uk)	3 Members from Unsworth Ward	Rafiq Grimshaw Boroda	T Rafiq J Grimshaw N Boroda
Local Government Association – General Assembly (Marion Stribling memberservices@lgo.gov.uk)	Leader, Deputy Leader Opposition Group Leaders	O'Brien Tariq Jones	E O'Brien T Tariq Cllr Bernstein
Manchester, Bolton and Bury Canal Restoration Partnership (Paul Hindle Paulhindle@talktalk.net)	2 Members	Vacancy x2 Lab	K Peel S Donnelly
Manchester Mesivta Grammar School Governing Body (Lindsay Laddin – mesivta@bury.gov.uk)	1 Member: 1 Lab	A Quinn	A Quinn
North West Local Authorities' Employers Organisation (support@nwemployers.org.uk)	1 Member plus substitute 1 Lab	Holt	
Pennine Care NHS Trust Joint Health Scrutiny Committee (Democratic Services – Julie Gallagher Julie.Gallagher@bury.gov.uk)	3 Members: 1 Con 2 Lab	Grimshaw Whitby Brown	J Grimshaw M Whitby Cllr Brown
Pennine Care Foundation Trust – Council of Governors <i>Not a Joint Health Scrutiny Committee Member</i> (Louise Bishop secretary lisa.howarth@nhs.net)	1 Member 1 Lab	Vacancy x1 Lab	
Pension Fund Advisory Committee (Carolyn Eaton carolyn.eaton@tameside.gov.uk)	1 Member: 1 Lab	Grimshaw	J Grimshaw
Greater Manchester Forests Partnership	2 Members plus	Quinn	A Quinn

Outside Body	Entitlement and Allocation	Existing Appointment 2021/22	Nomination (Councillor) 2022/2023
(Pete Stringer pete@cityoftrees.org.uk)	reserve: 2 Lab Con reserve	Boroda Cropper (sub)	K Peel
Ring and Ride Forum (must be a non GMPTA Rep) (Jackie Beaumont Jackie.Beaumont@RingandRide.info)	1 Labour	Vacancy x1 Lab	
University of Manchester – General Assembly (Sally Ainsworth deputysecretary@manchester.ac.uk)	1 Member: 1 Lab plus Deputy	Quinn	N Boroda
Yorkshire Purchasing Organisation Management Committee (ellie.gerrard@ypo.co.uk kayley.sykes@ypo.co.uk)	1 Member plus Deputy 1 Lab	O'Brien	E O'Brien
Northern Care Alliance <i>A Governor must not be a member of a local authority scrutiny committee covering health matters or hold a formal role with a clinical commissioning group.</i> Su Statom, Head of Corporate Governance (Su.Statom2@nca.nhs.uk)	1 member	K Peel	K Peel



Statement from Council Leader Eamonn O'Brien

This is the second State of the Borough Report since I became Leader of Bury Council. This report outlines what we have achieved over the past year, structured around the three 'Rs'; Response, Recovery, and Renewal.

I would like to start this report by reflecting on where we have come as a borough over the past year. One year ago, we began to emerge from Covid-19 restrictions thanks to an emphatic mobilisation effort from the NHS and volunteers to get as many people across the country vaccinated from Covid-19 as possible. We hoped that we would get into a position as a country where lockdowns were no longer necessary and hoped that, despite the forecasts, businesses would prosper in the post-covid world. We talked about the need to build back better and hoped that things would not just return to the way they were, along with hopes that we would be able to deliver on our levelling-up priorities for the borough.

One year on and across the borough we have delivered over 387,000 vaccinations and are now in a position similar to pre-pandemic. We have provided over £7.5 million in grants to our borough's businesses, enabling them to succeed in the post-pandemic world. Finally, we have demonstrated how much we have transformed as a council, which is evident from the £40 million won for our borough through the Levelling-Up Fund, the exciting regeneration plans across the borough, and our prudent handling of our finances, allowing us to invest in repairing our roads, pay the real living wage for our key workers, and fund our communities to make Bury a great borough to live in.

I'm delighted that the people of this borough have put their trust in my group to continue to run the Council, and we will continue to do so as we love the borough we are elected to serve. The coming year will be a challenging one as we have great plans and aspirations to achieve for the borough amidst a national cost of living crisis, a faltering economy, and the outfall from the war in Ukraine. Despite this, we will continue to deliver for our residents and businesses to the best of our ability.



Cllr Eamonn O'Brien

Leader of Bury Council

Response

It's been an extraordinary year. 12 months ago, we had just started ramping up Covid vaccinations for those of working age. One year later, and 387,000 first, second, third and booster jabs have been given to people across Bury. This is an astounding achievement, and I want to say a huge thanks to all those responsible for vax rollout - from our magnificent NHS and its clinicians, right down to our venue staff and volunteer marshals.

Making sure we responded to the pandemic and ensure we are well placed to recover from its effects have been and will be crucial.

The Council has administered £76 million in grants to businesses hit by Covid, and a further pot of £3 million available to help those who did not qualify for support under the rules of previous schemes.

We're doing our best to help households with the spiralling cost of living, which is set to soar further once the effects of higher inflation and fuel bills kicks in. That's why, in The Budget, we set up a 'cost of living' fund to help people in hardship, along with grants to help parents buy school uniforms, and give their children free school meals over the long school holidays.

Housing and homelessness

Our new Housing Strategy aims to take early action to keep people in accommodation and prevent them becoming homeless in the first place. You don't need to be on the streets to be homeless - by far the biggest problem is so-called sofa surfers, or those facing eviction because they cannot afford the rent.

The new Housing Strategy sets out the scale of housing issues and challenges facing the borough. It provides a clear direction of travel to deliver a balanced and diverse housing supply and an opportunity to create successful and inclusive neighbourhoods that everyone can be proud of.

It covers the key aspects of affordability, supply and quality of housing in the borough and, will help ensure that an adequate supply of new housing will be provided to support inclusive economic growth that will underpin improvements in people's health and wellbeing, including reducing gaps in healthy life expectancy.

The strategy contributes to meeting the Council's priorities across a range of policy areas including economic growth and climate change approach. It also reflects the Council's role in discharging a range of statutory duties such as those relating to homelessness, private sector housing and the safeguarding of vulnerable children and adults.

In November we shared that since the outbreak of the Covid-19 pandemic we have supported 55 former rough sleepers into settled housing. The support to rough sleepers is provided by Bury Council's homelessness team and the rough sleeper outreach service, working together with Bury Homeless Partnership. Bury Homeless Partnership is a multi-agency alliance with recognised and valued partners which works every day to find and support rough sleepers, to get them off the streets for good.

Supporting our community groups

Bury Council, as part of its Let's Do It strategy, has now awarded £890,000 in the last year through Neighbourhood Pitch events, Health Improvement Funding and Climate Action monies.

The Health Improvement Fund supported local people and communities to recover from the coronavirus pandemic as we start to build back better and learn to live with the virus for the foreseeable future. It is part of a wider borough-wide programme that will support the future health, wellbeing, and resilience of our communities.

The Community Climate Action Fund was created to specifically enable community projects which will support Bury and its residents take positive steps towards tackling the global climate emergency as well as

support Bury Council achieve its goal of carbon-neutrality by 2038.

The Neighbourhood Pitch Fund invited community groups to think about how they could contribute to the outcomes set out in Let's Do It within the places they live and work and with the communities who they represent.

Keeping the borough clean

Last year we invested £25,000 to purchase and install 100 new litter bins to help keep Bury clean and deliver an enhanced street care service.

The new 100-litre bins will be located at locations across the borough. The main priority will be to replace existing bins that are damaged or worn out, while some will also be sited in new locations where needed.

This brings the number of litter bins across the borough to around 1,500, which provides around 150,000 litres of capacity in total.

We also invested £225k in three Schmidt Swingo 100 state-of-the-art mechanical compact sweepers in another key step to providing an enhanced street care service and helping to keep Bury clean.

The low emission, multi-functional sweepers allow street care teams to complete a range of tasks more efficiently, including jet washing pavements, sucking up litter, and cleaning in those more difficult to

reach places such as under benches and around litter bins.

The sweepers can also be run on biofuel which can reduce emissions by up to 90% meaning they're not only good for keeping the streets clean, they're much better for the environment too.

Free School Meals during half term

In the 2021 budget we committed to funding free school meals over every half term break for our 6,000+ pupils who are eligible. The vouchers could be used to buy food in most supermarkets ensuring every child has access to a healthy meal during the week long break from school.

Holiday school meal vouchers made a huge difference to families, particularly those struggling as a result of the pandemic. They ensure children and young people can enjoy nutritious food whilst also helping to alleviate financial pressures on families.

Brownfield First and restoration

Over the past year we have continued to show our dedication towards our 'Brownfield First' approach, which means we will do everything within our power to ensure much needed housing within the borough is built on brownfield sites.

On the theme of restoration, last year we agreed to spend £1 million on bringing empty homes back into use as affordable housing.

The Council will identify which properties to target and enter into negotiations with the owners. It is expected that the funding may bring 20 properties back into use, on top of the ten brought back under an earlier scheme.

Recovery

Real Living Wage

At the budget in 2021, we announced our intention to tackle poverty pay and deprivation, and decided to become a Real Living Wage employer, and I'm very pleased to say that we completed this journey and have now become a real living wage employer.

We set aside more than £5 million to meet this commitment, which will benefit around 4,000 staff - whether they are employed by the Council or by organisations we commission services from. Around three-quarters of them work in adult social care, and I think many people were shocked to learn - courtesy of the coronavirus pandemic - just how low their earnings were.

As the largest employer in the borough, we felt it was essential to lead by example - and many other local employers and partners are already following suit.

When people earn enough to live, they have more income to spend in

the local economy. Adopting the Real Living Wage means we will be supporting the financial stability of 4,000 people and protecting them from in-work poverty.

Research by the Real Living Wage Foundation shows that organisations who bring it in keep more of their staff who are better motivated and work harder for their employers.

They are able to recruit more staff. People see they pay the Real Living Wage and are attracted to work for those organisations.

It's not only good for staff but also the organisations who pay them. It's why we're recommending other employers across the borough adopt it.

Anti-Poverty support

In the 2021/22 budget, we committed £300,000 towards anti-poverty support, along with a range of other anti-poverty support measures. Over the past 12 months we have used this funding to take a more proactive, targeted approach to distributing support based on evidence of need and proactive intervention rather than waiting for people to seek help. Some of our actions included:

Writing to the 5300 people claiming universal credit (who were effected by removal of the £20 uplift) and/or the 7000 householders of a STH property, to make available a £100 food and fuel voucher and explain the wider support available. Details of the Council's support offer were

also included with the Council's annual council tax bill.

Asking our staff working in neighbourhoods to proactively offer support to the people who appears to be experiencing hardship. £300k has now been used to help circa 700 people with boiler repairs; white goods; clothing and food; etc.

Supplemented funding for foodbanks and community groups to the value of £50,000.

Ensured that financial planning and benefits advice is widely available, including an automatic referral for everyone seeking support from the Council or a community group. Within the third financial quarter of 2021/22, Bury and Bolton Citizens Advice had 797 direct contacts with Bury residents and the income gain for local people as a result of such interaction was £1.509m.

£200k was invested in the local welfare support fund to manage additional demand. This has been accessed by 1,318 people.

Road Safety

In March we announced a range of road safety and traffic calming measures to be installed across the borough at a value of £500,000, with £400,000 of this being front-loaded into this financial year to make an immediate impact.

The projects include four new pedestrian crossings: on Bolton Road West in Ramsbottom (near Top Park); Tottington Road, Bury;

Market Street in Tottington (near Lowes Street); and in Stand Lane, Radcliffe.

Other schemes include a range of traffic calming measures (such as road humps, traffic islands and 20mph zones) plus funding for new School Streets and Play Streets.

Road resurfacing

The Highways Investment Strategy schemes (HIS1 and HIS2) implemented by this Council will have led to around £23 million of investment into our borough's roads resurfacing, patching, preventative maintenance and pothole repair by the end of 2022/23. Once complete, it is estimated that this programme will treat in the region of 375,000m² of carriageway.

From this we have evidence from annual surface condition surveys which indicates that these schemes have gone beyond maintaining the condition of roads and have led to an overall improvement in our road network.

Second Taxi MOT Testing Centre

At the beginning of April, we officially opened a second testing centre for taxis and private hire vehicles to complement the existing testing centre run by the Council at Bradley Fold.

This was warmly welcomed by drivers and operators in Bury, giving them a choice of stations to use

when going for their twice-yearly tests.

We've taken this action following extensive consultation with the trade and listening closely to the feedback provided by drivers.

Renewal

Levelling-up success

One of the main highlights from the past year was our success in winning two £20 million grants from the Levelling Up Fund, which will go towards our ambitious plans to regenerate Radcliffe town centre and the area around Bury Market.

Make no mistake, this is fantastic news. But it didn't happen by accident, or through an atypical act of kindness. This was a highly competitive process, and the result of years of hard work by the Council.

The £20 million for Radcliffe will create a new hub building, home to new leisure facilities, businesses and skills. It will complement the £30 million the Council is putting into the regeneration of the whole town centre, which will be transformed with new housing, a new high school, and much more. In Bury, the £20 million will help build a new flexi-hall on our market, with modern and community facilities that will ensure our historic and famous attraction thrives for many more generations.

Radcliffe

In October 2021, we were informed that our bid for £20 million to the Levelling-up Fund to support the development of a mixed-use civic hub had been successful. The Civic Hub will comprise sustainable, modern new build facilities, and will be developed alongside the refurbishment of key council assets, in the heart of Radcliffe town centre.

At the heart of the town and its transformation. Estimated to cost a total of £42m, with £20m from the Levelling Up Fund and the remainder from Bury Council and external sources.

The main Hub building will be the Council's first carbon zero building and will feature a leisure centre with swimming pool, gym and fitness studios, a new library and skills centre, and a community space for meetings and events. It will also incorporate office accommodation and public service providers supporting individuals and families with their health, skills, employment and wellbeing needs.

Market Chambers - refurbishing all floors to ensure that this heritage building is preserved as a key feature of the town centre, to energy efficient standards and remodelled to support local businesses moving into it.

The basement of the Market will also be refurbished as a large events space for community and private

functions and activities, served by a new accessible lift and including WCs, a Changing Places facility and an accessible balcony over the River Irwell.

New car parking facilities will also be created and improvements made to the wider public realm connecting this campus of buildings and the wider town centre.

The historic Carnegie Library will remain open to the public and operate as an Adult Education, Skills and Enterprise Centre – supporting local people into work and nurturing local start-ups and small businesses.

We were also able to announce last year that a new secondary school will be built in Radcliffe and will be run by academy chain, Star Academies. It will be located on the Coney Green site (located north of Spring Lane) and its construction and fit out will be financed by £15m funding recently obtained by Star Academies from the Department for Education following a successful bid from the academy chain.

The aim is that the school will open to year 7 pupils in 2024. When operating with a full cohort of year 7 to 11 pupils, the capacity of the school will be 750. This will increase over time to 1,000 as population growth demands.

Over the past year we also; approved planning permission for over 400 homes on the East Lancashire Paper Mill site, approved the disposal of the School Street site to Hive Homes to create 89 homes,

and approved the disposal of the Blackburn Street former leisure centre site to Watson Homes to develop 136 homes and 13,000 sqft of commercial office space.

Bury

One of the two Levelling-up bids we were successful in obtaining for our borough was for our historic Bury Market. This £20 million funding will allow us build a new flexi-hall and regenerate the surrounding area.

The flexi hall will comprise a large, state-of-the-art, carbon neutral, multifunctional events space that can support market stalls, 'pop-up' trading, live performance, and community events. The development will also include a café bar, an area dedicated to office functions, and space dedicated to the provision of workshops, co-worker space or small business start-ups.

The flexi hall will be used to complement the market's offer and expand the diversity of groups who use the market, without losing or alienating existing customers.

Improvement works will incorporate refurbished market kiosks, improved access and servicing, and a new oversailing canopy which will cover the existing market and be highly visible from Angouleme Way, giving visitors a positive view of the space.

There will also be works to address repair and maintenance issues, as well as measures to improve the environmental performance of the market through enhanced recycling

infrastructure, energy efficiency improvements and the decarbonisation of existing structures. Furthermore, all new-build elements of the design will be carbon neutral.

The public realm surrounding the market will be enhanced to support active travel and establish better linkages between the market and adjacent infrastructure, including Bury Interchange, Bury College, and the wider town centre. The entrances to the market will become more clearly defined and much more welcoming, with new wayfinding signs to help visitors navigate the market and improve its physical environment.

In March we formally agreed to buy the Mill Gate centre as a key part of multi-million pound proposals to regenerate the town centre.

We also set up a Joint Venture partnership with developers Bruntwood, one of the UK's leading property providers and town centre regeneration pioneers, to deliver the proposed project.

The move is seen as a 'once in a generation' chance to create new housing, employment, retail and hospitality opportunities, along with new health and education facilities, with sustainability and wellbeing at its heart.

Our plans for the Mill Gate centre will complement initiatives for a new flexi-hall on Bury Market and

improvements in the wider area, plus a new transport interchange, aimed at 'future proofing' the town centre against the challenges posed by the changing retail landscape.

We also gave the green light to the next stage of the Bury Town Centre Masterplan. The masterplan sets out a long-term vision for the next 15-20 years. It includes major changes in the town centre, especially around the Mill Gate centre with new shops, leisure, residential and business opportunities.

More than 600 people took the opportunity to view the plans during a six-week consultation period. The consultation revealed that more than three quarters of respondents agreed with the masterplan's vision, with the main priorities listed as: retaining shops and addressing vacancies; improving the quality of streets and public spaces; and economic future and land use.

Prestwich

Plans to redevelop the Longfield Centre and create a new community heart for Prestwich are moving forward, with a conversation on the proposals launched this year.

Bury Council and Muse Developments – one of the UK's leading names in urban regeneration and placemaking – agreed to enter into a joint venture in late 2021 to drive the project forward. They are now working together on a vision to sustainably redevelop the centre,

with new spaces planned for local independent businesses to thrive, alongside a mix of high-quality homes, family friendly outdoor spaces and a new community hub focused on health and wellbeing.

While the plans are still at an early stage, key ambitions for the £100m scheme have been revealed:

Creating an inclusive place that champions Prestwich's community spirit.

Promoting health and wellbeing through family-friendly, social places to meet, creative spaces for art and culture and outdoor spaces for community events.

Enhancing the environment for future generations with sustainable buildings, walking and cycling routes and inviting public spaces.

Delivering benefits for local people and building a legacy of social value, through a £100m investment in the Prestwich economy and the creation of local jobs.

Strengthening Prestwich's transport infrastructure and connectivity with a new mobility hub that offers convenient and sustainable car parking, Electric Vehicle charging points, and cycle storage.

This is a huge opportunity to create a vibrant new destination for Prestwich that will be an exemplar of sustainable placemaking, deliver

social value for the community, and provide the flexible spaces that local and independent businesses need to thrive into the future

Ramsbottom

Nearly 500 people took the opportunity to comment on the plans during a six-week consultation period in January and February – and three-quarters of them said they agreed with the general proposals.

The Ramsbottom Town Plan will help to guide the development of Ramsbottom over the short, medium and long term, with proposals brought forward as funding is identified and secured. Detailed designs will be required for each proposal, and these will be subject to further and more detailed consultation with stakeholders.

The proposals include:

a new public square and events space; better-connected streets and pedestrianised areas; improved travel via pedestrian and cycle links, connecting green spaces and amenities to the town centre such as Nuttall Park and new links to the river frontage; a new enterprise centre using Market Chambers and the vacant upper floor of the Civic Hall to provide accommodation for self-employed, freelance businesses and business start-ups; and a car parking strategy.

Whitefield

We are determined to ensure that every part of our borough is well prepared to meet the challenges of the future, so it is important that the other centres receive the support necessary to enable them to fulfil their own potential.

Whitefield includes significant areas of deprivation, especially in the Besses area of the town. As deprivation and inequality were key factors in Bury being selected by the Task Force, this could give us the opportunity to tackle a wide range of issues and lift the whole town and community. We want all residents across Whitefield and Unsworth to be part of this process.

The Task Force is scheduled to visit Whitefield next January to progress the project. Ahead of the visit, we will engage with local businesses to outline the benefits and invite them to be part of the project as key stakeholders.

Environment

We have declared a climate emergency and set a target to be carbon neutral by 2038. In response we have created a Climate Action Strategy and a linked 2021 Bury Climate Action Plan to reduce our emissions, promote sustainability, improve air quality as well as the health and wellbeing of our communities.

The Climate Action Strategy explains why we're doing, what we're doing and what we hope to achieve. Our Climate Action Plan is a more fluid document that will be annually updated, tracking our progress, and highlighting where more work is needed.

Climate Action Forums have been or will be established in each of our neighbourhoods and provide us with a way to engage with local communities. These Forums will enable us to disseminate updates and information relating to the climate agenda as efficiently as possible. They will also provide people with the chance to voice their thoughts, ideas, and opinions.

As part of the Council's 2021/22 budget, we distributed a Community Climate Action Fund totalling £100,000 which was used in conjunction with other community funds to promote local action groups and their projects. Through this funding we helped residents and communities better engage with the issues and the solutions and got as many people involved and taking action towards a more sustainable future.

As part of a £5.5 million five-year programme, we are currently working around the borough replacing approximately 3,200 lighting columns that are coming to the end of their serviceable life. More energy efficient LED street lamps are also being installed at the same

time. The LED lighting is more energy efficient and uses less electricity, and it emits less carbon than traditional sodium lights; it also has a much longer lamp lifespan requiring significantly less maintenance.

The replacement programme, which will be on a whole street basis, is expected to take up to 2024 to complete but will be finished more quickly if possible.

In the last year, Bury Council and City of Trees have funded the planting of many thousands more trees to restore woodlands for people and wildlife and tackle the climate emergency head on.

As part of an ongoing programme of tree planting, 56 extra standard trees have been planted at Burrs Country Park and 10 more will be planted during this year.

Across the borough, 25,442 tree whips have been planted, more than over 12.5 hectares of woodland have been created and 11 new community orchards have been established.

Bury has 1,065,225 trees - 9% of the numbers in Greater Manchester, which store 155,255 tonnes of carbon, removing 5,120 tonnes of carbon per year. They also remove 70 tonnes of pollution each year and soak up 137,810 cubic metres of water.

At a Greater Manchester level, we have made great progress to

improve our bus network. Last year we agreed to franchise the bus network and in the coming years we hope this will lead to a successful Greater Manchester bus network, with cheaper fares, and better and more frequent busses, reducing the need for residents to own a car.

We secured funding for widening our EV charging infrastructure, including TfGM funding acquired for taxi rapid charging hubs and a TfGM bid being submitted for chargers aimed at residents without access to offstreet parking.

In March we announced that Biofuel is to be trialled in council vehicles as part of measures to go green, reduce emissions and tackle climate change.

A biofuel tank has been installed at the Council's operational depot in Bradley Fold and will be used to fill up a waste collection vehicle and a van.

If the trial is successful, biofuel will gradually be extended to the Council's fleet of vehicles, a move which would reduce their CO2 emissions by 90%.

Since 2008/09 we have measured the greenhouse gas emissions from council activities and each year we produce a greenhouse gas report which describes our progress. Our latest report shows that since our 2008/09 baseline we have reduced our emissions by 47%.

Improving sports facilities and play areas

In September we opened a state of the art 3G pitch in partnership with Bury Football Foundation at Goshen Football Centre. The new 3G pitch was made possible thanks to investment from the Premier League, The FA, the Government's Football Foundation and Bury Council.

After netting a £524,054 grant from the Football Foundation, work begun on the site in early 2020 and was completed later the same year. Thanks to the easing of Covid-19 restrictions, the facility is now operating at full capacity. The new facility replaces the old sand-based pitch built in the 1980s.

The site will be used by more than 350 members and volunteers of Bury Football Foundation across all age groups and demographics, including provision for walking football and disability football; local grassroots clubs; Bury school games for all interschool competitions throughout the year; the Bury Junior School Sports Association catering for primary schools football development; and many more. All provision on site will support the Football Development Plan to grow participation for all.

We also committed to spending £525,000 to upgrade outdoor play facilities at multiple locations across the borough.

The investment will fund new play equipment and new safety surfacing at 14 play areas as well as refurbishment of a multi-use ball zone.

Benches, bins and gates will also be refreshed at each of the sites.

The latest refurbishments follow £300k already invested at Boz Park ball zone plus play areas at Close Park, Manchester Road Park, Openshaw Park, St Mary's Park, Whitefield Park, Goshen and Hawkshaw.

Culture

Up until the end of 2021, Bury was the Greater Manchester Town of Culture. It was an honour to be the first conurbation in Greater Manchester to host this opportunity, and we believe and will ensure that the cultural legacy bestowed upon our borough will be embedded.

In May 21 Happy Festival came to the borough. Musical comedy and a Hallé quartet's first performance in fifteen months took place on stage at The Met and at care home settings across the borough. Alongside this streamed choir workshops and participative comedy took place, whilst creatives delved through the Victoria Wood archive to create original pieces for performances when we were able to welcome in-person audiences later in the year.

In August we launched a 'Bury Town of Culture Opportunity Pass' to thank key workers and volunteers for their

efforts during the Covid-19 pandemic. Opportunities range from discounts, free tickets, VIP experiences, previews, guided tours, exclusive competitions, skill development sessions, talent opportunities and taster sessions.

The beginning of September then saw the second Happy Festival weekend of the year - a unique programme of music and comedy to celebrate Victoria and her work. The festival started with a 'Fan Day' and included lots of activities for all ages including the chance to try out instruments; performances and talks in Bury Art Museum and Library Gardens before a unique get together with The Ukulele Club at The Met.

The second day took place in Burrs Country Park as part of the Burrs Live by The Met programme on the specially constructed outdoor stage and included a spectacular line up of comedians, brass bands, music, cabaret, and commissioned pieces of music for all to enjoy.

Bury Art Museum and Sculpture Centre provided weekly inspiration throughout lockdown with themed art and creative activities including resources to design, print, colour, make and display. Residents were able to take a virtual tour of the latest sculpture centre exhibition - The Pothole (Mark Tanner Sculpture Award National Touring Programme), by Anna Reading. Since re-opening they have also expertly curated a new exhibition programme including Spirit of a Place, Walker Family,

Food and the Black Art BAM trail and zine project.

Armed Forces Covenant

In November Bury Council and NHS Bury CCG signed a new armed forces covenant which will help give serving members, veterans and their families the support they need and deserve.

It formally recognises the contribution that serving personnel, reservists, veterans and military families make to Bury, ensuring that they are not disadvantaged and, in certain specific areas, are actually given priority.

This covenant commits us all to support armed forces personnel, veterans and their families in key areas such as employment and skills, health and wellbeing, housing, and integration with the local community.

Our work on supporting veterans will continue and we will achieve Gold status on the Ministry of Defence Employer Recognition Scheme by 2023. Bury Council has already got Bronze status and is on track to receive Silver status by the end of 2022 As a proud fusilier town, we will deliver on our pledges in the recently renewed Armed Forces Covenant and continue to provide free leisure access for veterans and serving members of the armed forces.

The future of our borough

OnSide Youth Zone

We've committed to establish an £8 million OnSide Youth Zone, which will be a fantastic asset for our young people, many of whom suffered a huge amount of disruption during the Covid pandemic, not to mention cuts to youth services.

Studies are now under way to identify a suitable location in either Bury or Radcliffe town centre which would be easily accessible, particularly for those from the most deprived areas.

OnSide Youth Zones offer a wide range of sporting, artistic, cultural, physical and recreational activities for young people, as well as access to personal development and informal education, providing young people with the opportunities to shine.

Independent studies have shown that young people who attend youth zones become healthier, do better in school, and live more positive lives.

The cost of the youth zone is estimated at £8.4 million, to be met by the private sector through OnSide and by the Council with the help of Government grants.

Dealing with the cost-of-living crisis

We're doing our best to look after people in need at home, too, despite

the continuing pressure on council services and the NHS.

The soaring cost of living hits those on fixed and low incomes most, and it's predicted to get worse as the year goes on.

That's why in our recent budget, we committed to spend £240k on helping thousands of families with the cost of school uniforms, and £570k on keeping free school meals going over the long summer break. We're also putting £100k into a special hardship fund for those struggling to make ends meet.

Sustainable green future

Mass tree planting has started in our green spaces and restored Barnfield Park site into a tree nursery. But we want to do so much more, in partnership with our communities, which is why we have already established environmental forums for townships and a climate action community fund.

Learning from our work on the housing strategy to commit to low carbon homes, we will assess environmental Impact for all key decisions of the Council.

We will use our new Local Plan in 2022 we will bring forward a Bury green standard for new buildings across the borough. By working in with residents and businesses we will plant 20,000 trees by 2024 and establish new bio-diverse habitats across the borough. This work will involve a green spaces audit across all communities, looking at re-wilding and grow your own options.

We will create a new Memory Wood, for remembrance planting and allocate Council-owned land to plant a Platinum Jubilee Wood in recognition of Queen Elizabeth's 70th Jubilee.

We want to attract high-skilled green jobs to our towns. So, we will collaborate with employers and education institutions to establish a "Green Job Pathway", linking training to jobs, and tackle the climate emergency.

Cleaning up our borough is important to us. We have already started issuing fines and prosecutions for fly-tipping and littering. By recycling the money raised through fines, we will provide an annual "Community Clean Up Fund" to support local clean up projects and volunteer groups. We will boost our campaign to increase recycling and reduce waste. We already have excellent re-cycling rates, but we can always do more with kerb side recycling of furniture and white goods. Through our support of a "plastic-free" borough we will increase pressure on the worst offenders of single use plastic to effect change.

We have already committed to an ambitious plan for a £10m investment in new, cleaner and greener vehicles for the Council. Through a mix of electric, low-emission diesel and bio-diesel alternatives, we plan to reduce our emissions by 90%. But we also want to decarbonise the public estate. Many public sector buildings are old

and energy inefficient. Not only does that make them costly to run, but it also makes them bad for our carbon footprint. We will commit to accelerating our decarbonisation projects across the public estate where possible and replace buildings if needed. This will also include our Council houses, following a fabric-first approach.

Decent homes

We will deliver new social housing for the first time in decades and boost the supply of truly affordable homes, through our local plan. But we will also take action to increase homes for those with additional needs. These new homes will address the need for Bury people to leave the area to find the right home to live in. We want to see the homes of the future be sustainable and green.

Through a new Local Plan for Bury, we will insist upon the highest possible environmental standards for new builds via a Bury Green Standard.

The Government's housing targets are forcing local authorities like Bury to release green belt land for development. In contrast, we are committed to delivering a Brownfield First approach to housing, with a greater emphasis on town centre living. Through this, we plan to limit the impact of the Government's housing targets. Any new housing development must come with an infrastructure guarantee.

Through our plan, we will ensure that the correct infrastructure will be in place, creating communities that work, not just housing.

We set up the borough's first homeless partnership in response to the huge rise in rough sleeping. Since then, we have been successful in drastically reducing levels of rough sleeping and providing much more accommodation for those in need.

We will build on this partnership and launch a refreshed post-Covid strategy in 2022. There are still too many long-term empty properties in the borough, despite halving the number that existed. We will continue with our policy of up to 400% Council Tax on empty properties and retain the extra Empty Property Officers we have introduced.

Childrens Services

Our recent OFSTED inspection of children's services highlighted many challenges we face in Bury. We must deliver more focus and resources to get improvement underway and sustained in this service. The same is true for our SEND provision.

In response to these challenges, we will:

1. Invest more in Children's Services. We have already agreed to create a £3m Children's Services Reserve and will use this new fund to respond to the outcomes of the recent OFSTED inspection. Extra

money alone will not solve all the issues, but it will be essential in how we recruit and retain more high-quality social workers and foster carers.

2. Engage more with our staff, families and partners. We recognise that the Council will not have all the answers and should do more to reach out and listen to what our staff, residents and partners are telling us. We will create new forums for engagement and commit the Council to being more open and transparent in how it runs aspects of our Children's Services.

3. Support the independently chaired Children's Services Improvement Board. This board will be vital in offering both external support and challenge in our improvement journey.

4. Streamline the SEND process. Too many parents and carers have to fight to get access to services and during transition, it can seem that support falls off a cliff edge. We want to see this change and will consult families on how we can best do this.

5. Invest more into youth services by delivering a Youth Zone in the borough. One of the first areas to be cut under austerity was investment in services to young people. We want to start reversing this trend by working in partnership to deliver a Youth Zone in the borough.

6. Work more closely with schools to identify and alleviate poverty. We think it is a scandal that child

poverty exists in our country and is rising. Amongst other plans, we want to work with our schools to focus our efforts on those families most in need. We will run income maximisation sessions in those schools with the highest levels of deprivation and aim to sign up all eligible families on to the Healthy Start Voucher scheme.

7. Deliver a Family Hub in the borough. Since 2010, over 500 SureStart centres have shut and provision for families has suffered greatly. We will take the opportunity to reverse this trend in Bury by delivering a Family Hub in Bury East.

Stronger communities

We will work with GMP in Bury to establish new community forums to facilitate this and help set shared local priorities. We will also create a forum to end knife crime in the borough, following recent high-profile incidents.

We will Invest more into community safety, CCTV and combat anti-social behaviour We will install an extra 10 CCTV cameras in the worst hot spots and we will recruit an extra anti-social behaviour officer. They will deal with problems in our town centres, taxi driver safety and violence against women and girls.

Alongside the extra investment in community safety, we will implement the new community safety plan following the wider ranging consultation with residents and partners over the past year. This

includes a targeted extra resource for reducing domestic violence and better support for victims.

Inclusive Economic Growth

We have some fantastic businesses in Bury, with a growing social enterprise, co-operative and worker-owned economy. However, there are too many people in low paid, insecure jobs and we know from data, that the quality of local jobs and income levels are lower than in 2010. As we bring forward plans to regenerate our towns and grow our local economy, we must do so in a way that spreads that benefit to local people.

To achieve this, we will: promote community wealth building. By looking at Council procurement policies to buy local and contract socially responsible businesses. We will also review the Council's "social value" policy, in order to promote the Real Living Wage and GM Good Employment Charter. And we pledge to support the Greater Manchester Community Wealth Building Hub as it develops and promotes good practice for others to follow.

Northern gateway

As we open up inward investment at the Northern Gateway site with a potential 20,000 new jobs, we want to ensure these jobs go to local people. From logistics to advanced manufacturing, planning properly for these jobs is essential, so Labour will commit the Council to delivering a dedicated Northern Gateway skills

pathway and help shape the education system now for these jobs of the future.

We will ensure we open up all these pathways to skills and jobs to all, by addressing existing barriers to access to education, employment, training and development. As part of this, we will continue to support the Greater Manchester "Our Pass" scheme, which gives all 16-18 year olds free bus travel across the city-region. We will also review the digital barriers to accessing online courses and opportunities and pledge to remove these where possible

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REPORT FOR DECISION



DECISION OF:	The Council
DATE:	25th May 2022
SUBJECT:	Overview and Scrutiny Annual Report
REPORT FROM:	Councillor Bernstein, Chair, Overview and Scrutiny Committee Councillor Holt, Chair, Health Scrutiny Committee Councillor Wright, Chair, Children and Young People Scrutiny Committee
CONTACT OFFICER:	Chloe Ashworth – Senior Scrutiny Officer
TYPE OF DECISION:	Council
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain.
SUMMARY:	<p>This report provides a summary of progress and key outcomes made over the past year by the Council's Scrutiny Committees. It also highlights work completed by the Joint Health Overview and Scrutiny Committee for Pennine Acute Hospitals NHS Trust.</p>
OPTIONS & RECOMMENDED OPTION	<p>Option 1 (Recommended)</p> <p>1. Note the contents of the report and progress made by the Council's Scrutiny Committees over the past year.</p> <p>Option 2 (Not recommended)</p> <p>1. Reject the above recommendation</p>
IMPLICATIONS:	No implications.
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework?
Statement by the S151 Officer: Financial Implications and Risk Considerations:	
Equality/Diversity implications:	N/A
Considered by Monitoring Officer:	

Wards Affected:	All Wards.
Scrutiny Interest:	

1.0 BACKGROUND

- 1.1 This Annual Report summarises the activities of the Council's Scrutiny Committees and reports on some of the highlights and achievements of the last year.
- 1.2 Throughout the year the Overview and Scrutiny Committee has tackled a wide and varied work programme cutting across all Council Departments. The Committee has engaged with Cabinet Members and other external partners prior to decisions being taken and also held them to account on service areas and policy development.
- 1.3 All the Scrutiny Committee's this year have been thematic covering areas in depth and allowing a full meeting to be dedicated to one themed topic which has streamlined focus and improved impact.
- 1.4 For the municipal year of 2021-22 the Council has taken the lead role in administering the Joint Health Scrutiny Committee established in January 2004, which review the work of the Pennine Acute Hospitals NHS Trust. Throughout the year of 2021-22 the focus of Members and Officers in both the NHS and in Partner Local Authorities has been on the pandemic. The year 2021-22 marked the completion of the formal Transaction of the Pennine Acute Trust.

2.0 OVERVIEW AND SCRUTINY IN BURY

- 2.1 Overview and Scrutiny Committees are an important part of the way we make decisions. Although they have no Executive powers, the scrutiny process does allow Members to explore issues in depth and help to influence decisions through recommendations to the Cabinet or Full Council.
- 2.2 In Bury, the role of scrutiny bodies can be broken down into these two main functions:-

3.0 HOLDING THE CABINET TO ACCOUNT

- 3.1 This involves scrutinising decisions before they are implemented by way of 'Call-in' to the relevant Scrutiny Committee for debate. The effect of a 'Call-in' is to suspend the decision until the Scrutiny Committee has had the opportunity to consider the implications of the decision and, where appropriate, to offer comments back to the Cabinet.

4.0 POLICY DEVELOPMENT

- 4.1 This involves Scrutiny Committees undertaking reviews of functions within their individual remits leading to recommendations to the Cabinet, and to assist in the development of future policies and strategies.

- 4.2 In Bury the following Committees are constituted to carry out Overview and Scrutiny in Bury:

5.0 OVERVIEW AND SCRUTINY COMMITTEE

- 5.1 This Committee is set up to scrutinise Cabinet decisions and Council performance, the Overview & Scrutiny Committee operates within the following terms of reference:

- To review and scrutinise the decisions made or actions taken in connection with the discharge of any of the Council's functions.
- To review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and all particular service areas.
- To set up, appoint and monitor Overview Project Groups (set up to carry out reviews of policies, services or the impact of decisions).
- To make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the Scrutiny process.
- To review or scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions.
- Oversight of the provision, planning and management of the assets and audit arrangements.
- Oversight of the Council's corporate plans and strategies and the monitoring of the corporate plan and departmental plans.
- To scrutinise outside bodies and partners relevant to the Council.
- To receive all reports from external inspectors.

- 5.2 As well as:

- Budget and policy framework matters
- Statutory flood risk management scrutiny powers
- Statutory community safety and policing scrutiny powers
- Services within the business and regeneration directorate
- Services within the corporate core/Corporate performance

6.0 HEALTH SCRUTINY COMMITTEE

- 6.1 A dedicated Health Scrutiny Committee was set up to scrutinise partner organisations on issues relevant to the residents of the Borough. Full terms of reference are;

- 6.2 To review the policies and performance of the Council and external organisations in relation to the following areas:

- Adult social care (including adult safeguarding)
- Health and wellbeing board
- Housing
- Public health
- Adults and Communities budget and policy framework
- Statutory health scrutiny powers including the review and scrutiny of any matter relating to the planning provision and operation of health services for children and young people, including transitional health care services,

affecting the area and to make reports and recommendations on these matters

7.0 CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

7.1 A dedicated Children and Young People Scrutiny Committee was set up to scrutinise children and young people issues relevant to the residents of the Borough. Full terms of reference are;

7.2 To review the policies and performance of the Council and external organisations in relation to the following areas:

- Education and Schools
- Children and Young People Support and Safeguarding Services
- Children and Young People Specialist Services
- To scrutinise individual Cabinet decisions relating to the above areas.
- To monitor the Council's performance in the above areas.

7.3 To scrutinise statutory inspection reports and oversee the implementation of any recommendations arising from such reports:

- Transitional arrangements between children and adult services
- Statutory education scrutiny powers

8.0 KEY OUTCOMES






8.1 During 2021/2022 the Council's Scrutiny Committees and Overview Project Groups have looked at a wide range of topics and issues. Various methods have been used to examine and investigate issues which have resulted in positive outcomes in terms of policy development and holding decision makers to account.

9.0 CONCLUSION

9.1 The Scrutiny function is well established in Bury, with good examples of in-depth reviews and partnership working.

List of Background Papers:-

Work Programmes:

				
O&S Work Plan 21.22.docx	Health Scrutiny Work Programme 21	Agenda Plan 2021-22.docx	Health Scrutiny Work Programme 21	P&F Work Plan 21.22.docx

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SCRUTINY ANNUAL REPORT

2021-2022



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Bury Council's Scrutiny Committees have continued with the role of scrutinising and reviewing the work of the Executive and services of the Local Authority. The work of these bodies has ranged from pre-scrutiny of new policy initiatives prior to consideration by the Executive, monitoring and holding departments to account on aspects of service provision including Ofsted findings and a Corporate Peer Review and gathering information from Departments about their work and resources.

During the past 12 months the three Committees have undertaken thematic and in-depth reviews that have provided positive, and effective Scrutiny in terms of policy development, service reviews and service development. For example, the Overview and Scrutiny Committee have reviewed the findings from the LGA Corporate Peer Review and will continue to see progress on future reports from the Executive. They have also provided effective Scrutiny of the Cabinet Member for Environments during the challenges of the Refuse Collection Round reviews; this again demonstrates the Committee holding to account the Cabinet Member in real time on an issue which was important to the Public. The Children and Young People Scrutiny Committee has reviewed the Ofsted Report and set an update on the Improvement Plan as a standing item at the Committee. The Health Scrutiny Committee has been well briefed on the response during and after the Pandemic along with Elective Care and GP Access. The Committee has also established a sub-group to look at planning and licencing impacts on health in the Borough.

During the year, steps have been taken to encourage greater collaborative working across the three Scrutiny Committees and a dedicated meeting for the three Scrutiny Chairs has been established and embedded. An example of the good practice this has established is that the Health Scrutiny Chair and Children and Young People Scrutiny Chair both attended Overview and Scrutiny (Budget) Committee with the Chair opening to questions from both Chairs to input on the Scrutiny of the Budget.

We would like to thank the Elected Members, Education representatives and Co-opted Members of all the Scrutiny Panels and Commissions and the Sub-Groups, and also the Directors, Officers and Internal and External Partners involved, for their hard work over the past 12 months, and look forward to the challenges ahead.



Councillor Bernstein,
Chair for Overview
and Scrutiny
Committee



Councillor Wright,
Chair for Children
and Young People
Scrutiny Committee



Councillor Holt,
Chair for Health
Scrutiny Committee



BACKGROUND

This Annual Report summarises the activities of the Council's Scrutiny Committees and reports on some of the highlights and achievements of the last year.

Throughout the year the Overview and Scrutiny Committee has tackled a wide and varied work programme cutting across all Council Departments. The Committee has engaged with Cabinet Members and other external partners prior to decisions being taken and held them to account on service areas and policy development.

All the Scrutiny Committee's this year have been thematic covering areas in depth and allowing a full meeting to be dedicated to one themed topic which has streamlined focus and improved impact.

For the municipal year of 2021-22 the Council has taken the lead role in administering the Joint Health Scrutiny Committee established in January 2004,

which review the work of the Pennine Acute Hospitals NHS Trust. Throughout the year of 2021-22 the focus of Members and Officers in both the NHS and in Partner Local Authorities has been on the pandemic. The year 2021-22 marked the completion of the formal Transaction of the Pennine Acute Trust.

OVERVIEW AND SCRUTINY IN BURY

Overview and Scrutiny Committees are an important part of the way we make decisions. Although they have no Executive powers, the scrutiny process does allow Members to explore issues in depth and help to influence decisions through recommendations to the Cabinet or Full Council.

In Bury, the role of scrutiny bodies can be broken down into these two main functions: -

HOLDING THE CABINET TO ACCOUNT

This involves scrutinising decisions before they are implemented by way of 'Call-in' to the relevant Scrutiny Committee for debate. The effect of a 'Call-in' is to suspend the decision until the Scrutiny Committee has had the opportunity to consider the implications of the decision and, where appropriate, to offer comments back to the Cabinet.

POLICY DEVELOPMENT

This involves Scrutiny Committees undertaking reviews of functions within their individual remits leading to recommendations to the Cabinet, and to assist in the development of future policies and strategies.

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- To scrutinise outside bodies and partners relevant to the Council.
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As well as:

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HEALTH SCRUTINY COMMITTEE

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- Public health
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CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

A dedicated Children and Young People Scrutiny Committee was set up to scrutinise children and young people issues relevant to the residents of the Borough. Full terms of reference are:

To review the policies and performance of the Council and external organisations in relation to the following areas:

- Education and Schools
- Children and Young People Support and Safeguarding Services
- Children and Young People Specialist Services
- To scrutinise individual Cabinet decisions relating to the above areas.
- To monitor the Council's performance in the above areas.

To scrutinise statutory inspection reports and oversee the implementation of any recommendations arising from such reports:

- Transitional arrangements between children and adult services
- Statutory education scrutiny powers

OVERVIEW PROJECT GROUPS

The Overview & Scrutiny Committee is responsible for setting up and monitoring reviews carried out by Overview Project Groups. These Groups are tasked with reviewing particular policy areas with a view to making recommendations that will ultimately result in service improvements.

During the municipal year two project groups have been established. Health Scrutiny has established a Planning and Licencing Sub-Group. This group has been established to look at opportunities to improve the planning and licensing of take-out food venues and premises that sell alcohol and the decisions that take place once applications are submitted. The Subgroup is inclusive of the Chairs of Health Scrutiny; Planning Committee and the Licensing Committee along with an opposition member from the Health Scrutiny Committee.

The Overview and Scrutiny Committee has established a sub-group to focus on the Performance and Finance of the Council. The group is responsible for doing in-depth scrutiny of the Corporate Performance and Finance reports for the Council. The group was developed as the Overview and Scrutiny Committee felt they did not have sufficient time within the usual cohort of meetings to provide rigorous scrutiny of these topics.

The Health Scrutiny Committee established a sub-group to focus on planning and licensing in the Borough and to investigate opportunities for policy development which considers the microecological impacts on wider health issues.

KEY OUTCOMES

During 2021/2022 the Council's Scrutiny Committees and Overview Project Groups have looked at a wide range of topics and issues. Various methods have been used to examine and investigate issues which have resulted in positive outcomes in terms of policy development and holding decision makers to account.

♦ **Performance and Finance Sub Committee**

This was established by the Overview and Scrutiny Committee. Members of the group supported by Strategic Leads within the Department have met on three occasions and interviewed the two Cabinet Members responsible for Corporate Performance and the Finances of the Council respectively and discussed themes under these two themes with five different Officers.

During this municipal year the Committee agreed that the focus for 2021/22 would be:

Corporate Performance – The Committee receive quarterly data updates from the Performance team and choose areas to do a deep-dive of the data.

Bad Debt Provision – The Committee has shown great interest in the Council's understanding of 'Bad Debt'. As a result of the topic a documented bad debt provision paper has been produced outlining all the bad debt of the Council and what is recoverable.

The Council's Financial Position – The Committee has received reports on the Council's Financial Position including having briefings on COVID grants and criteria of these.

Project Safety Valve– Scrutiny of Project Safety Valve has taken place at the Committee and the Chair of the group opened up attendance to the Chair of the Children and Young People Committee as it was felt he could provide valuable input to the Scrutiny of the project. This example of collaborative working between the Scrutiny Committees has been continued throughout the year.

Performance Monitoring - Update on the work being undertaken as part of the development of Corporate Performance monitoring.

Members have continued to hold the Corporate Core and other Council Services to account by providing continued, effective, and constructive scrutiny of performance and finance within the Council.

Looking forward, it is envisaged that the work to date can be built upon during the forthcoming Municipal Year.

♦ **The Planning and Licencing Sub-Group**

The was established by the Health Scrutiny Committee. Members of the group supported by Strategic Leads within the Department have meet on two occasions as a newly established group and have invited the Chair of Planning and the Chair of Licensing to the Committee for their valuable input. The group has received updates and engaged in discussion with officers within Planning, Licensing and Health directorates

During this municipal year the Committee agreed that the focus for 2021/22 would be:

Planning– The Committee received updates on the Planning process including the opportunities for positive planning and how planning policies have positively reduced obesity levels.

Licensing– The Committee has shown great interest and received updates on the Licensing process including requesting for the creation of a blended Bury Data system.

Decisions Called In 2021/22

Under the Council's Constitution, the Overview and Scrutiny Committee, Children and Young People's Scrutiny Committee and Health Scrutiny Committee has the power to call in decisions made by the Cabinet, individual Cabinet Members and key decisions made by officers. In 2021-22 the Overview and Scrutiny Committee called in the Accelerated Lands Disposals which was well received by the public and Cabinet.

SCRUTINY CHAIR BRIEFINGS

During the municipal year 2021/22 a new networking group of the three Scrutiny Chairs was established. This group brought the Children and Young People Scrutiny Chair, the Senior Scrutiny Officer (once in post from October 2021) and the Monitoring Officer. These meetings took place quarterly and covered the following topics: Scrutiny Training, the Annual Report, Budget Briefings, Member questions and meeting deadlines. A final meeting with the Chair's and the Leader of the Council concluded the municipal year and a review of the past year took place. The Chair's took this time to reflect on their relationships with the Cabinet and each portfolio holder who contributed to the Committee.

The group is an opportunity for the Chairs of each Committee to share in successes and problems whilst promoting good practice and support to one another.

SCRUTINY TRAINING

The Scrutiny Committee attended two types of Scrutiny Training over the municipal year. Scrutiny Members were invited to take part in Scrutiny Specific training – “Supporting Scrutiny Member Development” - which was provide by the Centre for Governance and Scrutiny on the 10 November 2021 and 1 December 2021.

Bury Council then approached the LGA to support members of the Council’s Health Scrutiny Committee to identify and develop ways in which the impact of health scrutiny can be enhanced.

The training was delivered over two sessions. The first session was provided to all members of the three Scrutiny Committees: Overview and Scrutiny Committee, Children and Young People Scrutiny Committee and the Health Scrutiny Committee. The second session was exclusive to Health Scrutiny and the Chairs of the other two Committees.

The first session was able to explore common challenges, issues as well as shared opportunities. The second session looked at the evolving role of health scrutiny, the relationships with local partners and the opportunities that the Health Scrutiny Committee could consider in supporting impactful scrutiny of health and care.

This second session included both a ‘rapid review’ of the activity to date of the health scrutiny committee and critical challenge of the role that health scrutiny takes and could take in the wider place-based governance of health and care.

FURTHER WORK OF THE COMMITTEE

The Overview and Scrutiny Committee requested updates from the relevant Cabinet Members in respect of the following Council services and themes:

- Environmental Quality & Climate Change
- Air Quality
- Regeneration
- Housing, Homelessness and Rough Sleeper Initiatives
- Corporate Peer Review Challenge
- The 'Lets Do it' Strategy
- Crime and Disorder
- Financial Services and the Budgetary Reports
- Bury Council Corporate Plan and Performance Framework

In addition to the above, the Overview and Scrutiny Committee invited Chief Superintendent Chris Hill attended to inform the Committee on Crime and Disorder within the Borough including plans for tackling continued issues within local areas. In relation to regeneration, Sir Howard Bernstein attended to provide assurances and transparency on Radcliffe regeneration programme. This highlights how Overview and Scrutiny has been proactive in its engagement with relevant partners and stakeholders within the Scrutiny process. There has also been pre-scrutiny on Places for Everyone with a recommendation that went to Cabinet following the discussion.

The Committee also received information with regards to:-

- Work of the Performance and Finance Sub-Group
- The Anti-Poverty Strategy
- The response and recovery following the Pandemic

PERFORMANCE MONITORING

As part of its performance monitoring role, the Overview and Scrutiny Committee and Performance and Finance Sub-Group has received regular reports in relation to

Corporate Performance; Financial Monitoring; Treasury Management; and all the 2021/22 draft Budgetary reports.

WORK OF THE JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

The Joint Health Overview and Scrutiny Committee was established jointly by Bury, Manchester, Oldham and Rochdale Councils to consider issues affecting the health of local people (the overview role) and to call the NHS to account on behalf of the local communities (the scrutiny role).

Each of these Councils has appointed three representatives to sit on each Committee.

The Pennine Acute Joint Committee considered the Pennine Acute Transactions, Elective Care Recovery Programme. In addition, the Committee received an update on COVID. In consideration of the Pennine Acute Transaction item, it was concluded that services had been disaggregated as planned and Manchester University NHS Foundation Trust (MFT) had acquired North Manchester General Hospital by commercial transfer. Phase 2 of the transaction which was the legal aspect was completed on 1 October 2021 and the transfer of Oldham, Rochdale and Bury Care Organisations to Salford Royal NHS Foundation Trust (known as the Northern Care Alliance) was concluded. As Pennine Acute NHS Trust was dissolved it was resolved that the Committee concluded.

CONCLUSION

The Scrutiny function is well established in Bury, with good examples of in-depth reviews and partnership working. The Scrutiny Committees will continue to work thematically with 'spotlights' on areas of particular interest to develop and provide effective Scrutiny.

Appendix 1



O&S Work Plan
21.22.docx



Agenda Plan
2021-22.docx



Health Scrutiny
Work Programme 21

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