

**Minutes of: OVERVIEW AND SCRUTINY COMMITTEE**

**Date of Meeting:** 14 September 2021

**Present:** Councillor R Bernstein (in the Chair)  
Councillors C Birchmore, N Boroda, L Dean, K Peel, M Powell,  
L Smith and D.Vernon

**Also in attendance:** Councillor O'Brien – Leader of the Council and Cabinet Member for Finance and Growth  
Councillor Alan Quinn – Cabinet Member Environment Climate Change and Operations  
Jacqui Dennis – Council Solicitor and Monitoring Officer  
Paul Lakin – Director of Economic Regeneration & Capital Growth  
Sam Evans – Section 151 Officer  
Donna Ball – Executive Director Operations  
Neil Long – Assistant Director Operations  
Julie Gallagher – Democratic Services Officer

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

**Apologies for Absence:** Councillor U Farooq, Councillor G McGill and Councillor C Walsh

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**OSC.1 SITE VISIT (RADCLIFFE)**

The Chair placed on record his thanks to Officers and the Leader for facilitating the visit prior to the meeting.

**OSC.2 DECLARATIONS OF INTEREST**

Councillor L Smith declared a personal interest in the item: Regeneration Theme – Radcliffe, in member questions as she is a Member of the Radcliffe Market Cooperative.

**OSC.3 MINUTES**

That the minutes of the meeting held on 20<sup>th</sup> and 29<sup>th</sup> July 2021 be approved as a correct record.

**OSC.4 MATTERS ARISING**

**(A) Accelerated land sales Call in**

Following the recommendation agreed at the last meeting of the Overview and Scrutiny Committee to Cabinet:

“The Overview and Scrutiny Committee strongly support Community Asset Transfers and recommend to Cabinet that policies are reviewed and strengthened

to incorporate earlier communication with residents"

The Chair reported he had attended the meeting of Cabinet and in response, Councillor Eamonn O'Brien, Leader and Cabinet Member for Finance and Growth, reported that Cabinet welcomed this recommendation. He advised that the council was committed to support residents through the community asset transfer procedure.

## **(B) Sub Groups**

The Chair reported that he will meet with the Leader to discuss the establishment of the Overview and Scrutiny Sub groups.

### **OSC.5 PUBLIC QUESTION TIME**

The Chair reported that two questions were received in advance of the meeting; the members of the public were not present the Chair reported that the responses would therefore be made available on the Council's website following the meeting.

### **OSC.6 MEMBER QUESTION TIME**

The following questions from members of the public were received in advance of the meeting:

**Question ONE: The update report on changes to refuse collections stipulates that "there is also a risk that the planned saving of £150k is not achieved in 21/22." What is the likelihood of the saving being achieved?**

**Councillor Jack Rydeheard**

Councillor Quinn, Cabinet Member, reported that the achievement of the £150k saving in 21/22 is affected by a number of issues that are separate from the stabilisation of the new rounds. This includes unavoidable additional costs throughout the year as a result of already covering for long term sickness, Covid related absence, shortage of HGV drivers and holidays prior to the new rounds being introduced as well as ongoing cover. The budgets will be reported via corporate financial reports to Cabinet. The overall waste management budget is already forecast to overspend. If not achieved in 21/22 the saving will be achieved in 22/23 and ongoing.

**Question two: The chaos surrounding missed bin collections is still ongoing. The Cabinet Member responsible, gave assurance at the last full Council in July that he accepted responsibility and would ensure the bin collection system would be back to normal. As this has not happened, would the Cabinet Minister resign and hand responsibility over to someone capable of doing the job properly?**

**Councillor Jackie Harris**

Councillor Quinn, Cabinet Member reported since 21 June the performance had dropped below acceptable standards but performance has improved to near 'business as usual' over the past few weeks, however we've still more to do to

build in resilience. The percentage of missed bins had a peak on 2 successive Fridays at the start of August when 22% of bins were missed because the rounds weren't working well enough as well as from issues such as holidays, sickness, shortage of HGV drivers, blocked access, and roadworks. At the end of the week beginning 16 August this had significantly reduced to 1.9% missed bins per day.

**Question 3 :The Council has aired plans for the development of the basement at Radcliffe Market as part of the regeneration plans. Given that such a conversion would involve considerable sums of money what are the plans around the responsibility of day to day running of this operation.**

**A Community Benefit Society is by its nature run by enthusiastic unpaid volunteers who are by no means certain to possess the skills required to manage such an operation.**

**Is a Community Benefit Society the best practice option, given the internal wrangling that has and is taking place at the moment and what options if any are being explored to maintain and expand upon the continued success of the Market.**

**Councillor Mike Smith**

The Leader reported that the Radcliffe Market Hall Community Benefit Society manages the market operation within the market hall building which is still owned by the Council. The Council also owns the spaces within the basement and chambers which are included within the Levelling Up proposals.

There is no contract in place between Radcliffe Market CBS and the facilities included within the Levelling Up proposals. It would be great if local councillors assisted the council in exploring options around integrating these spaces into the community. We have options for these spaces and as we get more clarity on the outcome of the funding, it would be great to collaborate with councillors and the community on the development of the specification and explore options for the long term management.

**Question Four: Why has the Council failed to fully engage with tenants of the commercial properties who will be impacted by the plans for the Hub in Radcliffe town centre especially after the Council bought the building in April 2021? With only short amounts of time remaining on their leases it has fallen to the shop owners to contact Bury Council to find out what is happening. Do you think engagement with these primary stakeholders has met the standards it should have done?**

**With rumours of changes at Radcliffe Market can the Leader please explain what the plans are for the Market going forward? How does the Council propose that it will ensure that this is investigated in an open way to ensure public confidence in the market going forward?**

**Councillor Jo Lancaster**

The Leader reported The Council acquired the estate from London & Associated Properties (LAP) in May 2021. It would be unfair to hold the council accountable for the actions (or inaction) of another organisation before we were involved. However, the Council acquired the properties in May, with LAP continuing to act as the landlord, managing day to day issues, tenancies, payment and communication. Their managing agent called Carter Towler Surveyors immediately wrote to the tenants updating them on the change of ownership.

The Council is aware of the disruption to local businesses when we have to demolish the building to deliver the Radcliffe regeneration programme. With this in mind we also wrote to the tenants – updating them on as much info we have before the Levelling Up announcement later in the year – assigning a nominated council property officer to each tenant.

Since then each tenant has been contacted several times to understand their property requirements with a view to exploring the following options

- 1) moving the tenants to other council owned commercial property in Radcliffe town centre
- 2) moving the tenants to non-owned commercial property in Radcliffe town centre
- 3) moving the tenants to other council owned commercial property elsewhere in the district
- 4) moving the tenant to non-owned commercial property elsewhere in the district
- 5) moving the tenants into the completed Hub building once its complete in c.2 years time
- 6) interim arrangements for temporary relocation
- 7) exploring ways in which the council can assist with the moving
- 8) exploring ways in which the council can assist with the financial impact

Whilst written and phone communication is good, its not as effective as face-to-face meetings and building relationships with the affected tenants. As restrictions have been lifted, and when it has been safe to allow officers to do so, we have also commenced a series of face to face meeting with individual tenants – some of which have been attended by Councillors. We will continue to do this going forwards.

The disruption of demolishing the buildings (needed to unlock the regeneration of the town) and the uncertainty around timings is not ideal and we are sympathetic to the businesses in Radcliffe town centre. To facilitate further meaningful conversations and understanding of the property options available to tenants affected, we are actually opening a council regeneration office in a vacant shop on Dale Street. This will be open in the next couple of weeks and allow tenants, local businesses, politicians and members of the public to drop in and discuss the programme with officers from the Regeneration, Property and Planning teams. This office will also be used by the new community hub team when operating from Radcliffe.

#### **Radcliffe Market**

Radcliffe Market is open and continues to trade. The councils Market service is working with Radcliffe Market Hall Community Benefit Society regarding changes in their board of directors. We are happy to update councillors following the conclusion of this work.

As previously stated there is no contract in place between Radcliffe Market and the facilities included within the Levelling Up proposals. It would be great if local councillors assisted the council in exploring options around integrating these spaces into the community.

**Question five: Can the Leader of the Council provide a list of the number of staff receiving gross salaries including Bury MBC NI Contribution and Pension payments in the range of:**

**£0-£40,000 / £40,001-£85,000 / £85,001-£120,000 / £120,000-£Above – Similarly, the same range as at May 2011**

The Leader reported that Officers within the Council were unable to obtain this information in advance of the meeting, the information will be provided to Councillor Caserta and Members of the Committee, once available.

**Question 6: Will the Leader provide the latest spend for all Covid Grants received from HMG**

**Councillor Caserta**

The Leader reported that, only the ARG remains open and with funds (approximately £1m left) to spend (March 2022 closing date) The grand combined total to date is £76,009,958. The Leader reported that further information is available and this will be circulated via email to Councillor Caserta.

**Question 7: Given the importance of the high street recovery and the economic recovery of our borough more generally when will the Council engage with businesses to analyse the office space in the borough to understand if such space can be used for other means.**

**Councillor N Jones**

The Leader reported that following the Pandemic that the engagement with the world of work has changed, work has been undertaken with Bury Business Leaders as well as the GM growth hub to understand and engage with Business to understand their requirements going forward.

**OSC.7 MEETING THEME \*\*\* REGENERATION**

The Leader attended the meeting to provide Members with an update with regards to the work being undertaken to regenerate the Borough in particular Radcliffe. The Leader reported that the regeneration proposals will also support national policy objectives relating to the 'Levelling Up' agenda. As signalled by the Levelling Up Fund (LUF), the Government has a significant commitment for regional growth to support 'levelling up' across the country. Bury is ranked as a priority 1 category area, while Radcliffe has pockets of severe deprivation.

The Leader outline the key deliverables currently being developed which included:

- Delivery of a new secondary school
- Creation of a new build civic hub that facilitates public services, education and wellness facilities all under one roof
- Refurbishing and repurposing the historic market chambers and Radcliffe Market basement to create commercial retail and F&B space, alongside events space for community use and private functions
- Creation of new employment space, business incubator enterprise centre and coworking space

- A whole town approach to housing – facilitating the comprehensive approach to residential development
- A programme of strategic investment projects to improve and enhance multi- modal transport provision – supporting sustainable future growth and active travel

Prior to the meeting the accompanying documentation was circulated to members the Benefits Realisation Plan for the Radcliffe Hub and the Radcliffe Transport Investment Strategy.

In considering the reports circulated, the Leader's statement and the site visit that took place before the meeting, Member raised the following issues:

Responding to a question from Councillor Birchmore in relation to Radcliffe Library, the Leader reported that once the Council are informed of the outcome of the levelling up bid, there will be greater financial security, Once confirmed this will form the basis of the consultation in regards to the future of the library service as well as the swimming pool and the leisure centre. The Leader reported that there was a short timeframe to submit the bid and acknowledged that more engagement and consultation will be required with residents going forward.

The Leader reported that one such proposal being developed is a business skills and innovation hub, this is at the early stage of development, it is envisaged that by working with Barclays this could be a space for residents and small start up Companies.

In response to a question from Councillor Peel, the Leader reported that traffic infrastructure and the transport strategy will be integral to the plans for Radcliffe. The Council will continue to engage with TfGM to access additional monies to support sustainable modes of public transport and also improve and change how people move as well as looking at under utilised assets including the river/canal.

With regards to affordable housing the Leader reported that the Council's approach will be to intervene more directly in housing development, by driving development with housing providers, Homes England and Housing Associations. Such interventions can ensure that new homes are of a high standards while still being affordable as well as offering properties that are affordable to rent, as well as rent to buy and shared ownership.

The Leader reported that the cooperative model is under-utilised in Bury and this could be developed and applied in Radcliffe. There has been engagement with the MPs with regards to the levelling up bid, the Council will need to ensure that the proposed plans and if received, the money makes a real difference to the people of Radcliffe.

In response to a question from the Chair, the Leader reported that work undertaken in re-developing Radcliffe can shape other redevelopment work across the Borough.

Lessons learnt have included, expanding the capacity in the BGI Directorate through the recruitment of a Director of Place and that when undertaking this

regeneration work that it can and should be led by the Council while at the same time embedding a partnership approach with other key stakeholders.

The Leader reported that he remained confident that despite changes in how people work the modelling still suggests that there will be capacity for the Radcliffe hub. In relation to the Whittaker Street Building, the Leader reported that it was necessary to undertake essential maintenance work. Going forward the Council are considering whether further work needs to be undertaken. The Leader reported that it remains his ambition to retain these staff in Radcliffe, but the Council must ensure that its employees are safe and have good working conditions.

In response to a Member's question the Leader reported if the levelling up bid is not successful that the Council may need to make difficult choices in relation to prioritisation of the proposals. The plans were designed around the Radcliffe Strategic Framework and the Council should still be able to deliver the vast majority of this work, if unsuccessful delivery will be much harder and may in turn put more pressure on the Council's borrowing capacity.

Members discussed the proposed new Radcliffe High School and the timeline for the development. The Leader reported that it would be a challenge to open any earlier than September 2024 there may however be scope if the work progresses on schedule, to allow more than a year 7 cohort in 2024. The Leader reported that there had been early discussions with the Star Academy in relation to look to widen the scope of what is on offer strengthening the skills and apprenticeship offer.

**It was agreed:**

The content of the report be noted and Councillor O'Brien be thanked for his attendance.

**OSC.8 THE COUNCIL'S FINANCIAL POSITION 2021/22 QUARTER 1 (TREASURY MANAGEMENT OUTTURN 2020/21)**

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which outlined the forecast financial position of the Council at the end of 2021/22 based on the information known at the end of the first quarter, 30 June 2021. The report set out the position for both revenue and capital and provided an analysis of the variances, both under and overspending. An accompanying Covid spend briefing report and the Treasury Management Outturn report were circulated to Members prior to the meeting.

In considering the reports circulated, Member raised the following issues: With regards to the £10.25 million not spent in the last financial year, the Leader reported that this money was received late in the financial year and was set aside for ongoing response to Covid including the containment outbreak management fund and Business grants support for business recovery.

The Leader reported that the Council received £79,946,000 to support business in the Borough, to date £76 million has been spent. ARG phase 3 will target those business where recovery has been most uneven, for example, the events industry.

The Leader confirmed the statement of accounts are expected to be signed off at the end of November, the information was submitted by the Council on time but the delay is as a result of capacity issues with the external auditors Mazars.

With regards to the £82,400 set aside to approve customer response, the Leader reported that this will be utilised for staffing and additional software/improved technology. This is currently a non-recurring cost, addressing a short term need, if successful, Officer would be encouraged to develop a invest to save/invest to grow business case.

With regards to the Collection Fund the Leader reported that a Central Government rule change now allows, Councils to retain 66% rather than 100% of the business rates. The Q3 financial monitoring report will provide further information with regards to business rates including the impact of the changes.

With regards to the increase in reserves from £51.06m to £74.84m the Leader reported that this was a result of; an increase payment by the CCG into the pooled budget, a review of the collection fund received more than predicated lump and headroom of £5.8m for the transformation reserve.

Going forward it is expected that the reserves will reduce because of pressure on the revenue budget and there still remains a significant gaps in the Council finance thus placing greater demands on the reserve budget.

**It was agreed:**

The content of the report be noted and Councillor O'Brien be thanked for his attendance.

A Covid monies update report will be considered at a future meeting of the Overview and Scrutiny Committee.

**OSC.9 UPDATE REPORT ON CHANGES TO REFUSE COLLECTIONS**

Councillor Quinn, Cabinet Member Environment Climate Change and Operations attended the meeting, following discussions at the last meeting to inform Members of the Committee of the progress made to the waste collections since the last meeting. An accompanying report had been circulated to Members prior to the meeting which provided details of:

- Issues identified following the changes to the new rounds
- Replacement of the waste collection vehicle fleet
- Workforce Implications
- Impact of Covid 19
- Performance
- Communication
- Long term modernisation



The Cabinet Member reported that the review of new rounds was designed to even out the workload and rebalance the distribution of several thousand new homes that have been built in the borough; achieve a **£150k** Council saving (reduction of 1 vehicle and crew); optimise the rounds to ensure 2 weekly brown bin collections are more efficient and allow for changes in the tonnages of each waste stream presented for collection.

In considering the reports circulated, Member raised the following issues:

The Cabinet Member reported that the Council had undertaken a vehicle replacement programme there had been delays in some of the new vehicles arriving from Germany, these vehicles will be additional vehicles and would provide cover and replace existing vehicles. The Cabinet Member reported that he would want to ensure that the staff working in waste management are employed by Bury Council and the service is not reliant on agency staff.

The Cabinet member reported that the current rate of missed bin collections is now 95%. Extra staffing capacity has been made available at cost of £28,000.

Responding to a Member's questions the Cabinet Member reported that he could review whether the Council could create an online form for reporting missed bin collections.

The Executive Director reported that the advert for the post of Head of Waste Management, on the 14<sup>th</sup> September 2021. Changes to the waste management rounds were expected to generate £150k savings; it is now envisaged that the department will achieve a partial saving this year and all of the identified saving next year.

The Cabinet Member reported that he is talking to colleagues in Greater Manchester as to how to address the shortage of HGV drivers.

**It was agreed:**

Members of the Overview and Scrutiny Committee forward for consideration at the next meeting of the Democratic Arrangements Forum that the Employment Appointments Panel should appoint to the Head of Waste Management thus amending the constitution.

**COUNCILLOR R BERNSTEIN**  
**Chair**

**(Note: The meeting started at 7.00 pm and ended at 9.40 pm)**