

Minutes of: CABINET

Date of Meeting: 19 October 2022

Present: Councillor E O'Brien (in the Chair)
Councillors R Gold, C Morris, A Quinn, T Rafiq and T Tariq

Also in attendance: Councillors R Bernstein, C Birchmore and J Lancaster

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

Apologies for Absence: Councillor C Cummins, Councillor L Smith and Councillor M Smith

CA.64 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Lucy Smith, Clare Cummins, and Mike Smith, who had sent Councillor Birchmore as a substitute.

CA.65 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.66 PUBLIC QUESTION TIME

The following question was submitted in advance of the meeting by a member of the public, Judith Sheppard:

There was criticism when the Council decided to create extra cabinet positions by doubling up on some deputy positions, incurring additional allowances early in the pandemic. Again, at a time when there were concerns about Bury Council overspending, and during a cost of living crisis, you recently went ahead and exasperated the situation by increasing Councillors allowances. Reports in the press show that 13 Bury council bosses are paid over £100,000. There are soon to be 75 staff redundancies, will any of those be high earning executive posts? Also, to ease spending will you reduce the excessive cabinet positions?

Councillor Richard Gold reported that In developing the budget proposals consideration has been given to protecting services and workforce capacity as far as practicable, whilst retaining sufficient leadership to maintain direction across the diverse range of Council services and lead the scale of change that this budget reduction will require.

Members' allowances are determined in accordance with the Local Authority (Members Allowances) Regulations 2003 following recommendations from an Independent Remuneration Panel. The scheme of Members' allowances was agreed in this context last year and is reviewed at the beginning of every municipal year. The Council's pay policy statement, also refreshed each year, includes a review of senior pay and the ratio between highest and lowest earners.

The detail of posts at risk of redundancy will not be determined until the budget is approved in February. Within the proposals there is a specific recommendation to reduce the senior officer pay structure by £100 000 which builds on a £200k savings target from senior management costs already within the Council budget. These savings will be delivered through a review of senior management roles across the organisation.

The following question was submitted in advance of the meeting by a member of the public, Alan Sheppard:

The Pay Policy Statement 2022/23 refers to the 'lowest paid employees', the principles of equal pay for ALL employees and a commitment to pay the Real Living Rate. Lower paid council employees earn just £18,328. Your proposals, are now suggesting that those employees take 'unpaid leave', further reducing their annual pay. The council executive officers receive more than that in allowances: council leader £43,524, deputy £30,215 and 6 cabinet members £25,359 each. Is it right to further impact the lower paid whilst the council continue to pay such high allowances? What thought have you given to reducing the number of executive roles?

Councillor Richard Gold reported that The quality of terms and conditions for our lowest earnings is a key priority for Bury Council. We are one of the very few GM authorities to pay the Real Living Wage and to meet the standards of the GM Good Employment Charter. Whilst the lowest point of pay on the national pay spine for local government workers is £18,333, the Council already supplements this rate by 40p an hour to £19,100 as part of our Living Wage commitment.

Our budget proposals include a commitment to keeping pace with the real living wage, which will include a minimum rate of pay of £10.90 from April. The option of extending unpaid leave is a proposal for consultation only and will be explored with all staff, from lowest to highest earners, to determine appetite and consider the potential profile of uptake based on voluntary acceptance only.

CA.67 MEMBER QUESTION TIME

There were no Member questions.

CA.68 MINUTES

It was agreed:

That the minutes of the meeting held on 7 September 2022 be approved as a correct record and signed by the Chair.

CA.69 MEDIUM TERM FINANCIAL STRATEGY REFRESH

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which presented the mid-year review of the Medium Term Financial Strategy (MTFS) which ran to 2025/26. This had been undertaken as a matter of good practice and in the context of the unprecedented inflationary and demand pressures being experienced so far this year.

The review indicated a provisional budget deficit of £29.204m in 2023/24; a further gap of £3.475m in 2024/25 and a further £5.866m in 2025/26, and the report set out a range of options to address this deficit as a basis for consultation with affected stakeholders. Members noted this was a challenging picture but was one being faced by Councils across the country. Cross-party concerns were being raised nationally, and the response from the Government through the settlement figures expected in December would be crucial.

Members discussed the information and, in response to Members' questions, the following was noted:

- Sufficient strategic capacity was important in ensuring the Council could run efficiently, but despite proposed reductions Chief Officer pay would remain competitive and was only one of Bury's attractions as an employer.
- Rationalisation of buildings was a complex project and was progressing more slowly than expected. The balancing act of where to accommodate people and services was complicated, and it was noted that sale prices would also be affected by current utility costs and inflation.
- Savings being made to strategic finance had been realised through the careful line-by-line review of budgets. Some savings were only achievable now that skills and capacity had been developed in a number of teams, and also through the maturation of longer term workplans and strategies.
- Transformational changes were progressing, and the adaptability of staff demonstrated the relevance of internal transformation still to come.
- It was agreed that fly tipping and was a problem but increases to commercial waste management costs were rising to meet the rise in operating costs from inflation rather than trying to secure a profit.
- The Council worked closely with community groups in the borough, and the Let's strategy supported more liaison with the community as they were often better placed to offer help and support to residents. This was not an attempt for local groups to pick up Council work, but a different and more efficient way of working that had been part of long-term plans since before Covid.
- The Council was exploring options regarding the service offer from the art gallery and costs would be considered as part of this, however outcomes were currently unknown as the options appraisal was still ongoing.
- With regards to management structures, proposals agreed with the budget papers last year agreed to move to a flatter structure, with reductions in the number of managers needed and the number of levels of management, and this was progressing.
- It was noted that staffing impacts were across the Council, not just frontline staff, and would be subject to full consultative processes.

Decision:

Cabinet:

1. Approved the updated medium term financial strategy and the assumptions regarding resources and spending requirements, as of October 2022. It should be noted that this information does not yet include the national Local Government settlement which is expected in December 2022;
2. Noted the projected budget gap of £29.204m in 2023/24 a further gap of £3.475m in 2024/25 and a further £5.866m in 2025/26;
3. Approved the commencement of public consultation in relation to the proposals as set out in Section 5 and Appendix 3 of this report;
4. Noted that staff will be consulted on the proposals as set out in this report and service specific consultations will be phased as detailed proposals are developed; and
5. Noted that there is still a remaining gap in the 2023/24 budget and that further work will continue to close this, before the final budget proposals are made to Members in February 2023.

Reasons for the decision:

It is a legal requirement that all local authorities set a balanced budget before the start of each financial year. It is also a requirement to consult on service closures and changes and, in order to do this in advance of decisions being made, consideration needs to be given as to which of the savings proposals this affects. Early and iterative planning is essential for the Council to proactively respond to the financial challenge in future years.

Alternative options considered and rejected:

Officers and Members have undertaken significant work over the past six months to review all areas of potential savings and bring forward proposals which, insofar as is possible align with the Council's strategic objectives as described in the LET'S Do It! Strategy.

CA.70 BURY PROCUREMENT STRATEGY

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which set out proposals for a new Procurement Strategy for Bury Council. The current Procurement Strategy 'Buying into Bury' expired in 2015 and required a comprehensive review for it to be a more strategic approach rather than operational and to bring it up to date. In response to Members' questions it was noted that although a full refresh had not been undertaken since 2015, improvements and revisions had been undertaken by degrees, and the move to STAR procurement had offered the best opportunity for a full review to ensure strategic consistency.

In response to further questions, it was noted that although it would not be on the scale of larger Councils, Bury did have the digital capacity to strengthen and maximise the use of the e-tendering platform and opportunities to streamline processes through digitalisation. With regards to learning from other organisations, it was noted that a wealth of national, regional and local strategies and legislation influenced procurement activity.

Decision:

Cabinet:

1. Noted the content of the report; and
2. Approved the new Bury Procurement Strategy.

Reasons for the decision:

The current Procurement Strategy expired in 2015 and requires significant updating as it contained out-dated information and included significant operational activity rather than setting the strategic approach and direction. The proposed approach recognises the devolved procurement approach adopted in Bury and reflects national best practice as well as local priorities.

Alternative options considered and rejected:

N/A - This report provided up to date and appropriate Procurement Strategy that reflects national best practice and local priorities. The strategy is high level and has been future proofed to allow for any immediate changes in procurement i.e. new Regulations.

CA.71 UPDATE ON THE DISPOSAL OF BROWNFIELD LAND AT SCHOOL STREET, SEEDFIELD (FORMER SCHOOL SITE) AND GREEN STREET - PART A

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, presented the report which provided an update on the disposal of three council owned sites on Brownfield land: Seedfields school site, School Street, and Green Street in Radcliffe.

It was noted that the proposed developments will deliver 309 new homes including 142 Affordable homes as well as recreational contributions via S.106 agreements and enable the Council to deliver the aspirations of the Radcliffe SRF and the Councils Let's Do It Housing strategy. The commercial terms for contracting with Hive Homes on the School St and Seedfield sites had been confirmed via independent Red Book valuations and the offer received from Watson Homes at Green St had also been verified by the same method. The off-market solution offered by Hive Homes and Watson Homes offered best value and accelerated housing delivery programmes, with the benefit of Brownfield Housing Funding on

the School Street and Seedfield sites helping to unlock this brownfield site for the benefit of families, including those on lower incomes.

In response to some comments from opposition Councillors regarding availability of brownfield land, and crime and deprivation levels in the area, the Leader responded that if brownfield sites were not utilised then development would be needed on greenbelt land, which was not something the Council wanted to pursue. He advised of the high ambitions for Radcliffe, that it was a great place to live and therefore was a key site for development and regeneration. The Council were developing a new school, new housing sites (including affordable housing), new leisure facilities, and a new civic hub, as well as a People and Communities plan in addition to this physical regeneration. He acknowledged there were challenges but stated that the positives of the area should be recognised and improved, which is what the Council were doing with its current investment and development plans.

Other opposition Councillors voiced their support of the report, recognising that this addressed the need to regenerate the area, with the Council's plans using its own investment as well as Government funding.

Decision:

Cabinet:

1. Approved the updated financial offer by the preferred developer of Hive Homes to enable disposal of land at School Street and Seedfields for housing development.
2. Noted the imminent exchange of Green Street in Radcliffe with Watson Homes, approved for disposal in October 2021.
3. Approved the commercial terms of the disposals of School Street and Seedfields as set out in this report.
4. Delegated the finalised terms of the land sale agreements to the Executive Director of Place in consultation with the Cabinet Member for Finance and Communities, S151 Officer and Monitoring Officer.

Reasons for the decision:

- The revised offers on School St and Seedfield sites enables the acceleration of key Brownfield sites helping to deliver Bury's Housing Strategy 2021, the Council's Strategic Regeneration Framework for Radcliffe
- Retain GMCA BHF grant on the School Street site and secure GMCA BHF grant monies allocated to the Seedfield site.
- Facilitate the Council's Brownfield first approach to housing delivery.
- Delivery of much needed homes with affordable tenures and typologies to reflect the modern demands of housing needed in Bury and Radcliffe townships
- Generate capital receipts upon the successful disposal of the sites and allow up to 4% to be retained in the land and property service to cover costs incurred thereby enabling future sites to come forward.
- Reduce revenue cost to the council of holding, maintaining and securing long term cleared sites.
- Generation of additional council tax income and business rates on the Green Street site.

Alternative options considered and rejected:

- Previous CBRE best value reports though useful have been considered previously but in order to ensure the council is achieving the maximum market value, officers recommended red book on all three sites in September 2022 to provide an extra level of assurance and ensure capital receipts reflect current market valuations. Therefore relying on the original CBRE best value reports was discounted in favour of independent red book valuations which provide a thorough approach to valuation.

- The alternative traditional approach would be to return the sites to market but this was discounted as it would incur a delay of approximately 18 months and jeopardise the GMCA Brownfield Housing Funding for both School Street and Seedfields. Furthermore, all three sites are on the Accelerated Land Disposal Programme (ALDP) approved by Cabinet in November 2020 with projected capital receipts expected during 2023 and therefore a traditional procurement exercise could not accommodate the ALDP objectives and incur further cost so was rejected.
- The approved off market solution mitigates the risk of 1) repaying the grant on School St (£882k) and 2) GMCA reallocating funding assigned to Seedfield's (£995k) to another district or returned to government, incurring reputational damage.
- For these reasons alternative options, including the option to return the sites to open market or rely on CBRE best value reports were discounted and the preferred option of validating the offers through red book valuation is recommended.

CA.72 NEIGHBOURHOOD SUPPORT HOUSING SERVICES - ADULLAM BURY BRIDGES SERVICE

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which sought to extend contractual supported accommodation service arrangements with Adullam Bury Bridges.

Decision:

Cabinet:

1. Agreed to extend contractual arrangements from the 1st October 2022 to 31st September 2023 aligned to the proposed service delivery model. (This is in line with the original contractual agreement). An additional year extension will be agreed subject to satisfactory performance of the provider;
2. Agreed to reduce the contract value from £410,216.59 to £338,343.48 per annum, generating a saving to the Council of £71,873.11 per annum, a total of £143,746.22 over a 2-year period; and
3. Delegated authority to the Executive Director for Strategic Commissioning for any future extensions relevant to this contract. (Within the specified Contract provision).

Reasons for the decision:

Despite impacts of the pandemic, Adullam Bury Bridges have delivered housing services to meet demand and varying need. Therefore, providing confidence the service would continue to deliver during periods of 'normality'. The department is in a position where it must make savings where required from commissioned services, for ensured value for money by delivering further outcomes within existing cash envelope. Adullam have proposed alternative contractual arrangements. They include:

- (a) Reducing the contract value to £338,343.48 per annum (previously £410,216.59). Over a two-year period, this will deliver a culminative saving of £143,746.22 (£71,873.11 per annum).
- (b) This would be achieved by moving the 2.88 FTE concierge costs into the eligible service charge under rents and by disestablishing one FTE service co-ordinator post from the structure. This provides the council with almost an 18% saving.

Alternative options considered and rejected:

The alternative is to retender this provision. However, the department is content with the service delivery and contractual arrangement allow for a 2-year extension. It should also be noted that the needs of people who are at risk of homelessness has changed significantly since the pandemic and a shift in the housing market. This requires a more detailed understanding, an extension will enable the authority to navigate and comprehend future service delivery.

CA.73 ESTABLISHMENT OF THE GM INTEGRATED CARE PARTNERSHIP BOARD

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which sought to establish the Greater Manchester Integrated Care Partnership (GM ICP) as a joint committee and to agree the terms of reference for the GM ICP.

Decision:

Cabinet:

1. Established the GM Integrated Care Partnership as a joint committee of the ICB and ten local authorities;
2. Delegated the appointment of a member and substitute member of the authority as members of the GM ICP to the Leader; and
3. Noted the proposed Terms of Reference of the GM ICP as set out in Appendix B to the report.

Reasons for the decision:

To formally establish the GM ICP.

Alternative options considered and rejected:

Not applicable, the establishment of the GM ICP is a statutory component of the overarching Integrated Care System as set out in the Health and Care Act 2022.

CA.74 CHILDREN'S SERVICES OFSTED UPDATE

Geoff Little, Chief Executive of Bury Council, provided an update on the progress of the Children's Services Improvement Programme, which focused on the verbal feedback received after the 2-day monitoring visit that had taken place last week. It was noted that the verbal feedback might differ from the formal written feedback that would be included in a Cabinet report in November. The monitoring visit was effectively to a mini inspection, with the Ofsted inspection team speaking to social workers and senior leaders in the department, as well as going through records of individual cases and viewing a range of documents.

Scope

The inspection team were looking at quality and impact of plans that related to individual children and their families, in particular cases that were stepped up to Children In Need from Child Protection, and the process of how cases were stepped up and down from work preceding court proceedings. They also looked at children where risk had escalated to the point of family breakdown. In looking at those areas they triangulated improvements made in the service as a whole, including workforce, performance management, management oversight and supervision, and quality assurance.

Key findings

- No cases of children at immediate risk of harm
- Most cases were being held at the right level of threshold
- No formal escalations of cases from the inspectors to the management team

Overall, the inspection team acknowledged we had now established a permanent leadership team that fully understood the issues faced and knew the improvement journey would take time. Recognition was received from the team that we are going in the right direction, that we have established foundations of support for improvement, and that leadership is visible. The inspection team saw pockets of improvement in practice, demonstrating that frontline practice is starting to improve.

The most important issue raised was already known: workforce. Caseloads were too high, the number of social workers that children see was changing too frequently, and there was too

high a proportion of agency staff leading to drift and delay in cases being dealt with. We were able to show inspectors we have made progress in overall staffing levels, that we are recruiting more staff, working on recruitment from abroad, improvements to the level and quality of business support (so social workers could focus on cases), and how we are further increasing, in some areas, rates of pay to attract social workers. The inspection team also noted the support the wider Council was giving to the department, the investment being put in to radically change the structure of the department and increase the number of posts. It was noted that supervision in some of our internal teams was inconsistent and variable and needed further work (which had begun).

Geoff outlined five areas of detail:

- Quality assurance – the framework we had adopted since the inspection was now working and enabled us to gather evidence of impact of practice. However it wasn't always being used consistently to record the views of children and families, and opportunities were still being missed to listen to children in that process. But overall a significant improvement was noted in quality assurance.
- How Children In Need cases are stepped up into Child Protection Plans was seen as appropriate. Better practice was noted in the way we are working with our partners in strategy meetings, though not as evident in child protection meetings, and there were still issues regarding high levels of agency staff and children seeing too many different social workers.
- Pre court proceedings stage – improvements had been made, and the number of cases in this part of the system had increased, doubling since the original inspection. This was positive progress as we were intervening when things getting worse, and cases then stepped down after action was taken was at 65%. However, there was still some drift and delay owing to access to the right specialist services (e.g. therapy or domestic abuse services)
- Where cases were stepped down from Children In Need to Early Help, inspectors saw a clear focus on the need and the services to be delivered, and that was happening at the right level and in the right way to support changes in families. Good, shared decision making was also noted.
- With regards to children being under the disability team, although only a small sample of cases were looked at, most were found to have good, up to date assessments of need, the worries of parents about their children were well considered, and plans for the children were up to date with good partner agency processes in forming those plans. However, the daily lived experience of children wasn't always sufficiently reflected.

Overall, Geoff advised that verbal feedback showed we are on the right path and that the direction of travel was good. It was noted that written feedback yet to be received might differ, but it was hoped that it would show we have the firm basis for improvement.

Decision:

Cabinet noted the update.

Reasons for the decision:

This update was provided in response to a resolution of Council at the meeting held on 19 January 2022.

Other options considered and rejected:

N/A

CA.75

APPOINTMENTS UPDATE

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which set out amendments to the appointments made at the Annual Meeting of the Council held on 25th May 2022.

Decision:

Cabinet noted the appointments and amendments to appointments made since the Annual Meeting of Council as set out in the report.

Reasons for the decision:

N/A

Alternative options considered and rejected:

N/A

CA.76 MINUTES OF GREATER MANCHESTER COMBINED AUTHORITY

It was agreed:

That the minutes of the Greater Manchester Combined Authority meeting held on 29 July 2022 be noted.

CA.77 EXCLUSION OF PRESS AND PUBLIC

Decision:

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

CA.78 UPDATE ON THE DISPOSAL OF BROWNFIELD LAND AT SCHOOL STREET, SEEDFIELD (FORMER SCHOOL SITE) AND GREEN STREET - PART B

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, presented the report which provided the full financial details.

Decision:

Cabinet:

1. Approved the updated financial offer by the preferred developer of Hive Homes to enable disposal of land at School Street and Seedfields for housing development.
2. Noted the imminent exchange of Green Street in Radcliffe with Watson Homes, approved for disposal in October 2021.
3. Approved the commercial terms of the disposals of School Street and Seedfields as set out in this report.
4. Delegated the finalised terms of the land sale agreements to the Executive Director of Place in consultation with the Cabinet Member for Finance and Communities, S151 Officer and Monitoring Officer.

Reasons for the decision:

As set out in the Part A report.

Alternative options considered and rejected:

As set out in the Part A report.

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.00 pm and ended at 7.25 pm)