

AGENDA FOR CABINET



Contact: Philippa Braithwaite
Direct Line: 0161 253 5398
E-mail: p.braithwaite@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Cabinet

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

Dear Member/Colleague

Cabinet

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

Date:	Wednesday, 19 April 2023
Place:	Bury Town Hall
Time:	6.00 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

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of Cabinet are asked to consider whether they have an interest in any of the matters of the Agenda and, if so, to formally declare that interest.

3 PUBLIC QUESTION TIME

Questions are invited from members of the public about the work of the Cabinet.

Notice of any question must be given to Democratic Services by midday on Monday, 17 April 2023. Approximately 30 minutes will be set aside for Public Question Time, if required.

4 MEMBER QUESTION TIME

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

Notice of any Member question must be given to the Monitoring Officer by midday 14 April 2023.

5 MINUTES (Pages 5 - 16)

Minutes from the meeting held on 15 March 2023 are attached.

6 BURY CULTURAL STRATEGY (Pages 17 - 36)

Report of the Cabinet Member for Culture and the Economy is attached.

This Strategy was considered by Overview and Scrutiny Committee at their meeting on 19 July 2022, where the following recommendation was agreed:

It was moved by Councillor Vernon and seconded by Councillor Jones, and it was agreed unanimously:

That the Overview and Scrutiny Committee voice their support for the Cultural Strategy and requests Cabinet to carry out further work on funding streams to support it. The Committee requested that Councillor Morris report back to it within the Municipal year.

7 PROPOSALS TO ESTABLISH SPECIALIST RESOURCED PROVISION AT CHANTLERS PRIMARY SCHOOL AND WOODBANK PRIMARY SCHOOL (Pages 37 - 62)

Report of the Cabinet Member for Children and Young People is attached.

8 PROPOSALS TO LOWER THE AGE RANGE AT FAIRFIELD PRIMARY SCHOOL *(Pages 63 - 74)*

Report of the Cabinet Member for Children and Young People is attached.

9 ANNUAL REVIEW OF ADULT SOCIAL CARE FEES AND CHARGES FOR THE FINANCIAL YEAR 2023/24 *(Pages 75 - 80)*

Report of the Cabinet Member for Adult Care, Health, and Wellbeing is attached.

10 FUTURE OF BURY TOWN HALL AND OTHER ADMINISTRATIVE BUILDINGS OCCUPIED BY THE COUNCIL *(Pages 81 - 100)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

11 RADCLIFFE HUB PROJECT – ENABLING WORKS - PART A *(Pages 101 - 108)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

12 BURY MARKET AND FLEXIHALL - PROPERTY ACQUISITION (PART A) *(Pages 109 - 114)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

13 BURY TOWN CENTRE PUBLIC SPACES PROTECTION ORDER *(Pages 115 - 128)*

Report of the Cabinet Member for Finance and Communities is attached.

14 REVIEW OF THE COUNCIL'S SENIOR MANAGEMENT STRUCTURE *(Pages 129 - 142)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

15 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY *(Pages 143 - 160)*

To consider the minutes of meeting of the Greater Manchester Combined Authority held on 10 February 2023.

16 URGENT BUSINESS

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

17 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under Section 100 (A)(4), Schedule 12(A) of the Local Government Act 1972, that the press and public be excluded from the meeting for the reason that the following business involves the disclosure of

exempt information as detailed against the item.

18 RADCLIFFE HUB PROJECT – ENABLING WORKS - PART B *(Pages 161 - 230)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

19 BURY MARKET AND FLEXIHALL - PROPERTY ACQUISITION (PART B) *(Pages 231 - 250)*

Report of the Cabinet Member for Strategic Growth and Skills is attached.

Minutes of: CABINET

Date of Meeting: 15 March 2023

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

Also in attendance: Councillors R Bernstein, M Smith, C Boles and N Boroda

Public Attendance: Two members of the public were present at the meeting.

Apologies for Absence: Councillor C Cummins

CA.141 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Clare Cummins.

CA.142 DECLARATIONS OF INTEREST

Councillor Charlotte Morris declared an interest in respect of the Local Transport Strategy report, as she works for National Highways.

CA.143 PUBLIC QUESTION TIME

There were no public questions.

CA.144 MEMBER QUESTION TIME

There were no Member questions.

CA.145 MINUTES

It was agreed:

That the minutes of the meeting held on 15 February 2023 be approved as a correct record.

CA.146 FOSTER CARER PROFESSIONAL FEES, MAINTENANCE ALLOWANCES AND INCENTIVES

Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the report which provided information about the professional fees and maintenance allowances paid to Bury approved Foster Carers and how this compared to other Greater Manchester authorities, proposed a range of incentives to strengthen our current offer to Foster Carers, and considered the amendment of Council Tax Section 13A Discount Policy, in relation to applying discretionary council tax relief to approved Foster Carers and Supported Lodgings Hosts for Bury commencing in the year 2024/25. An additional allowance would be provided until that time to cover Council Tax costs.

It also provided information around an evidence-based Fostering model called 'The Mockingbird model' originally developed by the Fostering Network, and outlined Bury's involvement in the development of a 'Regional Foster Carer Recruitment Campaign and Hub' via a Greater Manchester Combined Authority alongside seven other Greater Manchester authorities, which will complement Foster Carer recruitment strategies and assist in an increase in approvals of fostering families.

With regards to the Scrutiny recommendation, the Chair advised that financial incentives couldn't be backdated as there was no available budget but advised that some additional financial support had already been provided through the second round of housing support funding where provision had been made for foster carers.

Decision:

Cabinet:

1. Agreed to an uplift in Foster Carer professional fees and maintenance allowances to bring us into line with higher paying Greater Manchester local authorities;
2. Approved the implementation of professional fees being linked to payments for skills to professional fees for Foster Carers on a four-level basis providing career progression to Carers;
3. Agreed to the implementation of the Mockingbird Model within Bury Fostering Services;
4. Agreed to applying a 50% Council tax discount from foster carers payable Council tax bills to Bury. This payment for 2023/24 will be given to the carers by way of an allowance increase;
5. Noted that as part of the budget setting process for 2024/25 Council will be asked to approve an amendment to the discretionary support scheme to formalise a change to the Council tax billing arrangements; and
6. Agreed to the outlined incentives to strengthen our current offer to Foster Carers, attract more Foster Carers to Bury and retain our current cohort of approved Carers.

Reasons for the decision:

As a good corporate parent to looked after children we need to ensure that wherever possible and safe to do so children looked after can continue to live in Bury as their hometown and stay connected to their family and friend network and their wider community. When children cannot remain in the care of their own families, we need to ensure that we have sufficient foster homes and supported lodging hosts in the Borough to meet their needs. We have a priority to increase the number of newly approved Bury Fostering households by at least 20 in 2023/2024.

Other options considered and rejected:

The alternative option is to not uplift professional fees, maintenance allowances and incentives to Bury approved Foster Carers or strengthen the current carer offer and to leave it how it currently is. This is not recommended as it would not support us to increase the number of Bury Foster Carers needed nor would it support us to retain our current skilled and experienced Foster Carers.

If we do not explore this available evidence-based Mockingbird model, we will continue to need to place our children and young people in high-cost Independent Fostering Agency and Residential placements and spending will increase. Children experiencing

trauma will continue to be placed in costly specialist therapeutic placements, rather than potentially being cared for within a skilled Mockingbird trained and supported family environment within the locality of Bury.

CA.147 STAR LEADERSHIP ACADEMY RADCLIFFE - FINANCIAL ARRANGEMENTS/ SITE REQUIREMENTS - PART A

Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the report which set out additional costs to enable the Council to contribute to the provision of temporary modular accommodation to enable the new school in Radcliffe school to open to its first cohort of pupils in September 2024, prior to the new school building being completed in early 2025. Members voiced their cross-party support for securing the new school despite the setbacks outside of the Council's control.

Decision:

Cabinet:

1. Approved the funding of indicative costs as set out in Part B of this report, to meet the Council's financial obligations, to be met from the Children's Services schools capital programme; capital receipts/borrowing; and the Greater Manchester City Region Sustainable Transport Settlement;
2. Delegated approval of the finalised costs to the Executive Director of Finance; and
3. Further to the decision of Cabinet (CA.172) in respect of the lease of land, agreed the revised plan at Appendix 1, showing the land to be subject to the lease agreement.

Reasons for the decision:

To unlock the delivery of a new secondary school for Radcliffe and utilise a Council owned Brownfield site for development.

Other options considered and rejected:

In order to deliver the new school in Radcliffe, the Council is required to confirm that it will commit to meet certain financial obligations. Failure to provide such a commitment will prevent the scheme from being progressed. The alternative option to not proceed with the school was rejected owing to the demonstrative need for new secondary school provision in Radcliffe and the importance of that provision in supporting the economic growth and sustainability of Radcliffe and its alignment with the wider objectives of the Radcliffe Strategic Regeneration Framework (SRF).

CA.148 LOCAL TRANSPORT STRATEGY - CONSULTATION DRAFT

Councillor Eamonn O'Brien, Cabinet Member for Strategic Growth and Skills, presented the report which set out how the Council will meet its ambitions to develop an integrated transport network that will support a healthy, green, connected and thriving Borough through a Local Transport Strategy that aligned with the Greater Manchester Transport Strategy 2040. Councillor O'Brien extended his thanks to officers and Members for their work on developing this long term, ambitious strategy.

Members discussed the report, noting the objective to change behaviours around travel and underpinning this through the transport system. It was noted this would take

significant time to come to implement but demonstrated the value of the GMCA and of devolution.

Decision:

Cabinet:

1. Approved the draft Local Transport Strategy attached at Appendix 1 as the basis for a 3-month public consultation commencing in late March 2023; and
2. Delegated approval to the Executive Director of Place in consultation with the Leader to make modifications to the draft Local Transport Strategy before consultation commences.

Reasons for the decision:

To ensure that all stakeholders are given the opportunity to have their say on the draft Local Transport Strategy and the role and function it will play in facilitating the preparation of a pipeline of potential interventions required to support key developments in a sustainable manner, as well as ensuring transport needs are provided for over the next 10 years and beyond.

Other options considered and rejected:

None. It is important that stakeholder engagement continues to seek the views and input from the wider public, key businesses and other key partners to ensure that the final Transport Strategy is fit for purpose.

CA.149

WHITEFIELD - APPOINTMENT OF CONSULTANTS AND CONSULTATION PROCESS TO CREATE A VISION FOR INVESTMENT INTO THE TOWN CENTRE

Councillor Eamonn O'Brien, Cabinet Member for Strategic Growth & Skills, presented the report which provided an update on progress regarding the High Streets Task Force project and recommended the appointment of Planit-IE to deliver a phased programme of consultation. Members discussed the report, noting that Planit-IE's involvement allowed the project to be broadened, in scope and in area, and Councillors for the local Wards voiced their support.

Decision:

Cabinet:

1. Approved the appointment of Planit-IE to undertake stakeholder consultation exercises and the production of a plan identifying short and medium-term investment opportunities and a high-level appraisal of long-term opportunities for Whitefield, prior to the visit from the High Streets Task Force; and
2. Approved the ability for the Council to retain Planit-IE to undertake work to provide more detail to the long-term investment opportunities.

Reasons for the decision:

This will enable the Council to work towards the delivery of the HSTF project and the development of a community shaped and influenced Town Centre Plan.

Other options considered and rejected:

No other options were considered/were applicable.

CA.150 RAMSBOTTOM TOWN CENTRE PLAN - UPDATE, ISSUES AND RESOURCES

Councillor Eamonn O'Brien, Cabinet Member for Strategic Growth & Skills, presented the report which provided an update on progress made with several of the proposals regarding the Ramsbottom Town Centre Plan where early external funding opportunities have been identified and secured, and sought approval for the appointment of consultants to undertake feasibility work for the proposed enterprise centre and understand the potential of the area.

Decision:

Cabinet:

1. Noted the progress made with the Ramsbottom Town Centre Plan;
2. Approved the appointment of Focus Consultants to undertake a feasibility study and consultation process on the proposed enterprise centre for Ramsbottom Market Chambers and Ramsbottom Civic Hall buildings;
3. Noted the work being undertaken to prepare a tender specification to appoint consultants to undertake feasibilities on two public space proposals;
4. Noted the requirement for Legal Services and the Highways Department to provide information on options for the continued use of Square Street as pedestrianised outdoor space whilst the permanent arrangement as per the Ramsbottom Town Centre Plan is being considered; and
5. Accepted that the delivery of the Ramsbottom Town Centre Plan will be subject to further funding being secured.

Reasons for the decision:

To enable several proposals contained in the Ramsbottom Town Centre Plan to be developed where external funding has been secured.

Other options considered and rejected:

No other options were considered/were applicable.

CA.151 PROPOSED DISPOSAL OF PYRAMID PARK

Councillor Eamonn O'Brien, Cabinet Member for Strategic Growth and Skills, presented the report which sought approval to dispose of the Pyramid Park site as part of the Accelerated Land Disposals Programme in order for the BLRF bid to be progressed for housing, complementing adjacent sites and meeting intergenerational housing needs as identified in the Housing Strategy. Members voiced their ambition for zero carbon developments and the inclusion of nesting bricks.

Decision:

Cabinet:

1. Approved the proposals for the disposal Pyramid Park as set out within this report, to expedite delivery of the priorities within the Housing Strategy and Town Centre Masterplan;
2. Delegated the finalised terms of the procurement exercise and disposal to the Council's Section 151 Officer, Head of Law & Democratic Services and Executive Director of Place in consultation with the Director of Housing and Cabinet Member for Housing Services; and

3. Noted that a further report will come to Cabinet should a successful funding award be made. The report will set out the proposed disposal method and planning strategy.

Reasons for the decision:

- To support Bury's Brownfield Release funding bid by approving the site for housing development, providing funders with confidence the site has the necessary approval for disposal.
- To facilitate the Councils 'brownfield first' approach to housing delivery and reduce liability for holding long-term disused sites.
- To facilitate delivery of the Housing Strategy 2021 and wider Town Centre Masterplan which details the need for high quality aspirational homes.
- To attract and retain young adults and young professionals to Bury.
- To unlock a key opportunity site for the town centre.
- To promote innovation and ensure that the Council meets the obligations of the best value requirements of s123 of the Local Government Act 1972.
- To create wider social, environmental and financial benefits including additional council tax revenue.

Other options considered and rejected:

- Do nothing: Bury has high levels of need for housing in general and both young and older people specifically require town centre housing provision. This is a brownfield site deemed suitable for housing in an area of high demand, to do nothing would not be an option.
- Remediate the site for office/educational. There is currently low demand for stand-alone office development post-Covid and there are sites with stronger characteristics for this type of use in and around the town centre. In addition, there is no capital funds available to remediate the land for this use.

CA.152 ADULT SOCIAL CARE PROVIDER FEE UPLIFTS 2023/24

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which detailed the fee engagement process including timelines and proposed recommendations for the fee proposal to contracted providers of adult social care services for the period 2023/24. Members noted this had been developed in partnership with providers and that it marked the end of the phased approach to implementing the Real Living Wage.

Decision:

Cabinet agreed the fee uplifts as set out in the report.

Reasons for the decision:

The Council is required to carry out a provider fee engagement process and has done so for year 23/24. The uplifts are within budget and look to drive the provider market to meet needs now and going forward, while ensuring provider sustainability in light of current pressures. The recommended fee rates also support providers to pay their staff the Real Living Wage and move towards the Fair Cost of Care.

Other options considered and rejected:

- Fee uplifts are one of the levers available to the Local Authority to help direct the market to meet the needs of Bury residents both now and in the future. There is increasing demand for more complex provision including dementia and nursing services and to support people to live well at home; hence the further increases in these areas. Failure to do so could have resulted in a lack of capacity and sufficiency of care for people with those needs.
- A reduced budget for fee uplifts would have resulted in the ongoing sustainability of the Adult Social Care market being severely impacted and Bury's position as a Real Living Wage paying authority compromised.

CA.153 MARKET SUSTAINABILITY PLAN 2023/24

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which set out the Market Sustainability Plan that had been developed alongside Care at Home Providers and Older People Care Homes and looked for approval to submit to the Department of Health and Social Care.

Decision:

Cabinet reviewed the content of the Market Sustainability Plan and approved it for submission to the Department of Health and Social Care.

Reasons for the decision:

The Council was required to conduct a Fair Cost of Care Exercise which it has completed. It is now required to submit a final Market Sustainability Plan.

Other options considered and rejected:

Alternatives were not considered as we are required to submit the Market Sustainability Plan.

CA.154 HOUSING ASSISTANCE POLICY

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which reviewed the objectives of Disabled Facilities Grant (DFG) usage, adaptations, and refreshed the Housing Assistance policy.

Decision:

Cabinet:

1. Agreed to continue delivery of minor and major adaptations for households with additional need and agree to widen use of DFG for residents with additional needs. This includes delivering:
 - Innovation Grants/ Excess Cold Grants- preventing accidents and hospital admissions
 - Repairs to adaptations- enabling people to stay in their home longer and prevent or delay the need for more costly formal care or residential placement.
 - Minor Adaptations- Fund equipment store to provide larger minor adaptations costing less than £1,000 such as external metal handrails, grab rails and stair rails and other adaptations

- Technology Enabled Care (TEC)- allowing people to use technology to enable people to live independently at home, potentially preventing the need for adaption to properties.
 - Housing support for older people- Handy Person to assist with minor adaptations and household DIY tasks.
 - Incentivisation 'Moving Assistance'- help move tenants into a more suitable property or moving tenant out of an adapted property who no longer needs it to alternative home.
2. Agreed to, in close collaboration with the Business Growth and Infrastructure department and One Commissioning Organisation, remodel and refresh:
- Bury Procurement Framework
 - Minor Aids and Adaptations model
 - Pathways and processes for people with additional needs to access adaptations to improve their quality of life.

Reasons for the decision:

- Bury Councils Strategy- Housing for those with Additional Needs, defines what the approach needs to be for residents in Bury. Housing must focus on providing local homes for those with additional needs in Bury, both now and in the future. Increasing housing choices for our older generation and adults with specialist needs, enabling an increased number of people to live independently at home. A refreshed approach to DFG spends must align to this, promoting wider options for people with additional needs and improving quality of life of residents.
- Refined and focused DFG investment will provide long term savings to the public purse. Stronger control and utilization of the DFG will mean more people receive what they need to support their independence and defer further institutional or home-based care provision.

Other options considered and rejected:

The alternative is to continue with the traditional delivery of the DFG and disregard the freedoms for the Local Authority to fund wider projects, so more people can receive the adaptations that they need. To keep with the same model for DFGs, it would not take advantage of the flexibilities afforded to councils to support more residents in the borough.

CA.155 NEIGHBOURHOOD SUPPORT FOR YOUNG PEOPLE - GREAT PLACES ACCOMMODATION AND SUPPORT SERVICES REVIEW

Councillor Tamoor Tariq, Cabinet Member for Adult Care, Health, and Wellbeing, presented the report which sought to extend the contract with Great Places to 31 March 2024 with the potential for a second year subject to continued satisfactory performance. It was noted this could save the Council over £35,000 over two years.

Decision:

Cabinet:

1. Agreed to extend contractual arrangements from the 1st April 2023 to 31st March 2024 aligned to the proposed service delivery model. An additional year extension will be agreed subject to continued satisfactory performance of the provider;

2. Agreed to reduce the contract value from £366,378 to £348,585 per annum saving the Council of £35,586 over two years (£17,793 per annum in year 1 and year 2 of the extension period); and
3. Delegated authority to the Executive Director Strategic Commissioning for any future extensions relevant to this contract (Within the specified Contract provision).

Reasons for the decision:

The Community Commissioning Division is confident that Great Places will continue to deliver on this contract by working in partnership with stakeholders and supporting young people to achieve improved outcomes in all areas of their lives.

Other options considered and rejected:

The alternative is to retender this provision. However, the department is satisfied with the providers performance and service delivery and the existing contractual arrangement allows for a 2-year extension.

CA.156 HIGHWAYS CAPITAL PROGRAMME - HIGHWAY MAINTENANCE FUNDING 2023/24 TO 2026/27 AND INTEGRATED TRANSPORT BLOCK 22/23

Councillor Alan Quinn, Cabinet Member for Environment, Climate Change and Operations, presented the report which set out proposed priorities for Highway Investment Strategy tranche 3 (HIS3) and the Highway Maintenance element of the City Regional Sustainable Transport Settlements (CRSTS) funds, and set out the priorities of the Integrated Transport Block funding.

Members discussed the report, noting the £6.1m allotted to GM for highway repairs in the recent Budget announcements was welcomed but wasn't enough to meet demand. Prevention of potholes was preferable and more cost effective but unachievable with chronic underfunding as existing problems took priority. Members also discussed improving communications of when resurfacing works would be taking place and also manage expectations for how long the process would take.

Decision:

Cabinet:

1. Approved the resurfacing schemes in Appendices 1 & 2 and delegate authority to the Cabinet Member for Environment, Climate Change and Operations to approve any changes in the ranking of resurfacing schemes required by any fluctuations in construction prices and network deterioration that are recommended by officers;
2. Approved the proposed works on structures detailed in the report;
3. Approved the programme of works associated with the Integrated Transport Block funding in Appendix 4; and
4. Delegated authority to the Cabinet Member for Environment, Climate change and Operations to approve the programme of preventative maintenance works.

Reasons for the decision:

The Council as the Highway Authority in Bury has a statutory duty to maintain those parts of the public highway, including structures deemed to be publicly maintainable. The provision of DfT funding alone is not sufficient to stop some highways reaching functional failure when more expensive localised repairs are required to keep the

highway safe for the public. This could also increase the Council's exposure to potential compensation claims.

Other options considered and rejected:

To not invest an additional £10 million as HIS3, this was considered and rejected.

CA.157 BURY COUNCIL CORPORATE PLAN 2023/24 - STRATEGIC FRAMEWORK

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which set out the progress made in 2022/23 to deliver against the priorities set out in the Council and NHS GM (Bury) Corporate Plan and set out a proposed approach for developing the 2023/24 Corporate Plan. The proposed approach would ensure there is clarity in terms of corporate and service-led priorities, the milestones that need to be achieved by quarter and the indicators by which progress will be measured.

It was noted that there will be transparent links between activity analysis and financial outturn reporting to ensure continued visibility of the savings programme and associated risks and, in response to Members' questions, it was noted that consideration and monitoring of the reserves strategy could also be included, reflecting the work completed as part of budget considerations.

Decision:

Cabinet:

1. Noted progress against the 2022/23 Corporate Plan ahead of the end of year report; and
2. Approved the approach to the development of the 2023/24 Corporate Plan.

Reasons for the decision:

These recommendations are based on feedback from Cabinet and from the Overview & Scrutiny Committee on the development of our approach to Corporate Planning. Quarterly Reports have been presented to both meetings during 2022/23 and the sub-group of Overview & Scrutiny have also provided recommendations on how the Plan and its performance management need to evolve to ensure more meaningful engagement, check and challenge.

Other options considered and rejected:

An alternative option would be continuation with current format however this would not provide the clarity requested by members and senior officers in terms of the priorities within the organisation, the link to the delivery of savings and improved monitoring against targets.

CA.158 SUPPORTING BURY'S VOLUNTARY AND COMMUNITY SECTOR INFRASTRUCTURE

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which set out the revised Service Level Agreement with Bury Voluntary and Community Faith Alliance (Bury VCFA). Members discussed the importance of the VCFA and the breadth of work and support they provide and noted that it was important to retain the Council's contribution.

Decision:

Cabinet agreed the revised Service Level Agreement with Bury Voluntary and Community Faith Alliance is agreed and funded for 2023/24, with intent signalled on continuation in 2024/25 subject to confirmation of funding availability across the Council alongside health and care partners.

Reasons for the decision:

- The funding of infrastructure provision in the Borough provides a clear commitment to the importance of the voluntary and community sector.
- By refreshing the Service Level Agreement the report seeks to strengthen the recognition of the sector as a key partner in improving outcomes for local people and the role infrastructure support plays in ensuring this is robust, recognised and representative.
- The agreement allows for a clear focus of activity to develop Bury's VCFSE ecosystem in a tailored manner to best meet local needs, in turn delivering on LET'S Do It! and GM VCFSE Accord commitments.

Other options considered and rejected:

- To not fund or make a reduction in funding – this would significantly risk the loss of infrastructure support in the Borough, destabilising the wider VCFSE sector and jeopardise the positive progress made in recent years. Whilst recognising the financial pressures that the Council itself is under, investment in the infrastructure support to the VCFSE sector supports steps to increase the resilience of the sector itself, including supporting groups to attract inward investment into the Borough and diversify income generation streams.
- To not update the specification – the last two years have continued so see socio-economic pressures across Bury as the Covid-19 pandemic and cost of living crisis have impacted local lives. This has also been a time though of new opportunity, of successful Levelling Up bids and emerging People and Communities Plans. As such to not update the specification would have risked there not been the appropriate local focus on ensuring a sustainable VCFSE ecosystem, best positioned and supported to enhance and enable local outcomes at place.

CA.159 RESTRUCTURE OF THE FINANCE DEPARTMENT

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which sought approval for redundancy costs associated with the restructure of the Council's Finance Department.

Decision:

Cabinet commended approval the costs associated with the proposed redundancy of the post of Service Development Manager, Revenues and Benefits, to Council.

Reasons for the decision:

The initial consultation report agreed by Cabinet noted a maximum redundancy impact from the proposals of 9 FTE. Following consultation and the recruitment and selection process for the new structure this eventual redundancy risk has been reduced to 4 FTE. One individual has already left the Council by means of redundancy and two others are currently being supported through the redeployment process. This report

deals with the fourth of these individuals for whom redundancy costs (including the capital costs associated with the early release of pension benefits) total more than £100k.

Other options considered and rejected:

This individual's redundancy is not a matter of choice, but rather is the outcome of the application of the Council's agreed restructure process and compliant with the provisions of Employment Law.

CA.160 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.161 STAR LEADERSHIP ACADEMY RADCLIFFE - FINANCIAL ARRANGEMENTS/SITE REQUIREMENTS - PART B

Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the Part B report which set out the full financial details.

Decision:

Cabinet:

1. Approved the funding of indicative costs as set out in Part B of this report, to meet the Council's financial obligations, to be met from the Children's Services schools capital programme; capital receipts/borrowing; and the Greater Manchester City Region Sustainable Transport Settlement;
2. Delegated approval of the finalised costs to the Executive Director of Finance; and
3. Further to the decision of Cabinet (CA.172) in respect of the lease of land, agreed the revised plan at Appendix 1, showing the land to be subject to the lease agreement.

Reasons for the decision:

As set out for the Part A report.

Other options considered and rejected:

As set out for the Part A report.

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.00 pm and ended at 7.24 pm)



Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Bury Cultural Strategy	
Report of	Cabinet Member for Culture and the Economy	

Summary

Between 2019-21 Bury was recognised as the first GM Town of Culture. A commitment was made to develop a borough-wide culture strategy which sustains the innovation developed during this time, supports economic development and contributes to a “wellness” model of community health and wellbeing.

The development of this strategy has been led by an independent partner, Curated Place, part-funded by Arts Council England. It has been co-produced with community groups and the borough’s principal cultural partners. Implementation will be supported through the UK Shared Prosperity Fund which has been secured for the next two years.

Recommendation(s)

The attached strategy is recommended for approval and implementation in accordance with the action plan proposed.

The timescale for this strategy takes account of the recommendation from the Overview and Scrutiny Committee to progress delivery within the 2023/ 24 Municipal Year.

Reasons for recommendation(s)

This strategy will provide a framework to maintain and enhance the profile of the borough’s culture offer and inform the wider economic development and Wellness strategies under development.

Alternative options considered and rejected

The strategy has been subject to extensive review and development with partners over the last 12 months. Earlier work has been considered by the council’s Overview and Scrutiny Committee whose comments have informed the final proposals.

Report Author and Contact Details:

Name: Lynne Ridsdale
Position: Chief Executive
Department: Corporate Core
E-mail: L.Ridsdale@bury.gov.uk

Background

Described below

Links with the Corporate Priorities:

The culture strategy will support delivery of the borough vision to “drive faster economic growth than the national average by 2030” by highlighting the potential to grow the visitor economy and contribute to the health and wellbeing of residents.

Equality Impact and Considerations:

The strategy is not a matter of policy change and therefore an EIA has not been completed

Inclusion is one of the principal objectives of this strategy, however. The objective is to celebrate communities from across the borough but retain a collective sense of identity, as described in the mission statement: “different cultures, same horizon”

Environmental Impact and Considerations:

Addressing culture’s role in driving change across our towns will be a key focus in the implementation of this strategy. In particular by aiming for net zero build in the two Levelling Up sites and developing a climate conscious culture supply chain.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The council has committed to a saving of £250 000 from Bury Art Museum as part of the 2023/24 budget. Failure to achieve this through income generation and efficiencies may compromise its sustainability	This strategy will help develop a thriving visitor economy which should attract more people to the borough and support income generation objectives

Legal Implications:

The overview & scrutiny committee have considered the strategy at an early stage. The finalised strategy for consideration by Council has taken account of this.

Financial Implications:

There are no additional financial consequences to the Councils budgets through the implementation of the Cultural strategy, however, it does support the

Council in the delivery of one of its savings identified as part of the 2023/24 budget process

Bury has an extensive cultural offer provided by a wealth of partners. In the past Bury Council has been able to contribute financially from its baseline funding to support the cultural offer within Bury. Due to the increasing pressures on the budget and the savings that need to be made to fund front line statutory services the Council is now moving towards a position where it needs to support its partners through strategic support and through the use of externally generated funding wherever possible, for example the UK Shared prosperity fund, where the cultural strategy is specifically cited as a project but there are a number of complementary projects including East Lancs Railway and Wellness Engagement

The significant regeneration across the borough not only by the Council but also through development partners will also add to footfall which will increase visitors to attractions including the Bury art museum, East Lancs railway and the breadth of green spaces the borough has to offer

Background papers:

None.

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

Term	Meaning

This page is intentionally left blank

CULTURAL STRATEGY DIFFERENT CULTURES SAME HORIZONS

A STRATEGY FOR TRANSFORMING BURY'S
CULTURAL AND CREATIVE SECTOR

Bury
Council

TABLE OF CONTENTS

03

INTRODUCTION

FOREWORD & INTRODUCTION
TO THE STRATEGY

06

BACKGROUND

WHERE WE ARE NOW
WHERE WE WANT TO BE

09

VISION

OUR VISION FOR BURY'S
CULTURE SECTOR

10

PILLARS

OUR PRIORITIES FOR
DRIVING CHANGE

11

LET'S DO IT

HOW WE ARE GOING TO MAKE
THINGS HAPPEN TOGETHER

Bury
Council



INTRODUCTION

Cllr. Charlotte Morris
Cabinet Member for Culture and The Economy

Bury
Council

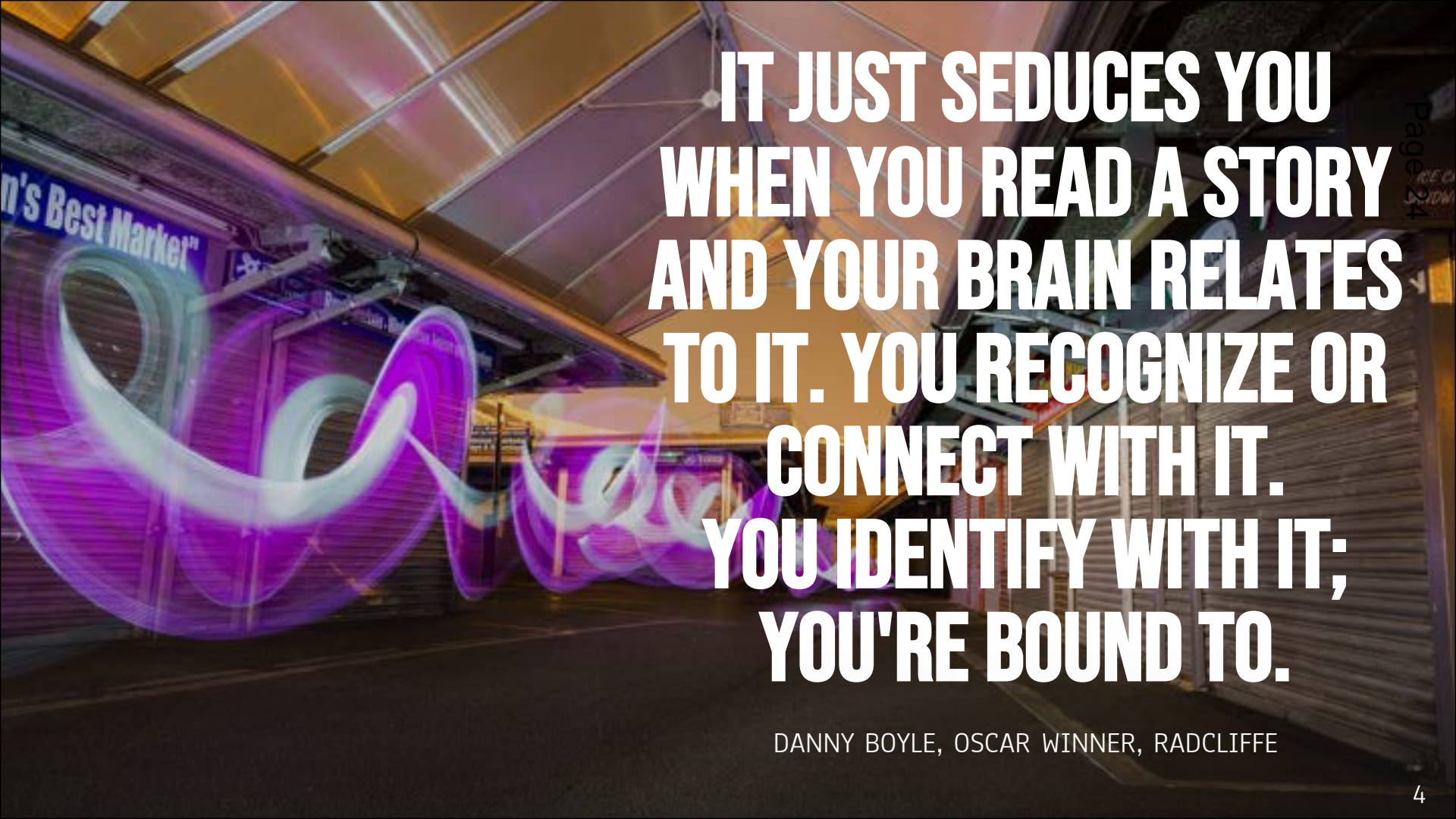


Bury is a borough rich with culture. We are home to world class artists, producers, writers, musicians, archivists, performers and educators. Ours is a borough that blessed with a wealth of community, history and heritage, and natural and creative assets. As such, we were celebrated as the Greater Manchester Town of Culture between 2019-21.

The Cultural and creative sectors contribute directly to the Bury 2030 vision to stand out as a place that is achieving faster economic growth than the national average, with lower than national average levels of deprivation. The title of the Borough Strategy – LET'S do it! – is drawn directly from the work of Victoria Wood, who was born in Prestwich and raised in Bury. It reminds us of the direct link between the borough's cultural identity and the health, wellbeing and economic success of our communities, as well as the potential of every single resident to achieve their dreams.

This strategy provides a framework to secure and maximise the outcomes of investment in culture. It is a sister document to the forthcoming Economic Development Strategy and complements our Inclusion Strategy, which describes how we will celebrate all our diverse communities of place and identity.

In Bury, we are proud of our shared history as six towns but celebrate our diverse heritage. Each place in our borough has its own story to tell, both of its past but also of its future. I hope you share this vision for our success and will join me in telling our stories through culture and creativity in the future.



**IT JUST SEDUCES YOU
WHEN YOU READ A STORY
AND YOUR BRAIN RELATES
TO IT. YOU RECOGNIZE OR
CONNECT WITH IT.
YOU IDENTIFY WITH IT;
YOU'RE BOUND TO.**

DANNY BOYLE, OSCAR WINNER, RADCLIFFE

BACKGROUND

Bury is rich with culture, heritage and cemented by stories. It is the birthplace of BAFTA, Booker and Oscar winners. It is a borough that remains home to world-class artists, producers, writers, musicians, and performers. A place full of diverse, rich tales.

Our communities are organised and active in delivering grassroots creative programmes, whilst our professional artists are excelling in pushing the boundaries of quality, accessibility and form.

Our artistic organisations are creating and delivering exhibitions, festivals and events internationally, and our performers filling stadiums. However, much of this work is taking place outside of Bury.

This strategy aims to directly address the root causes by supporting everyone making culture to cement their work in the borough, whilst attracting new talent to join us driving best practice and bringing all the benefits of the creative economy to every community in Bury. There is a gap in skills, leadership and investment.






Throughout the research for this strategy the communities we spoke to repeatedly highlighted a set of common barriers to success:

- Grassroots organisations don't have the right skills to secure funding nor the financial experience to sustain steady cashflow,
- Professional creatives do not know where to go to drive creative ideas in the borough,
- Culture lacks a seat at the table defining the new place-based vision,
- There is a lack of alignment in fundraising and no shared measures of success preventing financial investment at scale,
- There is a lack of affordable, adaptable space for creative work,
- There is a lack of shared audience data,
- Local authority culture employees need agency to make big ambitions reality.

To maximise the opportunities around the creative economy, creative wellbeing, skills development and social cohesion it is clear Bury urgently needs to renew its cultural leadership, the capacity to fundraise and win investment for a coordinated strategic vision. Community organisations need skills support both winning and managing project funds whilst established organisations need a coherent approach to partner with the council effectively.

With local government funding under ever growing pressures the solution needs to shift from Bury's cultural leadership being one at the top of a hierarchy to one driving our communal currency of culture. Moving to the centre of a community-driven network, this new approach needs to enable others to develop their own skills and networks to multiply council investments. By supporting communities to develop skills, space and strength Bury can embed culture at the heart of our towns by activating community agency in telling their own narratives, all the while embracing Bury's longstanding shared identity as a borough of storytellers .

A night street scene with a building on the left and large illuminated letters spelling 'HAPPY' on the right. The text is overlaid on the left side of the image.

**MUSIC ENRICHES PEOPLE'S
LIVES IN THE SAME
WAY PAINTINGS
AND LITERATURE DO.
EVERYBODY DESERVES THAT.**

VICTORIA WOOD, BAFTA WINNER, BURY



STRATEGIC VISION

OUR VISION IS TO ENABLE EVERY COMMUNITY IN BURY TO TELL THEIR STORY AND FOR THESE STORIES TO BE SHARED ACROSS OUR BOROUGH AND BEYOND


Building on the catalyst of Town of Culture and the success of securing Levelling Up funds we want to transform Bury into a leader in lifelong creative practice setting the standard for creative entrepreneurship and an exemplar of co-designed community programmes.

A strategic meeting of Stories, Skills, Strength, Space and Support, this strategy aims to give everyone the opportunity to experience and define our unique borough, a borough synonymous with some of the best-loved storytellers of the late 20th Century. Now we want to ensure it is home to the creative voices of the future - driven by our residents but connected to the world.

By providing a set of 5 adaptable, agile Strategic Pillars it aligns investment opportunities, defines critical tasks and maximises the benefits of culture across our communities. It does this by moving the business of culture in Bury from a hierarchy to a dynamic network that empowers everyone in the borough to plan, resource and tell their stories. By enabling self-actualisation of community voices Bury's communities will be supported to engage with culture not just as audience or participant but as author and creator - owning the tools for self-determination and the networks for sustainable support.

These priorities have been shaped specifically to align with Arts Council's strategy "Let's Create", Heritage Lottery's "Strategic Funding Framework 2021-2024", and Bury's 2030 Strategy "Let's Do it" alongside national policy. It is expressed in plain language and actionable concepts embedding equality in access to creative opportunities and cultural expression across a borough that has nurtured some of the UK's finest storytellers and creative professionals.

— STRATEGIC PILLARS —

 STORIES 	 SKILLS 	 STRENGTH 	 SPACE 	 SUPPORT 
<p>BURY IS A COMMUNITY BUILT ON A UNIQUE HERITAGE THAT VALUES DIVERSE STORIES</p> <p>EVERYONE IN BURY HAS THE RIGHT TO OWN THEIR NARRATIVE AND CELEBRATE THEIR HERITAGE</p> <p>THE COUNCIL WILL CREATE PATHWAYS TO GIVE EVERY COMMUNITY A CREATIVE VOICE</p>	<p>RENEWED CULTURAL LEADERSHIP WILL EMPOWER NEW VOICES AND DEVELOP DIVERSE NEW PROGRAMMES</p> <p>COUNCIL INVESTMENT WILL DEVELOP SKILLS IN SUSTAINABLE CULTURAL COMMUNITIES</p> <p>COMMUNITIES WILL BE TRAINED TO MULTIPLY THE COUNCIL'S CULTURAL INVESTMENTS</p>	<p>CULTURE THAT SUPPORTS THE PHYSICAL, MENTAL, EMOTIONAL AND SOCIAL HEALTH OF THE BOROUGH WILL BE PRIORITISED</p> <p>FAIR WORKING PRACTICES IN CULTURE & HERITAGE WILL UNDERPIN EVERY OPPORTUNITY, PROGRAMME AND EVENT</p> <p>ALIGNING WITH THE GREATER MANCHESTER STRATEGY, BURY WILL DRIVE CREATIVE HEALTH BY EMPOWERING STORIES</p>	<p>ALIGNING CURATED PROGRAMMES WITH GRASSROOTS ACTIVITY BURY'S VENUES WILL CREATE SPACE FOR EVERY COMMUNITY</p> <p>THROUGH AN AUDIT OF BUILT ASSETS, WE WILL NURTURE CREATIVE SPACES ACROSS THE BOROUGH FOR UPSKILLED COMMUNITIES TO OWN</p> <p>LIBRARIES HERITAGE, & CULTURE VENUES WILL OPEN THEIR DOORS TO COMMUNITIES TO MAKE BURY A CENTRE OF SHARED STORIES</p>	<p>A RENEWED EVENTS CALENDAR WILL SUPPORT COMMUNITIES TO DEVELOP THEIR AUDIENCES AND SKILLS</p> <p>THE COUNCIL WILL FACILITATE NETWORKING BEYOND THE SECTOR AND INCLUDE CULTURAL & HERITAGE EXPERTISE IN DECISION MAKING</p> <p>ALL CULTURAL WORKERS, BOTH WITHIN THE COUNCIL AND INDEPENDENT, WILL BE SUPPORTED TO BRING BEST PRACTICE TO BURY</p>

LET'S DO IT

THE FIRST THREE YEARS

ROADMAP

2023-26

A SUGGESTED PLAN OF ACTION TO LAUNCH THE STRATEGY AND PRIME COMMUNITIES FOR ACTIVATING NEW SPACES ACROSS BURY

TIMELINE 2023-24

RECRUIT

RECRUIT
LEADERSHIP
& FUNDING TEAM

DEVISE

CREATIVE &
COMMUNITY
MULTIPLIER
FUND

PROGRAMME

PROGRAMME
STRUCTURE
FOR COMMUNITY
TO FILL

LAUNCH

CO-CREATED
PROGRAMME
PUBLIC LAUNCH

AUDIT

BUILT ASSETS
AUDIT STARTED
TO INFORM
GROWTH PLAN

DATA

DATA
CAPTURED
FROM ALL
EVENTS

LAUNCH

LAUNCH NEW
STRATEGY

ENROL

CREATIVE
SKILLS
DEVELOPMENT
COHORT

TRAIN

COHORT PROJECT
DEVELOPMENT
FUNDRAISING
PROJECT MANAGEMENT
EVENT MANAGEMENT
LEADERSHIP
SUSTAINABILITY

FUNDRAISE

SELECTED
COHORT
SUPPORTED TO
MULTIPLY
INVESTMENT

PRODUCTION

SUCCESSFUL
PROJECTS
FUNDED TO
PRODUCTION
PHASE

DELIVERY

FUNDED
PROJECTS
DELIVER
THROUGHOUT YEAR

TIMELINE 2025

EVALUATE

EVALUATION
OF IMPACTS
& INVESTMENT

REVISE

CREATIVE &
COMMUNITY
MULTIPLIER
FUND

PROGRAMME

YEAR 2
SIGN-OFF
BUILDS ON
SUCCESSSES

PROMOTE

PROGRAMME
BUILDING ON
DATA FROM
YEAR 1

ALIGN

PROGRAMMING
SUCCESSSES
WITH LEVELLING
UP AND
C.A.T POTENTIAL

DATA

DATA
CAPTURED
FROM ALL
EVENTS

REVIEW

PROGRAMME
DEBRIEFS &
REPORTING

ENROL

CREATIVE
SKILLS
DEVELOPMENT
COHORT
YEAR 2

TRAIN

PROJECT DEVELOPMENT
FUNDRAISING
PROJECT MANAGEMENT
EVENT MANAGEMENT
LEADERSHIP
SUSTAINABILITY

FUNDRAISE

ALUMNI &
SELECTED
COHORT
SUPPORTED TO
MULTIPLY
INVESTMENT
FOR LEVELLING
UP SPACES

PRODUCTION

SUCCESSFUL
PROJECTS
FUNDED TO
PRODUCTION
PHASE

DELIVERY

FUNDED
PROJECTS
DELIVER
THROUGHOUT YEAR

TIMELINE 2026

EVALUATE

EVALUATION
OF IMPACTS
& INVESTMENT

FEASIBILITY

IN NEW SPACES
WITH HIGH
POTENTIAL
PROJECTS/
COMMUNITIES

PROGRAMME

YEAR 3
SIGN-OFF
SPECIFIC TO
NEW SPACES

PROMOTE

PROGRAMME
BUILDING ON
DATA FROM
YEAR 1&2

ALIGN

PROGRAMMING
SUCCESSSES
WITH LEVELLING
UP AND
C.A.T POTENTIAL

DATA

DATA
CAPTURED
FROM ALL
EVENTS

REVIEW

PROGRAMME
DEBRIEFS &
REPORTING

ENROL

CREATIVE
SKILLS
DEVELOPMENT
COHORT
YEAR 3

TRAIN

PROJECT DEVELOPMENT
FUNDRAISING
PROJECT MANAGEMENT
EVENT MANAGEMENT
LEADERSHIP
SUSTAINABILITY

FUNDRAISE

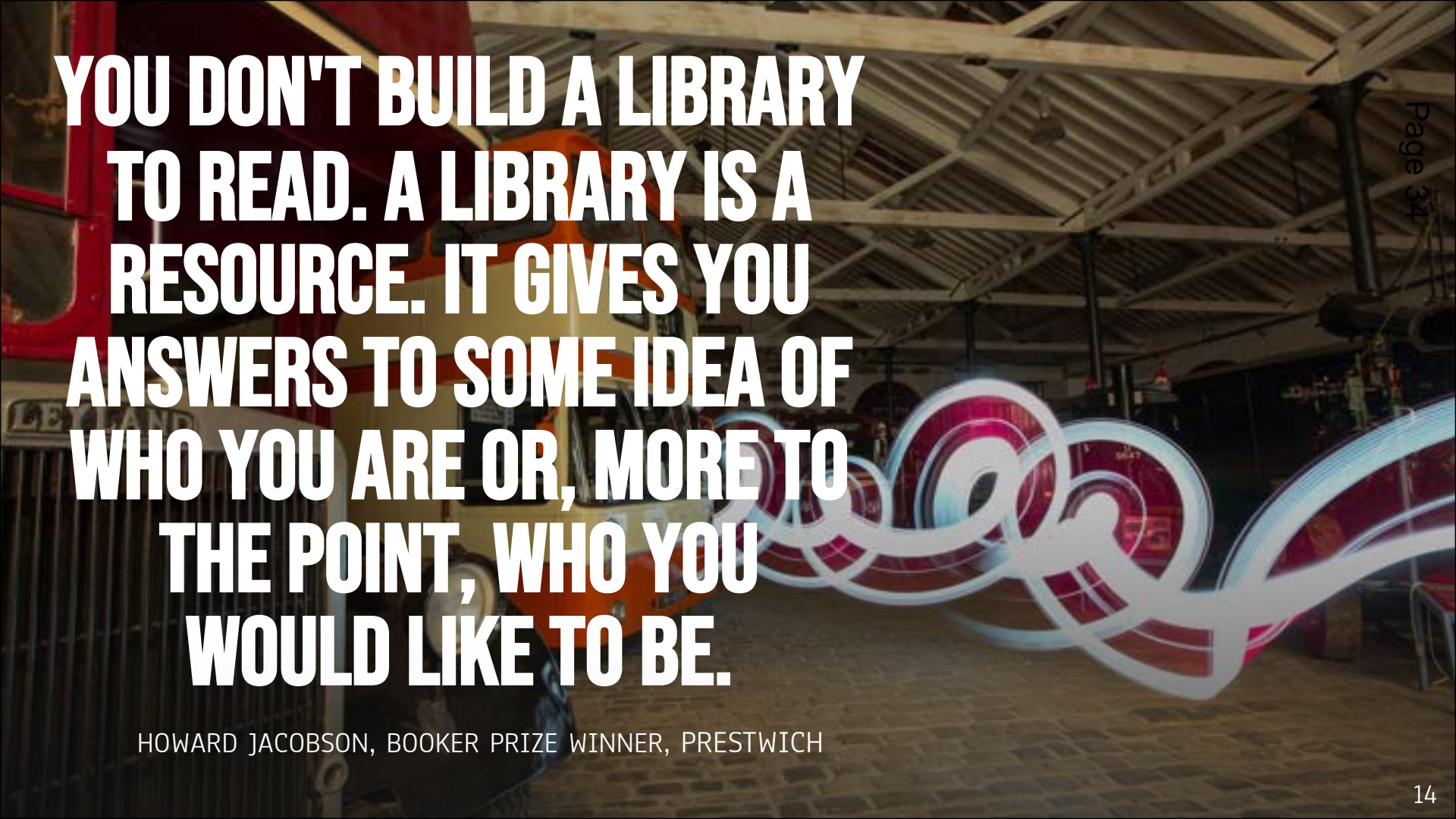
ALUMNI &
SELECTED
COHORT
SUPPORTED TO
MULTIPLY
INVESTMENT
FOR LEVELLING
UP & C.A.T.

PRODUCTION

SUCCESSFUL
PROJECTS
FUNDED TO
PRODUCTION
PHASE

DELIVERY

FUNDED
PROJECTS
DELIVER IN NEW
LEVELLING UP
SPACES



**YOU DON'T BUILD A LIBRARY
TO READ. A LIBRARY IS A
RESOURCE. IT GIVES YOU
ANSWERS TO SOME IDEA OF
WHO YOU ARE OR, MORE TO
THE POINT, WHO YOU
WOULD LIKE TO BE.**

HOWARD JACOBSON, BOOKER PRIZE WINNER, PRESTWICH

DIFFERENT CULTURES SAME HORIZONS

"It's something I am and something I want others to be. It's a reminder that it's possible to be happy."

Victoria Wood.



This page is intentionally left blank



Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Proposals to establish Specialist Resourced Provision at Chantlers Primary School and Woodbank Primary School	
Report of	Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 Cabinet is requested to determine two separate statutory proposals published by the local authority in respect of Chantlers Primary School and Woodbank Primary School regarding the establishment of specialist resourced provision units at both schools with effect from September 2023.
- 1.2 Resourced Provision units enable children and young people with an Education Health and Care Plan to remain in a mainstream school setting, with that setting being able to offer enhanced support to meet specific additional needs.
- 1.3 **Chantlers Primary School:** It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs. The provision will be located in purpose built accommodation within the main school building. Pupils will be admitted incrementally from September 2023.
- 1.3 **Woodbank Primary School:** It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech, Language and Communication Needs. The provision will be located in purpose built modular accommodation within the school site. Pupils will be admitted incrementally from September 2023.
- 1.4 Capital funding to meet the cost of extensions and adaptations necessary for the development of the specialist resourced provisions has previously been agreed by Cabinet at its meeting on 11th January 2023 (CA.116)
- 1.5 The required revenue funding has been modelled and provision is made within the High Needs Block of the Dedicated Schools Grant (DSG). Details are set out in paragraphs 7.12 and 8.12.

2.0 Recommendation(s)

That:

Chantlers Primary School

- Cabinet notes the outcome of the consultation.

- Cabinet approves the proposal to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs.

Woodbank Primary School

- Cabinet notes the outcome of the consultation.
- Cabinet approves the proposal to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech, Language and Communication Needs.

3.0 Reasons for recommendation(s)

Development of additional resourced provision in mainstream settings – as set out in the Project Safety Valve agreement between the Council and the Department for Education, is a key element of the specialist place sufficiency strategy. Taken together, the Agreement and strategy set out the business case for the development of new provision to meet increasing demand for specialist provision and reduce the reliance on placements in Independent Non-Maintained Special Schools (INMSS).

The PSV agreement between the Council and Department for Education (DfE) sets out the requirement for new specialist educational provision, including new Resourced Provision and new Free Special Schools. This includes a schedule of those mainstream schools where it is intended to establish new RP, the funding allocated to support delivery, and indicative timescales for delivery.

The agreement has been subject to consideration by Cabinet and the Children & Young People's Scrutiny Committee and is subject to governance provided by the PSV Delivery Board. The development of new specialist provision seeks to ensure access to a high quality continuum of provision, enabling the majority of children and young people with additional needs to access local provision, with appropriate capacity and resources to meet need.

Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free up special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision.

4.0 Alternative options considered and rejected

The proposals support the Council's programme of SEND transformation, in expanding in borough specialist provision.

5.0 Background

5.1 Project Safety Valve and SEND Transformation

- 5.2 Working with the DfE on its Project Safety Valve programme (PSV), the Council has developed ambitious plans to transform its arrangements in respect of Special Educational Needs and Disabilities (SEND).
- 5.3 The PSV programme considers all aspects of the Council's approach to SEND, which includes a comprehensive methodology to understanding the sufficiency requirements across the local area, and an extensive programme to deliver increased capacity of high quality, local specialist provision.
- 5.4 Within the programme, the Council has developed a SEND sufficiency strategy which seeks to respond to the lack of maintained specialist provision to meet current and forecast increased demands from within the resident population.
- 5.5 From this, a programme has been developed to deliver increased capacity through the establishment of a number of new Resourced Provision units linked to mainstream schools, in addition to the establishment of a number of new Special Schools, together with the expansion of Millwood Special school. This will provide access to high quality local provision, whilst also reducing reliance on out of borough placements.
- 5.6 Bury currently has a significantly lower number of Resourced Provision places than nationally and regionally, but a higher proportion of its children and young people with Education, Health & Care plans.
- 5.7 Current and forecast future patterns of demand have been analysed and mapped against current provision. This includes the likely pressure for specialist placements for children and young people currently in mainstream schools, which is particularly acute for those with Autistic Spectrum Condition (ASC), Social, Emotional and Mental Health (SEMH) needs, and Speech, Language and Communication Needs (SLCN), especially in the primary sector.
- 5.8 The specialist place sufficiency strategy identified a number of schools capable of supporting the development of new Resourced Provision and the quantum of new places required to meet increasing demand from the local population.
- 5.9 It is planned to establish six new primary, and initially two new secondary Resourced Provisions, potentially growing the secondary capacity in future years. This is cognisant of two of the new Special Free Schools coming online in 2023/24 and 2025/26, both of which will meet secondary age demand.
- 5.10 The Council has received additional revenue and capital funding through the Safety Valve agreement to support this programme of investment. In January 2023 Cabinet received a report providing an update on progress of the programme plan and gave approval in principle to the indicative capital commitments required to deliver the individual projects.

- 5.11 Specifications and Service Level Agreements have been developed for the delivery of new provision to ensure that they are aligned to meeting the needs identified.
- 5.12 The proposals are to establish 12 place units at each of the two schools. Those places will be in addition to the schools' Published Admission Number, and will enable pupils with an Education Health & Care Plan to be placed in the school, and access appropriately enhanced specialist provision, whilst remaining in a mainstream school setting.
- 5.13 Without access to these RP places, pupils will need to be placed in other specialist provision, placing demands on scarce special school places, or requiring placement on costly out of borough independent non maintained special schools.
- 5.14 From the date of establishment, it is anticipated that each school will admit up to 75% of its places in the first year, rising to 100% capacity in the second year of operation.
- 5.15 To ensure that each provision is viable from the outset and remains viable as numbers may fluctuate over time based on demand, as with all other Resourced Provision units, the two units will be funded at fixed sum for the total number of places (£10,000 per place), and then with an agreed level of top-up funding (approximately £8,000 per place) for each place that is then filled. This enables a base level of funding to be provided to ensure that each unit is adequately resourced at all times.
- 5.16 The statutory proposals outlined in this report are contained within the sufficiency strategy and are therefore part of a programme of a number of proposals that will be published, and will need to be determined by the Council, in its role as decision maker for such school organisation proposals.

6.0 The Statutory Process

- 6.1 The Local Authority has a statutory duty to review the specialist provision available for children and young people with Special Educational Needs and Disabilities (SEND), whilst also ensuring that there are sufficient specialist places available to meet the needs of the growing SEND population.
- 6.2 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (*'the Prescribed Alterations Regulations'*) set out the statutory process to be followed to establish SEND provision at Community and Voluntary Aided (VA) schools. Ordinarily the LA will be the decision maker on such proposals.
- 6.3 There are different arrangements in place for Academy Trusts wishing to make a significant change. Proposals to establish SEND provision require the submission of a business case to the DfE. Whilst the LA must be consulted, decisions on academy proposals will be made by the DfE.

- 6.4 The schools identified to develop proposals to establish specialist resourced provision include Community, Voluntary Aided and Academies and will therefore be subject to the different statutory processes.
- 6.5 Both Chantlers and Woodbank Primary Schools are LA maintained community schools, and hence Cabinet is being asked to determine the proposals for those two schools.
- 6.6 The statutory process for making prescribed alterations to maintained schools has four stages:

Stage	Description	Timescales	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

- 6.7 In accordance with section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 the Local Authority can publish proposals to make a prescribed alteration to establish, remove or alter SEN provision at community schools. The LA is the decision maker on such proposals.
- 6.8 On 27 February statutory notices for both Chantlers and Woodbank proposals were published. This launched a statutory four week representation period of formal consultation with stakeholders.
- 6.9 When considering any reorganisation of provision that the LA recognises as reserved for pupils with special educational needs, proposers will need to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

7.0 Chantlers Primary School Proposal

- 7.1 It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs.

- 7.2 It is proposed that the provision will be located in purpose built accommodation within the main school building. It is proposed that pupils will be admitted incrementally from September 2023.
- 7.3 This new Resourced Provision will be part of the school, operationally led and managed by the school.
- 7.4 All pupils accessing a Resourced Provision place will be on roll at the school and have access to both mainstream provision and the Resourced Provision, dependent on their individual needs.
- 7.5 The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue to be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.
- 7.6 The places available in the Resourced Provision will be in addition to the schools Published Admission Number and will be placed in the RP by virtue of being named in the child's Education, Health and Care (EHC) plan.
- 7.7 Pupils placed at the Resourced Provision will have a range of Social, Emotional and Mental Health (SEMH) needs, some of which will be complex and challenging, usually but not limited to those who have an Education, Health and Care (EHC) Plan. The RP will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHC plan.
- 7.8 Pupils will be admitted if their EHCP identifies developmental difficulties of a significant to severe nature but are able to integrate and be part of a mainstream school community.
- 7.9 The decision to place a pupil or young person at the Provision shall be made by the Local Authority's SEND Panel, or sub-panel thereof. All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice. Consultation with the school will be in accordance with these documents before the Local Authority makes a decision about placement. The majority of admissions take place at the start of the academic year. Additional placements may be made throughout the year. The Local Authority will remain responsible for holding an overview of pupils placed at the Provision.
- 7.10 The provision will be located in purpose built accommodation requiring modest extension to the main school building. At its meeting on 11 January 2023 Cabinet gave approval in principle to the indicative capital costs of the project. Capital funding has been identified within the Children & Young People Capital Programme utilising the additional capital grant allocated by the DfE.
- 7.11 The provision will be funded, in accordance with the Education and Skills Funding Agency (ESFA) requirements, for an agreed number of places.

- 7.12 Place funding will be determined as outlined in the High Needs Operational Guidance. The Local Authority, through the High Needs Block of the Dedicated Schools Grant (DSG), will provide Top-Up funding, up to the agreed rate for Occupied places.
- 7.13 There is a requirement that the Governing Body of the School and the Local Authority will enter into an annual Service Level Agreement in relation to the delivery of the Specialist Resourced Provision.
- 7.14 The Statutory Notice and full proposal are contained at Appendix A and B respectively. In accordance with regulations, their publication on 27 February launched a statutory four week consultation period.
- 7.15 One response to the consultation was received from a parent. This requested further information about the proposal, in terms of accommodation, operational management, staff deployment and referral processes. Responses to these queries have been shared with the parent concerned.

8.0 Woodbank Primary School Proposal

- 8.1 It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech Language and Communication Needs.
- 8.2 It is proposed that the provision will be located in purpose built modular accommodation within the school site. It is proposed that pupils will be admitted incrementally from September 2023.
- 8.3 This new Resourced Provision will be part of the school, operationally led and managed by the school.
- 8.4 All pupils accessing a Resourced Provision place will be on roll at the school and have access to both mainstream provision and the Resourced Provision, dependent on their individual needs.
- 8.5 The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue to be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.
- 8.6 The places available in the Resourced Provision will be in addition to the school's Published Admission Number and will be placed in the RP by virtue of being named in the child's Education, Health and Care (EHC) plan.
- 8.7 Pupils placed at the Resourced Provision will have a range of significant learning difficulties including Autism and /or Speech Language and Communication Needs, some of which will be complex and challenging, usually but not limited to those who have an Education, Health and Care (EHC) Plan. The RP will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHC plan.

- 8.8 Pupils will be admitted if their EHCP identifies developmental difficulties of a significant to severe nature but are able to integrate and be part of a mainstream school community. These difficulties may be particularly characterised by communication difficulties, which may show themselves in speech and language difficulties as well as in more complex interactions with both adults and peers. There may also be a more fundamental social or cognitive basis to the difficulties.
- 8.9 The decision to place a pupil or young person at the Provision shall be made by the Local Authority's SEND Panel, or sub-panel thereof. All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice. Consultation with the school will be in accordance with these documents before the Local Authority makes a decision about placement. The majority of admissions take place at the start of the academic year. Additional placements may be made throughout the year. The Local Authority will remain responsible for holding an overview of pupils placed at the Provision.
- 8.10 The provision will be located in purpose built modular accommodation sited within the school grounds. At its meeting on 11 January 2023 Cabinet gave approval in principle to the indicative capital costs of the project. Capital funding has been identified within the Children & Young People Capital Programme utilising the additional capital grant allocated by the DfE.
- 8.11 The provision will be funded, in accordance with the Education and Skills Funding Agency (ESFA) requirements, for an agreed number of places.
- 8.12 Place funding will be determined as outlined in the High Needs Operational Guidance. The Local Authority, through the High Needs Block of the Dedicated Schools Grant (DSG), will provide Top-Up funding, up to the agreed rate for Occupied places.
- 8.13 There is a requirement that the Governing Body of the School and the Local Authority will enter into an annual Service Level Agreement in relation to the delivery of the Specialist Resourced Provision.
- 8.14 The Statutory Notice and full proposal are contained at Appendix C and D respectively. In accordance with regulations, their publication on 27 February launched a statutory four week consultation period.
- 8.15 No responses to the consultation were received.

9.0 The Decision Making process

- 9.1 In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Cabinet is now requested to determine the proposals. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

9.2 In determining proposals, decision-makers must take account of the following:

- Decision makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received.
- Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).
- Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.
- Decision-makers must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
 - foster good relations between people who share a relevant protected characteristic and people who do not share it.
- Decision-makers should consider the impact of a proposal upon community cohesion.
- Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.
- Decision-makers should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.
- Decision-makers should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal cannot be approved conditionally upon funding being made available.

9.3 When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;

- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions (such as the granting of planning permission) being met.

Report Author and Contact Details:

Name: Paul Cooke
Position: Strategic Lead
Department: Education services
E-mail: p.cooke@bury.gov.uk

Links with the Corporate Priorities:

The proposal will support key ambitions of the Let's do it strategy:

- A better future for the children of the borough
 - A better quality of life
 - A chance to feel more part of the borough
 - Building a fairer society that leaves no-one behind
-

Equality Impact and Considerations:

The outcomes of the initial equality analysis is positive.

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.

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

An equality impact assessment has been undertaken and identified no areas of negative impact in relation to protected characteristics

Environmental Impact and Considerations:

There are no environmental impacts for this decision

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Impact on stakeholders	Full consultation and engagement
Opportunity to improve services to the public	
Opportunity to improve the local offer to children and young people with SEND	

Legal Implications:

Under the statutory framework the Council is the decision maker as both schools are Local Authority Maintained Schools. In considering whether to agree to these recommendations Members are asked to consider in detail the decision making process, this is set out in full at section 9 of this report. Please note members should consider each recommendation separately.

Financial Implications:

A key strand of project safety valve to reduce the Councils deficit on the Dedicated Schools Budget is to reduce the number of children with EHCPs in out of Borough independent non maintained schools which is often very costly, and also to keep them within mainstream schools with additional support wherever possible. A number of resourced provision places is modelled within the financial model in order to increase the Boroughs sufficiency of placements.

These two additional provisions both of 12 places each have been modelled on the basis of being 75% occupied from September 2023 and 100% occupied by September 2024. Funding includes a place element of £10k per place that is

funded even if the place is vacant and then a further top up payment which is only paid once the place is filled, therefore, it is essential that children are placed in these places at the earliest opportunity.

Background papers:

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

[Report to Cabinet 11 January 2023](#)

Project Safety Valve – SEND Sufficiency Place Planning

[Specialist Provision Place Planning](#)

Bury Council Cabinet meeting, 24.3.21

<https://councildecisions.bury.gov.uk/documents/s26550/Dedicated%20Schools%20Grant%20DSG%20Deficit%20Recovery.pdf>

Department for Education - Dedicated Schools Grant 'Safety Valve' Agreement: Bury

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971225/Dedicated_schools_grant_Safety_Valve_agreement_-_Bury.pdf

DfE guidance "Making significant changes ('prescribed alterations') to maintained schools"

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf

DfE guidance "Making significant changes to an open academy"

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057467/Making_significant_changes_to_an_open_academy_January_2022.pdf

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

Term	Meaning
SEND	Special Educational Needs and Disabilities
EHCP	Education, Health & Care Plan
SEMH	Social, Emotional and Mental Health
ASC	Autistic Spectrum Conditions
SLCN	Speech Language and Communication Needs
INMSS	Independent and Non Maintained Special Schools
PSV	Project Safety Valve

APPENDIX A

BURY COUNCIL

STATUTORY NOTICE FOR A PROPOSAL TO ESTABLISH

SPECIAL EDUCATIONAL NEEDS PROVISION AT

CHANTLERS PRIMARY SCHOOL, FOULDS AVENUE, BURY BL6 2SF

Notice is hereby given in accordance with section 19(1) of the Education and Inspections Act 2006 (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Bury Council, 3 Knowsley Place, Duke Street, Bury BL9 0EJ is proposing to make a prescribed alteration to Chantlers Primary School, Foulds Avenue, Bury BL6 2SF.

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs.

The provision will be located in purpose built accommodation within the main school building. Pupils will be admitted incrementally from September 2023.

It is not anticipated that the proposal will have any impact on other educational facilities within the local area. The proposal has been made to accommodate demand for Resourced Provision (RP) places.

This notice is an extract from the complete proposal. The complete proposal is published on the Council's website at www.bury.gov.uk/admissions

Copies can also be requested by telephoning 0161 253 5685, or by emailing: schoolorganisation@bury.gov.uk.

Within four weeks from the date of publication of this proposal, any person may object to, or comment on the proposal, by sending their representations to: Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than 27 March 2023.

Signed



Jeanette Richards, Executive Director of Children and Young People

Bury Council

Date: 27 February 2023

Explanatory Notes

Bury Council will determine the statutory proposal within 2 months of the end of the representation period. If the Council fails to determine the proposal within this time, it will pass all relevant material to the Schools Adjudicator who will determine the proposal.

APPENDIX B



Statutory Proposal for a Prescribed Alteration at Chantlers Primary School

Proposal

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs, with effect from September 2023.

School and Local Authority details

Name of Local Authority making the proposal: Bury Council

Address of Local Authority: Department for Children & Young People,
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Name of school: Chantlers Primary School

Address of school: Foulds Avenue, Bury BL6 2SF

URN: 105291 DfE number: 351/2013

Category of school: Community

Description of proposed prescribed alteration

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Social, Emotional and Mental Health (SEMH) needs.

The provision will be located in purpose-built accommodation within the main school building. Pupils will be admitted incrementally from September 2023.

It is not anticipated that the proposal will have any impact on other educational facilities within the local area. The proposal has been made to accommodate demand for Resourced Provision (RP) places.

Bury Council is developing a wide range of specialist provision across the borough for children and young people with a range of Special Educational Needs and Disabilities (SEND). To enable the Council to continue to meet current and future demand existing specialist provisions are being expanded/redesignated and new specialist provision, including Resourced Provisions, are being established. The Council has invited schools within the borough to express an interest in developing proposals to establish provision to meet identified needs across the borough.

Resourced Provisions have a wide range of specialist skilled staff who have expertise within the field that the provision caters for.

All pupils accessing a Resourced Provision place will be on roll of the school and have access to both mainstream provision and the Resourced Provision, dependent on their individual needs.

This new Resourced Provision will be part of the school, operationally led and managed by the school.

Department for Education (DfE) Guidance on Resourced Provisions states the following:

- *Resourced Provisions are where places are reserved at a mainstream school for pupils with a specific type of SEN, taught mainly within mainstream classes, but requiring a base and some specialist facilities around the school.*
- *Pupils are on the roll of the mainstream school*
- *Resourced Provision schools will receive additional funding from the local authority specifically for the purpose of the provision.*
- *They cater for a specific type or types of SEN*
- *They are usually for pupils with EHC plans but could include pupils with SEN but without an EHC Plan.*
- *Pupils usually spend most of their time in mainstream classes.*
- *They only attend the RP facilities for individual support, to learn a specific skill, to receive medical or therapeutic support or to access specialist equipment. The facilities can be in a suite or dispersed throughout the school.*
- *The Published Admission Number for the school will remain the same, but an agreed number of 'additional places' will be created, but subject to admission through the Education Health & Care Plan (EHCP) referral process, rather than the schools Admission Arrangements*

The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.

Pupils placed at the Resourced Provision shall have a range of social, emotional and mental health (SEMH) needs, some of which will be complex and challenging, usually but not limited to those who have an Education, Health and Care Plan. The RP will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHC plan.

Pupils will be admitted if their EHCP identifies developmental difficulties of a significant to severe nature but are able to integrate and be part of a mainstream school community.

Objectives of the proposal

When considering any reorganisation or establishment of provision that the LA recognises as reserved for pupils with special educational needs, proposers need to demonstrate how the proposed arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

The proposal will build on the good standards for teaching and learning already in place at the school. The development will provide places for children and young people with SEND within the Resourced Provision. This development will not have any negative impact on other schools, academies and educational institutions in the area.

The proposal will provide:

1. local mainstream educational provision for pupils requiring specialist support and intervention to meet their special educational needs.
2. pupils' appropriately planned learning opportunities and activities to address the defined needs of pupils.
3. access to learning for those pupils in the target group. This shall include access:
 - To the appropriate and relevant National Curriculum programmes of study though inclusive Quality First Teaching for part of the school day, differentiated according to individual needs; and
 - To wider opportunities that promote the spiritual, moral, cultural, mental and physical development of pupils at the school e.g. assemblies and out of school activities.
 - To learning and teaching to address identified need as appropriate e.g. emotional resilience.
 - To provide a wide range of professional support across education, health and social care dependent on individual needs, in order to support pupils and remove barriers to learning.
 - To personalise specialist support and appropriate intervention, structured in cycles of Assess, Plan, Do, Review and which are overseen by the school Special Educational Needs Coordinator (SENCo).

Pathways into the Provision

The decision to place a pupil or young person at the Provision shall be made by the Local Authority's SEND Panel, or sub-panel thereof. All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice. Consultation with the school will be in accordance with these documents before the Local Authority makes a decision about placement. The majority of admissions take place at the start of the academic year. Additional placements may be made throughout the year. The Local Authority will remain responsible for holding an overview of pupils placed at the Provision.

Effect on other educational institutions within the area

The establishment of the resourced provision base will not create an overall increase in the number of places in the primary sector but will provide an additional specialist provision for children with Social, Emotional and Mental Health (SEMH) needs.

The proposed resource base will not replace existing provision but will supplement and improve provision across the borough. The addition of the Special Resource Base to the school will not have a direct impact on admissions or provision at other schools within the area but will have a positive impact in the capacity and quality of outreach support to be offered to other schools.

Consultation

The proposal to establish a new Resourced Provision will be subject to a full statutory consultation process.

Following the publication of a Statutory Notice on 27 February 2023, the statutory four week Representation Phase will run from 27 February 2023 to 27 March 2023. All representations will be analysed and considered prior to a report being presented to the Council's Cabinet on 19 April 2023.

Project costs and indication of how these will be met, including how long-term value for money will be achieved

The provision will be located in purpose-built accommodation within the main school building, requiring modest extension to the existing school accommodation. The requisite capital funding has been identified within the Children's Services Capital Programme utilising the additional capital grant allocated by the Department for Education (DfE).

Place funding will be determined as outlined in the High Needs Operational Guidance. The Local Authority, through the High Needs Block of the Dedicated Schools Grant (DSG), will provide Top-Up funding, up to the agreed rate for Occupied places.

There is a requirement that the Governing Body of the School and the Local Authority will enter into an annual Service Level Agreement in relation to the delivery of the Specialist Resourced Provision.

Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision. Increased capacity for outreach will deliver support for pupils in mainstream settings, leading to fewer pupils being transferred to specialist provisions and improving inclusion opportunities in mainstream schools.

Evidence of demand

The Local Authority has a statutory duty to constantly review the specialist provision available for children and young people with Special Educational Needs and Disabilities (SEND), whilst also ensuring that there are sufficient specialist places available to meet the needs of the growing SEND population.

Bury has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision over the last 10 years. It is projected that demand will continue to grow across all sectors.

Bury Council and the Department for Education (DfE) have entered into a 'Safety Valve' agreement, which includes planning for future provision, working closely with partners to develop a financial plan and forecast model, and identifying measures to increase access to local provision in Bury.

The Council has thus embarked on a SEND transformation programme and one of the key objectives is to reduce the number of out of borough placements by expanding in borough specialist provision, targeted at the right areas of need.

The key aims of the transformation programme will include:

- educating Bury children in their own communities wherever possible
- ensuring most work with families is undertaken in community settings
- empowering communities to act to prevent escalation to statutory services
- reducing dependency on costly and sometimes ineffective provision
- helping people to receive and exit statutory services when needed, as rapidly as possible focusing money where it has most impact
- reducing our financial deficit

The Safety Valve agreement includes an action plan to:

- Strengthen the Special Educational Needs assessment and placements process

- Ensure robust planning for future provision, including reducing the use of independent school placements by increasing the availability and suitability of local provision within Bury. This will include developing a model for forecasting future needs.

- Improve quality and timeliness of management information to enable the evaluation of impact of central services.

- Support and drive schools in Bury to meet a higher level of need in a more cost-effective way within mainstream settings, while maintaining the quality of provision. Develop a culture in which demand is more effectively managed throughout the authority.

- Remodel financial practice to ensure accurate contributions from appropriate funding sources.

Within the Bury school population, the January 2022 census showed that 17% of pupils have SEND (5,026 pupils). This was made up of 12.7% (3,713 pupils) who have their needs met at SEN Support level, and 4.5% of the school population who have an Education, Health and Care plan (EHCP) (1,313 pupils).

There has been a consistently high number and percentage of children in Bury with an EHCP over time and at a level that is significantly higher than national, regional and statistical neighbour benchmarks; and the gap is increasing. Nationally, the percentage of pupils with an EHCP has increased to 3.7%.

Between the January 2021 and January 2022 Census there was an increase in the number of pupils on EHCPs of 91 which equates to 0.4%. However, there was a reduction in pupils on 'SEN Support' whereas nationally there was a 0.1% increase.

The types of primary need that are most common in Bury are social, emotional and mental health needs (SEMH) 23%; speech, language and communication needs (SLCN) 21%; moderate learning difficulties (MLD) 14.2%; specific learning difficulties (SPLD) 11% and autism (ASC) 12%. The increase in the number of EHCPs is mainly in the categories of ASC, SEMH and SLCN, which is in line with national trends. Nationally, the most common primary SEND need is ASC.

The Council has analysed the current and likely future patterns of demand and mapped these against current provision. This includes the likely pressure for specialist placements for children and young people currently in mainstream schools. This is particularly acute for those with Autistic spectrum conditions (ASC), Social, emotional and mental health (SEMH) needs and Speech, language and communication needs (SLCN) and especially in the primary sector.

Bury currently has a significantly lower number of RP places than national and regional averages. The Council wishes to ensure that future provision is targeted at re-balancing its continuum of SEND provision and has expressed its intention to expand Resource Provision (RP) capacity, particularly at the primary stage, and has invited schools within the borough to express an interest in developing proposals to establish provision.

The Council has received additional revenue and capital funding through the Safety Valve agreement.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, 27 February 2023, any person may object to or make comments on the proposal by sending them to Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than Monday 27 March 2023.

APPENDIX C

BURY COUNCIL

STATUTORY NOTICE FOR A PROPOSAL TO ESTABLISH

SPECIAL EDUCATIONAL NEEDS PROVISION AT

WOODBANK PRIMARY SCHOOL, BRANDLESHOLME ROAD, BURY BL8 1AX

Notice is hereby given in accordance with section 19(1) of the Education and Inspections Act 2006 (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Bury Council, 3 Knowsley Place, Duke Street, Bury BL9 0EJ is proposing to make a prescribed alteration to Woodbank Primary School, Brandlesholme Road, Bury BL8 1AX.

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech Language and Communication Needs.

The provision will be located in purpose built modular accommodation within the school site. Pupils will be admitted incrementally from September 2023.

It is not anticipated that the proposal will have any impact on other educational facilities within the local area. The proposal has been made to accommodate demand for Resourced Provision (RP) places.

This notice is an extract from the complete proposal. The complete proposal is published on the Council's website at www.bury.gov.uk/admissions Copies can also be requested by telephoning 0161 253 5685, or by emailing: schoolorganisation@bury.gov.uk

Within four weeks from the date of publication of this proposal, any person may object to, or comment on the proposal, by sending their representations to: Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than Monday 27 March 2023.

Signed



Jeanette Richards
Executive Director of Children and Young People
Bury Council
Date: 27 February 2023

Explanatory Notes

Bury Council will determine the statutory proposal within 2 months of the end of the representation period. If the Council fails to determine the proposal within this time, it will pass all relevant material to the Schools Adjudicator who will determine the proposal.



Statutory Proposal for a Prescribed Alteration at Woodbank Primary School

Proposal

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech Language and Communication Needs, with effect from September 2023.

School and Local Authority details

Name of Local Authority making the proposal: Bury Council

Address of Local Authority: Department for Children & Young People,
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Name of school: Woodbank Primary School

Address of school: Brandlesholme Road, Bury BL8 1AX

URN: 105292 DfE number: 351/2014

Category of school: Community

Description of proposed prescribed alteration

It is proposed to establish a new 12 place Specialist Resourced Provision for pupils with Autistic Spectrum Conditions and Speech Language and Communication Needs.

The provision will be located in purpose built modular accommodation within the school site. Pupils will be admitted incrementally from September 2023.

It is not anticipated that the proposal will have any impact on other educational facilities within the local area. The proposal has been made to accommodate demand for Resourced Provision (RP) places.

Bury Council is developing a wide range of specialist provision across the borough for children and young people with a range of Special Educational Needs and Disabilities (SEND). To enable the Council to continue to meet current and future demand existing specialist provisions are being expanded/redesignated and new specialist provision, including Resourced Provisions, are being established. The Council has invited schools within the borough to express an interest in developing proposals to establish provision to meet identified needs across the borough.

Resourced Provisions have a wide range of specialist skilled staff who have expertise within the field that the provision caters for.

All pupils accessing a Resourced Provision place will be on roll of the school and have access to both mainstream provision and the Resourced Provision, dependent on their individual needs.

This new Resourced Provision will be part of the school, operationally led and managed by the school.

Department for Education (DfE) Guidance on Resourced Provisions states the following:

- *Resourced Provisions are where places are reserved at a mainstream school for pupils with a specific type of SEN, taught mainly within mainstream classes, but requiring a base and some specialist facilities around the school.*
- *Pupils are on the roll of the mainstream school*
- *Resourced Provision schools will receive additional funding from the local authority specifically for the purpose of the provision.*
- *They cater for a specific type or types of SEN*
- *They are usually for pupils with EHC plans but could include pupils with SEN but without an EHC Plan.*
- *Pupils usually spend most of their time in mainstream classes.*
- *They only attend the RP facilities for individual support, to learn a specific skill, to receive medical or therapeutic support or to access specialist equipment. The facilities can be in a suite or dispersed throughout the school.*
- *The Published Admission Number for the school will remain the same, but an agreed number of 'additional places' will be created, but subject to admission through the Education Health & Care Plan (EHCP) referral process, rather than the schools Admission Arrangements*

The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue to be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.

Pupils placed at the Resourced Provision shall have a range of significant learning difficulties including Autism and/or Speech Language and Communication Needs, some of which will be complex and challenging, usually but not limited to those who have an Education, Health and Care Plan. The RP will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHC plan.

Pupils will be admitted if their EHCP identifies developmental difficulties of a significant to severe nature but are able to integrate and be part of a mainstream school community. These difficulties may be particularly characterised by communication difficulties, which may show themselves in speech and language difficulties as well as in more complex interactions with both adults and peers. There may also be a more fundamental social or cognitive basis to the difficulties.

Objectives of the proposal

When considering any reorganisation or establishment of provision that the LA recognises as reserved for pupils with special educational needs, proposers need to demonstrate how the proposed arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

The proposal will build on the good standards for teaching and learning already in place at the school. The development will provide places for children and young people with SEND within the Resourced Provision. This development will not have any negative impact on other schools, academies and educational institutions in the area.

The proposal will provide:

1. local mainstream educational provision for pupils requiring specialist support and intervention to meet their special educational needs.
2. pupils' appropriately planned learning opportunities and activities to address the defined needs of pupils.
3. access to learning for those pupils in the target group. This shall include access:
 - To the appropriate and relevant National Curriculum programmes of study through inclusive Quality First Teaching for part of the school day, differentiated according to individual needs; and
 - To wider opportunities that promote the spiritual, moral, cultural, mental and physical development of pupils at the school e.g. assemblies and out of school activities.
 - To learning and teaching to address identified need as appropriate e.g. emotional resilience.
 - To provide a wide range of professional support across education, health and social care dependent on individual needs, in order to support pupils and remove barriers to learning.
 - To personalise specialist support and appropriate intervention, structured in cycles of Assess, Plan, Do, Review and which are overseen by the school Special Educational Needs Coordinator (SENCo).

Pathways into the Provision

The decision to place a pupil or young person at the Provision shall be made by the Local Authority's SEND Panel, or sub-panel thereof. All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice. Consultation with the school will be in accordance with these documents before the Local Authority makes a decision about placement. The majority of admissions take place at the start of the academic year. Additional placements may be made throughout the year. The Local Authority will remain responsible for holding an overview of pupils placed at the Provision.

Effect on other educational institutions within the area

The establishment of the resourced provision base will not create an overall increase in the number of places in the primary sector but will provide an additional specialist provision for children with Social, Emotional and Mental Health (SEMH) needs.

The proposed resource base will not replace existing provision but will supplement and improve provision across the borough. The addition of the Special Resource Base to the school will not have a direct impact on admissions or provision at other schools within the area but will have a positive impact in the capacity and quality of outreach support to be offered to other schools.

Consultation

The proposal to establish a new Resourced Provision will be subject to a full statutory consultation process.

Following the publication of a Statutory Notice on 27 February 2023, the statutory four week Representation Phase will run from 27 February 2023 to 27 March 2023. All representations will be analysed and considered prior to a report being presented to the Council's Cabinet on 19 April 2023.

Project costs and indication of how these will be met, including how long-term value for money will be achieved

The provision will be located in purpose built modular accommodation within the school site. The requisite capital funding has been identified within the Children's Services Capital Programme utilising the additional capital grant allocated by the Department for Education (DfE).

Place funding will be determined as outlined in the High Needs Operational Guidance. The Local Authority, through the High Needs Block of the Dedicated Schools Grant (DSG), will provide Top-Up funding, up to the agreed rate for Occupied places.

There is a requirement that the Governing Body of the School and the Local Authority will enter into an annual Service Level Agreement in relation to the delivery of the Specialist Resourced Provision.

Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision. Increased capacity for outreach will deliver support for pupils in mainstream settings, leading to fewer pupils being transferred to specialist provisions and improving inclusion opportunities in mainstream schools.

Evidence of demand

The Local Authority has a statutory duty to constantly review the specialist provision available for children and young people with Special Educational Needs and Disabilities (SEND), whilst also ensuring that there are sufficient specialist places available to meet the needs of the growing SEND population.

Bury has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision over the last 10 years. It is projected that demand will continue to grow across all sectors.

Bury Council and the Department for Education (DfE) have entered into a 'Safety Valve' agreement, which includes planning for future provision, working closely with partners to develop a financial plan and forecast model, and identifying measures to increase access to local provision in Bury.

The Council has thus embarked on a SEND transformation programme and one of the key objectives is to reduce the number of out of borough placements by expanding in borough specialist provision, targeted at the right areas of need.

The key aims of the transformation programme will include:

- educating Bury children in their own communities wherever possible
- ensuring most work with families is undertaken in community settings
- empowering communities to act to prevent escalation to statutory services
- reducing dependency on costly and sometimes ineffective provision
- helping people to receive and exit statutory services when needed, as rapidly as possible focusing money where it has most impact
- reducing our financial deficit

The Safety Valve agreement includes an action plan to:

- Strengthen the Special Educational Needs assessment and placements process

- Ensure robust planning for future provision, including reducing the use of independent school placements by increasing the availability and suitability of local provision within Bury. This will include developing a model for forecasting future needs.

- Improve quality and timeliness of management information to enable the evaluation of impact of central services.

- Support and drive schools in Bury to meet a higher level of need in a more cost-effective way within mainstream settings, while maintaining the quality of provision. Develop a culture in which demand is more effectively managed throughout the authority.

- Remodel financial practice to ensure accurate contributions from appropriate funding sources.

Within the Bury school population, the January 2022 census showed that 17% of pupils have SEND (5,026 pupils). This was made up of 12.7% (3,713 pupils) who have their needs met at SEN Support level, and 4.5% of the school population who have an Education, Health and Care plan (EHCP) (1,313 pupils).

There has been a consistently high number and percentage of children in Bury with an EHCP over time and at a level that is significantly higher than national, regional and statistical neighbour benchmarks; and the gap is increasing. Nationally, the percentage of pupils with an EHCP has increased to 3.7%.

Between the January 2021 and January 2022 Census there was an increase in the number of pupils on EHCPs of 91 which equates to 0.4%. However, there was a reduction in pupils on 'SEN Support' whereas nationally there was a 0.1% increase.

The types of primary need that are most common in Bury are social, emotional and mental health needs (SEMH) 23%; speech, language and communication needs (SLCN) 21%; moderate learning difficulties (MLD) 14.2%; specific learning difficulties (SPLD) 11% and autism (ASC) 12%. The increase in the number of EHCPs is mainly in the categories of ASC, SEMH and SLCN, which is in line with national trends. Nationally, the most common primary SEND need is ASC.

The Council has analysed the current and likely future patterns of demand and mapped these against current provision. This includes the likely pressure for specialist placements for children and young people currently in mainstream schools. This is particularly acute for those with Autism spectrum conditions (ASC), Social, emotional and mental health (SEMH) needs and Speech, language and communication needs (SLCN) and especially in the primary sector.

Bury currently has a significantly lower number of RP places than national and regional averages. The Council wishes to ensure that future provision is targeted at re-balancing its continuum of SEND provision and has expressed its intention to expand Resource Provision (RP) capacity, particularly at the primary stage, and has invited schools within the borough to express an interest in developing proposals to establish provision.

The Council has received additional revenue and capital funding through the Safety Valve agreement.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, 27 February 2023, any person may object to or make comments on the proposal by sending them to Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk.

Comments and objections should be sent by no later than Monday 27 March 2023.

Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Proposals to lower the age range at Fairfield Primary School	
Report of	Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Cabinet is requested to determine a proposal published by the LA in respect of Fairfield Primary School regarding a prescribed alteration to change the age range of the school.
- 1.2 It is proposed to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.
- 1.3 At the request of the Governing Body of Fairfield Primary school, the LA has published the proposal, and has consulted on that proposal.

2.0 Recommendation(s)

That:

- Cabinet notes the outcome of the consultation.
- Cabinet approves the proposal to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.

2.1 Reasons for recommendation(s)

Fairfield Community Primary is a good school with high standards. By extending the provision offered, the school will provide strong standards, early identification of needs of pupils and allow for strong transition into school (either at Fairfield or another school) from the youngest ages.

The Educational Endowment Foundation state that:

"Beginning early years education at a younger age appears to have a high positive impact on learning outcomes. It is estimated that children who start to attend an early years setting before turning three make approximately six additional months' progress compared to those who start a year later. Positive effects have been detected for early reading outcomes in the first year of primary school and moderate to high effects have been detected for early language and number skills. There are some indications that the impact of high-quality early years provision is particularly positive for children from low-income families."

2.2 Alternative options considered and rejected

The proposal is in line with the local authority's Early Years strategy.

3.0 Background

- 3.1 Within the local community there is little provision for 2 year old care. There is sufficiency of need in the community and a number of local early years provisions have recently closed or reduced their intake.
- 3.2 A high number of families in the area would be entitled to 2 year old funding but are not necessarily taking up the provision. As a community primary school, Fairfield has important links with families and the community and wishes to fulfil the needs of families in the area who have identified a requirement for early years provision.
- 3.3 The governing board wishes to ensure that the school supports the local area by offering high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.
- 3.4 The school already has a very successful 3-4 year old nursery provision that was oversubscribed last year.
- 3.5 The school has recently been awarded the Inclusion Quality Mark and are proud of the support for all pupils and want to extend the impact they have to a wider range of children within the community.

4.0 The proposal

- 4.1 It is proposed that the new nursery would provide 8 places per session for 2 year olds. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only. The school would accept Early Education Funding from 2 years of 15 hours and tax free childcare vouchers.
- 4.2 If approved, it is anticipated that the nursery provision will open on 5 September 2023.
- 4.3 The school wishes to work with families to help set routines and help children to meet their age related expectations. This aim will include working with families too and encouraging their engagement with school from the very start. Family engagement is strongly promoted at Fairfield. The school offers family learning sessions covering reading, numeracy, mental health and wellbeing, first aid. These have all had a healthy uptake of numbers.
- 4.4 On-site nursery provision would enable robust assessments for the children moving up to the main school as they would be moderated by the Early Years staff from the school. This would also enable, where required, the provision of early intervention such as Speech and Language and Paediatric referrals because the children would be seen by the school's Special Educational Needs Coordinator (SENCo) at a much earlier stage.
- 4.5 The school will work closely with Bury Early Years and Childcare services to promote and implement activities and training around school readiness. This will further support good outcomes for children in the main school,

which is Ofsted rated as Good in February 2018. Standards, planning and delivery of the curriculum will be overseen by a designated member of the school's senior leadership team creating strong links with the school's improvement plans.

- 4.6 The local authority does not believe the proposal would have a negative impact on other early years' provision, schools or academies in the local area. Establishment of 2 year old provision on the school site would help to fulfil the needs of families in the area who have identified a requirement for early years provision.
- 4.7 The provision will be located in the existing 'Rainbow Room' and therefore will require minimal capital investment for minor adaptations. Costs will be met by the school and the local authority's approved capital programme.
- 4.8 The school would employ members of staff with the necessary qualifications to manage and run the nursery adhering carefully to statutory ratios. The nursery teacher would plan and oversee the provision within the 2 year old setting.
- 4.9 Revenue Funding for the additional 2 year old provision will be provided through the Early Years funding block.
- 4.10 Recent case studies show that the impact of having children from disadvantaged backgrounds in school can be significant. The desire is to serve the present community where needed and based on the expected demand, it is anticipated that this provision at Fairfield would provide much needed early education opportunities locally.
- 4.11 The proposal is in line with the local authority's Early Years strategy.

5.0 The Statutory Process

- 5.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (*'the Prescribed Alterations Regulations'*) set out the statutory process to be followed when making significant changes, including changing of age range of a school. Ordinarily the LA will be the decision maker on such proposals.
- 5.2 The statutory process for making prescribed alterations to maintained schools has four stages:

Stage	Description	Timescales	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any

			modifications agreed by the decision-maker
--	--	--	--

- 5.3 In accordance with section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the Local Authority can propose a change of age range of one year group or more for community schools (including the adding or removal of sixth form or nursery provision) by following the prescribed alterations' statutory process. The LA is the decision maker on such proposals.
- 5.4 On 28 February, publication of a statutory notice of the proposal launched a statutory four week representation period of formal consultation with stakeholders. The Statutory Notice and full proposal are contained at Appendix A and B respectively.
- 5.5 No responses were received during the consultation period

6.0 The Decision Making process

- 6.1 In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Cabinet is now requested to determine the proposal. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.
- 6.2 In determining proposals, decision-makers must take account of the following:
- Decision makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received.
 - Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).
 - Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.
 - Decision-makers must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
 - foster good relations between people who share a relevant protected characteristic and people who do not share it.
 - Decision-makers should consider the impact of a proposal upon community cohesion.

- Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.
- Decision-makers should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.
- Decision-makers should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal cannot be approved conditionally upon funding being made available.

6.3 When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions (such as the granting of planning permission) being met.

Report Author and Contact Details:

Name: Paul Cooke

Position: Strategic Lead

Department: Education services

E-mail: p.cooke@bury.gov.uk

Links with the Corporate Priorities:

The proposal will support key ambitions of the Let's do it strategy:

- A better future for the children of the borough
- A better quality of life
- A chance to feel more part of the borough
- Building a fairer society that leaves no-one behind

Equality Impact and Considerations:

The outcomes of the initial equality analysis is positive.

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

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

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

An equality impact assessment has been undertaken and identified no areas of negative impact in relation to protected characteristics

Environmental Impact and Considerations:

There are no environmental impacts for this decision

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Impact on stakeholders	Full consultation and engagement
Opportunity to improve provision	
Early identification of needs of pupils and allow for strong transition into school	

Legal Implications:

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 govern how a Local Authority makes alterations to the age range at a school, the report sets out the publication and consultation process, and how the Council has complied with the statutory process. There is no statutory requirement for pre publication consultation however it is an expectation that this is carried out prior to publication of the notice.

Financial Implications:

The additional places as a consequence of lowering the age range of the nursery provision at Fairfield primary school will be funded from the early years block of the Dedicated Schools Grant.

Background papers:

None.

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

Term	Meaning
EYFS	Early Years Foundation Stage.
SENCo	Special Educational Needs Coordinator

BURY COUNCIL

Change of age range at Fairfield Primary School

Notice is hereby given in accordance with Section 19 (1) of the Education and Inspections Act 2006 (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Bury Council, 3 Knowsley Place, Duke Street, Bury BL9 0EJ is proposing to make a prescribed alteration to Fairfield Primary School, Rochdale Old Road, Bury, BL9 7SD by lowering its age range from 3-11 to 2-11 with effect from September 2023.

Fairfield Primary School is a Community School.

The aim of the proposal is to provide 8 places per session for 2 year old children. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only. The provision will be located in the existing 'Rainbow Room' at the school.

If approved, it is anticipated that the nursery provision will open on 5 September 2023.

The school already offers on-site nursery provision for 3-4 year olds. The governing board wishes to ensure that there will be nursery provision to support the local area and to offer high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.

If approved, Bury Council will implement the proposal.

This notice is an extract from the complete proposal. A copy of the complete proposal can be viewed at: www.bury.gov.uk/admissions

Alternatively, you can request a printed copy of the complete proposal from the address below or by telephone on 0161 253 5685.

Within four weeks from the date of publication of this proposal, any person may object to, or comment on the proposal, by sending their representations to: Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than 28 March 2023.

Signed



Jeanette Richards
Executive Director of Children and Young People
Bury Council
Date: 28 February 2023

Explanatory Notes

Bury Council will determine the statutory proposal within 2 months of the end of the representation period. If the Council fails to determine the proposal within this time, it will pass all relevant material to the Schools Adjudicator who will determine the proposal.



Statutory Proposal for a Prescribed Alteration at Fairfield Primary School

Proposal

It is proposed to lower the age range at Fairfield Primary School from 3-11 to 2-11 with effect from September 2023.

School and Local Authority details

Name of Local Authority making the proposal: Bury Council

Address of Local Authority: Department for Children & Young People,
3 Knowsley Place, Duke Street, Bury BL9 0EJ

Name of school: Fairfield Primary School

Address of school: Rochdale Old Road, Bury, BL9 7SD

URN: 105287 DfE number: 351/2006

Category of school: Community

Description of proposed alteration

It is proposed to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.

Evidence of demand

Within the local community there is little provision for 2 year old care. The provider at Fairfield hospital (Fairfield Day Nursery run by Creche-N-Co) is the nearest provider for 2 year old provision. Hoyle nursery which is the next closest provider is over subscribed. There is sufficiency of need in the community and a number of local early years provisions have recently closed or reduced their intake.

The school already has a very successful 3-4 year old nursery provision that was oversubscribed last year.

A high number of families in the area would be entitled to 2 year old funding but are not necessarily taking up the provision. As a community primary school, Fairfield has important links with families and the community and wishes to fulfil the needs of families in the area who have identified a requirement for early years provision

The new nursery would provide 8 places per session for 2 year olds. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only.

The proposal is in line with the local authority's Early Years strategy.

Objectives of the proposal

The governing board wishes to ensure that the school supports the local area by offering high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.

Fairfield Community Primary is a good school with high standards. By extending the provision offered, the school will provide strong standards, early identification of needs of pupils and allow for strong transition into school (either at Fairfield or another school) from the youngest ages.

The Educational Endowment Foundation state that:

"Beginning early years education at a younger age appears to have a high positive impact on learning outcomes. It is estimated that children who start to attend an early years setting before turning three make approximately six additional months' progress compared to those who start a year later. Positive effects have been detected for early reading outcomes in the first year of primary school and moderate to high effects have been detected for early language and number skills. There are some indications that the impact of high-quality early years provision is particularly positive for children from low-income families."

The school wishes to work with families to help set routines and help children to meet their age related expectations. This aim will include working with families too and encouraging their engagement with school from the very start. Family engagement is strongly promoted at Fairfield. The school offers family learning sessions covering reading, numeracy, mental health and wellbeing, first aid. These have all had a healthy uptake of numbers.

On-site nursery provision would enable robust assessments for the children moving up to the main school as they would be moderated by the Early Years staff from the school. This would also enable, where required, the provision of early intervention such as Speech and Language and Paediatric referrals because the children would be seen by the school's Special Educational Needs Coordinator (SENCo) at a much earlier stage.

The school has recently been awarded the Inclusion Quality Mark and are proud of the support for all pupils and want to extend the impact they have to a wider range of children within the community.

The school will work closely with Bury Early Years and Childcare services to promote and implement activities and training around school readiness. This will further support good outcomes for children in the main school, which is Ofsted rated as Good in February 2018. Standards, planning and delivery of the curriculum will be overseen by a designated member of the school's senior leadership team creating strong links with the school's improvement plans.

The effect on other educational settings in the area

The local authority does not believe the proposal would have a negative impact on other early years' provision, schools or academies in the local area. Establishment of 2 year old provision on the school site would help to fulfil the needs of families in the area who have identified a requirement for early years provision.

Project costs and indication of how these will be met, including how long-term value for money will be achieved

The provision will be located in the existing 'Rainbow Room' and therefore will require minimal capital investment for minor adaptations. Costs will be met by the school and the local authority's approved capital programme.

The school would need to employ members of staff with the necessary qualifications to manage and run the nursery adhering carefully to statutory ratios.

The nursery teacher would plan and oversee the provision within the 2 year old setting.

Recent case studies show that the impact of having children from disadvantaged backgrounds in school can be significant. The desire is to serve the present community where needed and based on the expected demand, it is anticipated that this provision at Fairfield would provide much needed early education opportunities locally.

Implementation

If approved, it is anticipated that the nursery provision will open on 5 September 2023. It is proposed to make the following offer:

Places for children from 2 to 3 years of age. (3-4 year old nursery care is already offered).

Nursery provision to be offered term time only.

The school would accept: Early Education Funding from 2 years of 15 hours
 Tax free childcare vouchers

Consultation

The proposal to alter the age range to establish 2 year old nursery provision will be subject to a full statutory consultation process.

Following the publication of a Statutory Notice on 28 February 2023, the statutory four week Representation Phase will run from 28 February 2023 to 28 March 2023. All representations will be analysed and considered prior to a report being presented to the Council's Cabinet on 19 April 2023.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, 28 February 2023, any person may object to or make comments on the proposal by sending them to Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than 28 March 2023.

This page is intentionally left blank



Classification: Open	Decision Type: Non-Key
--------------------------------	----------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Annual Review of Adult Social Care Fees and Charges for the Financial Year 2023/24	
Report of	Deputy Leader and Cabinet Member for Adult Care, Health, and Wellbeing	

Summary

1. The One Commissioning Organisation (OCO) directorate raises several Adult Social Care (ASC) fees and charges.
2. This report details the proposed 2023/24 Adult Social Care fees and charges across the OCO directorate to take effect in April 2023

Recommendation(s)

3. It is recommended that the proposed Adult Social Care Fees & Charges for 2023/24 detailed in Appendix A of this report are approved

Reasons for recommendation(s)

4. In accordance with the Council's Financial Regulations, there is a requirement to review fees and charges on an annual basis.

Alternative options considered and rejected

5. Alternatives were not considered, uplifts to Adult Social Care fees are in line the 2023/24 Adult Social Care Provider Fee Uplifts or in line with the November 2022 Autumn Statement announcement that the state pension and a number of other benefits will increase by 10.1%.

Report Author and Contact Details:

Name: Paul Oakley
Position: Business Partner
Department: Corporate Core - Finance
E-mail: p.oakley@bury.gov.uk

Background

6. The One Commissioning Organisation (OCO) directorate raises several Adult Social Care fees and charges and in accordance with the Council's Financial Regulations, there is a requirement to review fees and charges on an annual basis.

2023/24 Fee Proposal

7. The 2023/24 proposed increases to Adult Care Service discretionary fees and charges are detailed in Appendix A.
8. To ensure that the 2023/24 adult care service setting fees are aligned with the 2023/24 fees paid to commissioned providers it is proposed that the Service setting fees are uplifted by the same percentage rates employed to uplift the 2023/24 fees paid to commissioned providers.
9. The 2023/24 fees and charges proposal also recommends that the charges listed in Table 1 below are increased by 10.1% which is in line with the November 2022 Autumn Statement announcement that the state pension and a number of other benefits will go up by 10.1%.

Table 1

Charge Description	Description
Weekly Charge for Homecare	The maximum charge a person who receives care and support at home will be charged per week
Transport to Day Centres	The standard rate of charge for a single or return trip to a day centre
Carelink/Telecare	Weekly charge for the provision of the 24/7 Carelink Assistive Technology Service.
Home Support Service	Weekly charge for the Support at Home Service in the wider community.
Day Centre Attendance	Daily charge for attending a day centre
Appointeeship – Community based	Weekly charge for a Money Management Service of Appointeeship for those living at home.
Appointeeship – Residential based	Weekly charge for a Money Management Service of Appointeeship for those living in a Care Home.
Deferred Payments – Set-up fee	Fee for setting up the Legal Agreements and process for the Deferred Payments Scheme where people entering a Care Home require access to council funding until their property is sold.
Deferred Payments - Annual fee	An annual fee for those on the Deferred Payment Scheme receiving Council funding until their property is sold.
Deferred Payments – Termination fee	A final fee to close accounts and legal agreements for those on the Deferred Payment Scheme who have repaid the Council the funding provided whilst their property was being sold.

Financial Assessments

10. Any changes to an individual's financial circumstances will be considered as part of the normal review process, and a new financial assessment carried out

where appropriate to ensure the charges levied remain fair and affordable in line with the Council's Client Charging policy

11. Whilst the rates set out in Appendix A will be used to calculate the cost of care, a separate financial assessment is carried out for each service user and the service user will only contribute the value deemed affordable to them in that assessment. The majority of service users charges will likely not increase following a financial reassessment for 2023/24, and therefore any increased income from service user contributions would be negligible

Links with the Corporate Priorities:

12. Enterprise – For those service users whose financial assessment result in a partial or full contribution the annual review of Adult Social Care fees and Charges for the Financial Year 2023/24 ensures the council is able to partially/fully offset the cost of delivering care and therefore reducing the cost to the Council

Equality Impact and Considerations:

13. The full EIA document is available upon request. The EIA for the charging and financial assessment policy considers a positive impact as allowances & disregards are available if required and applied equally and fairly to all people using care and support services.

Environmental Impact and Considerations:

14. An environmental impact assessment has not been undertaken as there are no implications or carbon impact of this decision

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The fees and charges set lower than the cost of that the Council pays for services that are 'chargeable', resulting in a cost pressure to the council.	-Fees are aligned to Commissioned Care Provider Fee Uplifts. -Non-Commissioned Care provider charges uplifted in line with the Autumn Statement announcement that the state pension and several other benefits will go up by 10.1% which is in line with September's Consumer Prices Index (CPI) measure of inflation.

Legal Implications:

15. The power of a Local Authority to make a charge for meeting needs is contained within the Care Act 2014, this act provides a single legal framework for charging for care and support under sections 14 and 17. Charges may only cover the cost that the local authority incurs in meeting the needs to which the charge applies. The Council has a duty to market shape, so it has duty to facilitate the whole market in its areas for care and support related services and ensure a diverse range of high quality services to the population. The Council must understand supply and demand in terms of care and support related care and market shape accordingly. Failure to increase fees in line with 2023/24 Adult Social Care Provider Fee Uplifts is potentially a failure of the Council to comply with the Statutory Guidance. The charging of service users is appropriate and in line with statute.

Financial Implications:

16. The Adult Care in the Community client receipt budget is c£11m. However, additional income generated as a result of the proposed increases to the 2023/24 fees and charges set out in this report are not likely to be material as a consequence of:
- Charging of Adult Social Care fees and charges is on the basis of ability to pay and is therefore means tested
 - Contributions from residents are calculated after applying various deductions and the pension/benefit uplift will offset the 2023/24 fee/charge uplift

Background papers:

None.

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

Term	Meaning
OCO	One Commissioning Organisation
ASC	Adult Social Care

This page is intentionally left blank



Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Future of Bury Town Hall and other administrative buildings occupied by the Council	
Report of	Leader and Cabinet Member for Strategic Growth and Skills	

Summary

1.1. In February 2023 Cabinet approved the preferred option of a phased refurbishment of the Town Hall as the basis for a consultation with the public, staff and trade unions.

1.2. The preferred option is to undertake a phased refurbishment of the Town Hall. This will create higher quality office space in the Town Hall. It will also allow for a phased decant of staff from 3 Knowsley Place timed to align with the availability of newly refurbished space in the Town Hall.

1.3. This report presents the findings of the consultation exercise and outlines progress on the transfer of the Council's lease obligation for 3 Knowsley Place to Pennine Care NHS Foundation Trust.

Recommendation(s)

- (1) That Cabinet notes the outcome of the consultation process contained at Appendix 1.
- (2) That Cabinet note the progress on the proposals to transfer the Council's lease obligations for 3 Knowsley Place to Pennine Care NHS Foundation Trust
- (3) That, subject to the approval of the heads of terms for the transfer of its lease for 3 Knowsley Place to Pennine Care NHS Foundation Trust, delegate approval of the finalised terms to the S151 officer in consultation with the Executive Director (Place).
- (4) Agree to commence a tender exercise for a multi-disciplined team to bid for the design of the scheme, undertake necessary structural surveys, develop a phased construction programme and prepare a detailed financial analysis and investment case.
- (5) Note the intention to submit a detailed investment case for the refurbishment of the Town Hall to Cabinet by summer 2023.

3. Reasons for recommendation(s)

3.1. The recommendations represent the next stage in delivery of a phased refurbishment of the Town Hall and the withdrawal from leased premises at 3 and 6 Knowsley Place as approved at Cabinet in February 2023.

3.2 Consultation with the public, staff and trade unions on the approved preferred option has demonstrated overall support for the proposals. (Further information regarding the consultation is contained at section 4 and appendix 1)

3.3 Negotiations with Pennine Care NHS Foundation Trust have progressed and an agreement in principle for the Trust to take over the lease of 3 Knowsley Place from the Council (but to enable the Council to retain occupancy of floors 3 and 4 until the phased refurbishment allows staff to move to the Town Hall) is expected to be in place by the end of April 2023.

3.4 Approval of the above recommendations will permit the project to move to the next stage which will be to:

- 1) tender for a multi-disciplined team to bid for the design of the scheme
- 2) commission necessary structural surveys
- 3) prepare a detailed financial analysis and investment case
- 4) Develop a phased construction programme.

4. Consultation

One Community hosted an on-line initial conversation about the high-level proposals to refurbish Bury town hall. The conversation was opened for comments on the 08 March 2023 and closed on the 31 March 2023. A total of **54 people** responded to the conversation.

Respondents were asked to what extent they agree/disagree with the high-level proposals to refurbish the town hall using savings from no longer used buildings:

- **74%** of respondents strongly agreed/agreed
- **13%** of respondents strongly disagree/disagreed
- **13%** neither agreed/disagreed

Respondents were further asked four questions which allowed them to comment. All responses received can be seen at Appendix 1, but in summary:

Q1) Why do you agree/disagree with the proposals to refurbish the town hall?

The majority of comments were positive with most commenting that the town hall is a historical building which is of significant importance to both the town and residents, with one respondent commenting it would make them "proud to keep this building as a central part of the community". Many expressed positive opinion as to the town hall requiring modernisation and that the proposals made economic sense whilst seeking to bring all functions of the council together to make the council accessible for the people of Bury.

Comments from those who disagreed included opinion as to how Council funding could be re-directed to other/ alternative services and that that town hall should be sold for redevelopment rather than refurbished.

Q2) How might the proposals impact you?

Again, a high proportion of the responses were positive with respondents commenting that the building, if refurbished, would be a great asset to the town and would make it easier for the public to access services they require.

Q3) How might we reflect the history of the Borough in the redevelopment?

Respondents to this question mentioned:

- Keep the original iconic building in its current form and maintain and restore any historical relics within it.
- Use some design feature to officially recognise local Borough of Bury people who have achieved great things like John Spencer and Danny Boyle.
- Incorporate the traditional, council chambers etc., with an open, brighter, modern communal area.
- Include visual spaces, freely open to the public, which highlight the history of the town - historical figures, photographic history of people and events., artifacts etc.
- Celebrate diversity, industrial heritage through, perhaps photo, images, artwork created locally?
- Do not over modernise
- Retain all the historical features of the current Town Hall

Q4) Any other suggestions for consideration as part of the detailed design of the Town Hall refurbishment?

Comments received did not suggest particular themes. All comments received can be seen at Appendix 1, but in summary suggestions included:

- Ensure it is tastefully done and maintain original features
- Aesthetic beauty and quality materials have a place in the Town Hall
- Make the building as multi-functional as possible
- Balance the history of the building with stylish modernisation within
- Include renewable energy production and improve insulation
- Consult with specific groups i.e., disability groups; the blind society etc. for specialised advice and feedback.
- Build in hearing loops at reception and other public areas
- Make some of the space more community minded and facing
- Ensure residents are part of the committee/group of 'decision makers'

5. Transfer of lease for 3 Knowsley Place to Pennine Care NHS Foundation Trust

5.1 Cabinet in February 2023 approved the terms for the proposed transfer of the lease on 3 Knowsley Place to Pennine Care. Under the terms of the agreement the Council will assign the whole of 3KP to Pennine Care and take a lease back of the 3rd and 4th Floors for a term of 4 years.

5.2 Staff currently occupying the Grd, 1st & 2nd floors will re-locate into two vacant floors in 6 Knowsley Place.

5.3 The current cost of occupying 3KP amounts to £1.028m per annum. Whilst there will be an ongoing cost for the continued occupation of the 3rd and 4th floors this will result in a significant revenue saving to the Council.

5.4 Pennine have yet to provide a definitive programme for their proposed fit out works and occupation of 3KP. As a result, it is not possible at present to confirm the actual revenue savings for this financial year.

5.5 Cabinet, in February approved the payment of a capital contribution of £1.450m to Pennine towards their fit-out costs. The first payment of £350K will be payable this financial year when the lease is assigned to Pennine. The balance of £1.1m will be due on completion of their fit-out works to the Gnd and 1st floors. As noted above, until Pennine can confirm their programme it is uncertain whether this payment will be due in the 23/24 or 24/25 financial years. It is also worth noting that Pennine will continue to pay rent at Humphrey House until the fit-out works are completed.

5.6 As part of the agreement with Pennine the Council are to provide 100 parking spaces for Pennine staff at a rent of £20.4k per annum. Discussions are ongoing with Pennine as to how this would work in practice.

6. Background

6.1. A cross party Working Group was established in 2022 to look at the future of Bury Town Hall. A report from the Working Group, presented to Cabinet in February 2023 concluded that continuing to operate out of the Town Hall without a comprehensive refurbishment has significant financial and operational risks given the current condition of the premises. The working Group considered options in the context of the Council's wider administrative estate, in particular the office blocks at 3 and 6 Knowsley Place

6.2. A preferred option, to undertake a phased refurbishment of the Town Hall, was agreed by Cabinet in February 2023. This proposal will create higher quality office space in the Town Hall. It will also allow for a phased decant of staff from 3 Knowsley Place timed to align with the availability of newly refurbished space in the Town Hall

6.3. The Council currently has leases in place for 3 and 6 Knowsley Place. 3 Knowsley Place is the larger of the two buildings and is currently occupied by Council staff. The building is not fully utilised at present and a proposal has been received from Pennine Care NHS Foundation Trust to take over the lease of 3KP from the Council. This would allow Pennine Care to vacate Humphrey House, and over time, to transfer staff from other locations into 3 Knowsley Place. Six Town Housing have recently indicated they could operate out of two instead of all four floors of 6 Knowsley Place.

6.4. The capital investment needed to refurbish the Town Hall will be supported by revenue funding released by withdrawing from the commercial leases for 3 and 6 Knowsley Place. This represents the optimum way forward financially, environmentally and for staff productivity.

6.5. The transfer of the lease on 3 Knowsley Place will see Pennine Care NHS Foundation Trust take over the ground floor and floors 1 and 2 from 2024 with works starting at the end of 2023.

6.6. Pennine Care will lease floors 3 and 4 of 3 Knowsley Place back to the Council for a period of four years, at which time they will be able to transfer additional staff into the building. To mitigate the risk that the refurbishment of the Town Hall has not progressed sufficiently to accommodate staff from levels 3 and 4 in four years-time, 6 Knowsley Place will be retained for as long as necessary, and the phasing of the refurbishment will be prioritised to provide accommodation for staff from floors 3 and 4. In addition Pennine Care NHS Foundation Trust have indicated that they can provide some flexibility in timing.

6.7. An advantage of this solution is that it enables a phased withdrawal from commercial leases which is concurrent with the provision of new space being developed in the existing Town Hall. This presents a cost-effective way of supporting the capital cost of the refurbishment

6.8. If the costs of the phased refurbishment exceed the available budget it will be possible to phase the refurbishment works to suit the available budget by selecting only certain areas of the building for refurbishment.

6.9. This report requests delegated approval for the commissioning of pre-development resources (subject to approval of terms & conditions with Pennine Care NHS Foundation Trust and sign off by the Council's Section 151 Officer), including the tender for a multi-disciplinary team to bid for the design of the scheme, the commissioning of necessary structural surveys and further work to prepare a detailed financial analysis and investment case.

6.10. The brief will be for a single consultant to act as Lead Designer employing a full multi-disciplinary project team to design and deliver all phases of this project under a JCT Design and Build contract from outline design through the RIBA stages 0 – 7 inclusive. Whilst tenders will be asked to specify an inclusive fixed fee for the life of the project, the contract will be broken down into stages. The initial contract will be let up to and including RIBA Stage 4 (Technical Design). This would be the minimum commitment at this stage and break clause would be applied. No further stages will be approved prior to a full financial case of the Town Hall refurbishment being presented to Cabinet in Summer 2023.

6.11. It is anticipated that the Summer 2023 Cabinet report will identify full construction costs and the impact on the capital programme along with the revenue impact of borrowing.

7. Next steps.

7.1. Should the Cabinet agree to the recommendations in this report, the Executive Director (Place) will:

- Subject to a finalisation of a satisfactory agreement with Pennine Care Foundation Trust progress the recruitment of an architect to design a refurbished Town Hall and the appointment of structural engineers to establish that the changes proposed can be made.
 - Provide a detailed investment case (with costed building plans) to Cabinet for approval in Summer 2023.
-

Links with the Corporate Priorities:

1. The proposals for the refurbishment of the Town Hall create the opportunity to develop a single service hub for Council services, the challenge of laying and redesigning building to enable better provision of public services will sit with the selected architects.
-

Equality Impact and Considerations:

2. The Town Hall is an accessible building (assuming all the lifts are working), however, as a part of a refurbishment programme some of the lift shafts which are not properly working will have to be put back into full working order. The redesign of the building to meet vulnerable users' needs will form a central part of the architectural brief and the layout planning.
-

Environmental Impact and Considerations:

3. A key driver for this project is for the Council to reduce its carbon footprint and its exposure to high energy bills. The consolidation of staff and services into one building will help achieve this objective.

It is envisaged that the building will be designed to a target net Zero (subject to feasibility and costs) and the emerging design will take account of this target. Renewable technologies are also to be included in the design and consideration is to be given to exporting excess energy back to the grid. The use of greywater and SuDS in the external works is also to be considered. Options to install ground source heat pumps should also be investigated. The creation of more natural light should reduce the number of lights left on during daylight hours and the installation of sensors and LED lighting should further reduce bills.

The recommendation to refurbish the Town Hall as opposed to demolish and create a new build helps conserve existing carbon and reduces the requirements for new-build materials.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Affordability	<p>The concurrent withdrawal from commercial leases will create a saving which can be reinvested in the Town Hall.</p> <p>Further analysis on the costs of operating the building need to be included in the final investment case (these should all contribute to longer term savings)</p> <p>The full financial case of the Town Hall refurbishment will be included within the paper scheduled to come back to Cabinet in summer</p>
Construction Risks	<p>All construction projects, especially those involving heritage buildings, include a degree of risk because of unforeseen problems. Once a preferred architectural plan is approved a series of invasive surveys will be carried out to test the risk associated with implementing the proposed works.</p> <p>It is also recommended that an enhanced contingency budget is carried by the project</p>
Improved staff retention and attraction	<p>The current Town Hall environment offers a very poor working environment for staff. Neighbouring authorities offer similar salaries and benefits but in the case of Bolton, Rochdale and Manchester all offer the opportunity to work in a modern and attractive refurbished or new-built office.</p>
Timing of offloading leases and committing to Town Hall programme	<p>A decision on the transfer of the lease on 3 Knowsley Place is imminent and be made before the final costs and detailed phasing of the Town Hall refurbishment are known.</p> <p>However, there is a risk that Council will not have completed the refurbishment in time for staff to move from 3 Knowsley Place to the Town Hall to make space for Pennie Care staff. The mitigation is to retain 6 Knowsley Place until there is certainty that space will be available in the town hall and to prioritise the refurbishment in such a way as to provide</p>

	space for the remaining staff from 3 Knowsley Place to be first movers.
--	---

Legal Implications:

This report recommends that Members further progress the preferred option agreed in February 2023. This will be subject to a detailed investment case which will be considered by Cabinet later this year. An investment case will have detailed survey, financial and legal input.

The procurement of an architect/ design specialist and the tendering process will be a competitive tender exercise and submissions will be evaluated as part of the usual structured, process.

Financial Implications:

The February Cabinet report identified the potential revenue savings from relinquishing the commercial lease at 3KP but also identified the loss of income from Pennine Care vacating Humphrey House and the grant that will be required to facilitate the capital works to 3KP to make it fit for purpose for Pennine Care. This report identified that due to the capital works that are required at 3KP savings are only deliverable in the medium to long term. Therefore the phasing of works to the Town Hall and the timing of cash flows will form an integral part of the investment case to be presented to Cabinet later in the year.

Report Author and Contact Details:

Name: Paul Lakin
Position: Executive Director (Place)
Department: Business, Growth and Infrastructure
E-mail: p.lakin@bury.gov.uk

Background papers:

[Future of Bury Town Hall and other administrative buildings occupied by the Council](#)
[RELOCATION OF PENNINE CARE INTO 3 KNOWSLEY PLACE](#)

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

Term	Meaning

Q1) To what extent do you agree or disagree with the high-level proposals to refurbish the Town Hall using savings from no longer occupying privately leased buildings?	
Strongly agree	The Town Hall should be the hub of the community in Bury which makes a contribution to local life and give Bury a sense of identity.
	I think it is a lovely building and should be kept as our Town Hall. Incorporating the Library is a very good idea too.
	The Town Hall should be a central place offering a one stop shop to residents and visitors to the Borough for Council related issues.
	With lots of government and council services operating an online only service there needs to be a place where people can go to get the help they need. Bury Library is a service that is helping a large number of people on a daily basis to navigate their way through these online services. This is mainly due to the population still consisting of people who have trouble doing things online. Bury Citizens Advice Bureau no longer have a location in Bury and this has resulted in the library being the only place people can go for that kind of face-to-face assistance. The current state of Bury Library is not good and a move to a newly refurbished town hall would be a huge advantage to both the service and the people of Bury.
	The use of the town hall is very important, particularly as a source of income. The Elizabethan Suite is that source of income but is underused due to poor lighting, heating and decor.
	We are spending too much money on rent for half empty buildings.
	The refurbishment as described is really important. Savings no doubt have to be made because of decreasing funding from central government over years, while the latter expect local councils to maintain the services at necessary levels! Consolidation of the council's services on the one prime site - Bury Town Hall, if that can be achieved, sounds a good move.
	Better to have people in the same building
	Efficiencies will lead to long term savings, both in expenditure and carbon emissions.
	It makes economic and operational sense.
	I think it makes financial sense, retains a building of civic pride and significance and will be cost effective in the long term - as long as adequate ongoing maintenance is factored in.
	Moving the library is a good idea as is making the building more energy efficient

	The proposals would focus the services of the council in one location promoting efficiency both professionally and financially. I also believe that the town should a focal point for residents and visitors which has a visual presence (pride).
	This is about investing for the future utilising savings from lease cancellation. A Sensible proposal.
	The town hall is a significant building for the community of Bury. It would be great to see it refurbished and updated.
	Makes sense to fully use buildings already owned rather than lease additional buildings. I agree the town hall is a landmark in bury- would be good to see it renovated.
	Historical civic landmark with a large formal debating chamber, civic facilities, a mayoral parlour, committee rooms, public receptions and staff working space.
	If the developments are coming from savings and NOT from the pot allocated to redeveloping Radcliffe town centre that is a good thing. This project sounds positive so long as it is NOT at the expense of existing Borough wide plans for redevelopment so careful financial planning is essential in my opinion.
Agree	It's common sense to save taxpayers money and use if more efficiently
	I was taken on a tour of the town hall a number of years ago. It has become a significant historical piece of architecture and money spent refurbishing would be an investment.
	The Town Hall is a lovely building, and it will be good to see it brought up to scratch to meet the towns needs for the 21st century. If most of the money can come from council staff being relocated whilst the work is underway, great.
	To make it more useful.
	Rent is dead money. If for a bit of investment, you can consolidate then that's a good thing.
	The costs of providing new buildings are prohibitive. The existing building is part of the Bury psyche and would continue to front the name of Bury, albeit in a new and more modern guise.
	Just before lockdown, the ancient hearing loop system in the large hall in the Elizabethan Suite was renewed at some cost. The use of the Hall for vaccinations meant that this facility (rare elsewhere in the town) has not yet been able to prove its worth.
	Bringing people together from different locations increases collaboration and potentially reduces working in silos if managed well

	Long term money saving: easier access for the public, better working conditions. However, I would like to point out that open plan working is not for everyone. Also, when phoning in, for the public, it can make it very difficult to hear because of the background noise.
	I agree with the need to keep at least one of the borough's civic buildings in council hands are most others have been sold off.
	The building is a significant asset for the people of Bury and is indeed in need of sympathetic refurbishment. However, it is not considered that it would be appropriate to seek to accommodate Bury Library within the Town Hall.
	More convenient for the public
	You have obviously had feasibility studies done, you have had cost analysis and strategy documents prepared. Never mind the vague "what do you think" publish all the framework and costings now so we can make an informed decision not this lip service moronic "public consultation" embarrassing!
	Needs work doing to allow staff to work safely in it.
	The internal parts of the building are looking tired and may not be energy efficient, hopefully this can be rectified with refurbishment.
	It is important that the Town Hall is kept as a civic building.
	As stated in the redevelopment document, the Town Hall hasn't had much done to it since it was built, and it really is time that some investment was made. I remember visiting my Grandad in his office at the Town Hall when I was young and it still looks the same now, fifty years later.
	We are one organisation and should be located centrally without wasting money spreading out across leased buildings. We all work for the same organisation so no need for the levels of secrecy currently seen. If you work for the Council, you are bound by the same discretion and confidentiality agreements.
	A Town Hall should be a focal point for the community and feel welcoming, giving the Town's residents a sense of belonging. I am new to working with Bury Council and the couple of occasions I have entered the Town Hall (to visit IT) the experience of the building has been far from appealing and not a place I would visit unless I had to. It is also very badly signposted inside for anyone new trying to find where they are going.
	It is important that the council has a focal point, and the town hall is it.
	Because public bodies rarely spend within budget and making savings from vacating other buildings are never realised.

Neither agree nor disagree	It's very hard to understand the cost / benefits to Bury residents. Would like a much clearer story rather than a set of proposals.
	I don't go to or use the town hall. All employees should be back at their desks now.
	Without actual figures these are just statements made by council officials to justify the spend. Plans and budgets need to be laid out in such away so we can see the objective and measure the success or failure of the project.
	Having more departments under 1 roof than spread over different locations.
	I agree that the Town Hall needs to be re-developed, but I strongly disagree with the terminology about moving the library. "The library currently located in Bury Art Museum". This is Bury Library, and it is located in the Art Gallery and Library building and Textile Hall. I am very concerned that this will mean a further reduction in size of what was once the busiest library in the borough, for yet more empty space that has a much smaller footfall than the library it replaces.
	I think the most important thing to consider is how can we make the building and Services more accessible and streamlined for people with disabilities, LGBTQI+ and cultural differences.
Disagree	I feel any extra funds could be used to provide better schools within the town. Some school buildings are in need of repairs; Radcliffe has no high school at all.
	The Council has just finished putting new windows in the Town Hall, which has taken months to undertake. So, you have already begun refurbishing the building. Why ask do we agree to a refurbishment, when it's already commenced. I believe it's more important to spend our money on essential services, not on a possible Café and making the reception look nice. The highways and footpaths across the Borough are a disgrace and the attempts to fill potholes instead of a resurface is laughable. If the Council wants to vacate locations to save money, this should not be spent on refurbishment of the Town Hall.
	I don't believe that the town hall building has any character of feeling of grandeur or the central point in the town. It feels out of the way and has no parking.
Strongly disagree	The town hall, if in such a state of disrepair should be sold to a private entity for the conversion/remodelling into flats with the council utilising monies earned from the sale of the town hall and savings made from ending private lease to build a state-of-the-art multi-function building to undertake and house all council facilities.
	It's been neglected, like the road network and the rest of Bury, sell it off and redevelop it for residential apartments.
	Buy town hall is owned by the people of Bury need to stop paying high rents on other building when we own the Town Hall
	It is hard to believe when we have thousands of people struggling with everyday living costs you just want to blow so much money on stupid proposals.

Q2) How might the proposals impact on you, either positively or negatively?	
Positive	I approve of the refurbishment idea.
	Positive - new modern facilities, improved wellbeing as better place to work in.
	It will make me happier if the town hall is kept in a good state of repair and used more efficiently to create revenue.
	Any design feature that would encourage community cohesion would impact Bury citizens positively / like the suggested café.
	Positively, a well-used and well maintained significant public building reflects well on the town and its community. The reorganisation will be cause disruption, but this would be minimised if well managed.
	We have already lost some lovely buildings in Bury. It would make me proud to keep this building as a central part of the community.
	Positively- refurbishment is good for a town, a nice environment is good for all.
	I use the building for work meetings. Having difficulties with spatial awareness, I often get lost. The lift is often not working and there are more steps inside that I need to negotiate.
	Library nearer and potential cafe.
	Correct refurbishment can only be a positive. However, facilities should be made accessible to all - hearing loops, disabled access, bright (with plenty of contrast) for the visually impaired, clear signage, etc.
	Any proposals that result in Bury Library being invested in would be a positive impact on me as I work for that service. The library is a hub for the people of Bury who need the most help. These people struggle on a daily basis to complete the multitude of online tasks they have to undertake in order to live their lives. Being located at the Town Hall with a space that reflects the service that we operate, and the needs of our customers would be a positive impact.
	I would prefer to continue full time working from home as there is little to no need for me to come into the office. It means less travel for me personally and is positively impacting on my health and stress levels. Overall, it would be positive.
	I would use the Elizabethan Suite for conferences and meetings.
	Positively if the old Elizabethan suite is reinstated for dancing and public social gatherings.

	People will all be in the same building (one stop shop). Faster resolution to issues because more people and services will be there. Don't have to remember which service is in which building.
	Potentially positively, but it will depend upon the detailed proposals.
	I would be very sorry to see the current building go, so it makes me pleased that it will be retained and improved. Better access would be better for everyone, including me.
	There are according to statistics around 32 thousand folks in Bury who need hearing assistance. We don't know what the next crisis will bring. Don't negate an asset that may be vital in the years to come, and which is sorely needed in the Bury community at large.
	If it works well, positive
	Easier access, possibly.
	It will require a large amount of investment which may be perceived as a waste in the current economic climate. a modern interior and a multi-use provision would be seen as a positive for the town.
Negative	It will be a pain no doubt in the town centre whilst the work is being done with traffic etc.
	I am concerned that further reductions in size of Bury Library will reduce the quality of the library service for people in the borough.
	The proposal suggests that we only need the Town Hall or 3KP. If the Town Hall is kept and 3KP isn't retained by the council, it is difficult to see how there will be enough space for Council staff to come into work 2.5 days per week.
	Not too happy about the proposal for the library to be housed in the town hall. The library and art gallery should remain in their current home.
	Bury Council Tell us they've no money thanks to Tory cuts but miraculously you'll find money to waste on cycle lanes and new windows for the town hall. Stop wasting our money.
	If the refurbishment continues to go ahead, I believe this will affect the whole of the Borough as a waste of money.
	If it is closed for a very long time like Manchester's town hall has been then there will be disruption for both the public and workers.
	The obvious negative is that if the council use savings and reserves to fund the repair of a dilapidated building, other services suffer and council tax increases.

	It will save £650k a year on rent that could be better spent elsewhere.
Neither Positive nor Negative	Not enough detail to be able to provide a response.
	Visiting a workplace that is a nice environment helps to produce better work. As I do not visit the Town Hall on a regular basis however, it is unlikely that (at this present time) it would impact me either way.
	I would like to think I might visit / use Bury Town hall more - but not excited by proposals at the moment.
	Won't impact on me at all.
	I don't think it would impact me.
	I'm not sure the proposals will impact on me personally as I'm at the end of my career with the Council (40 years' service in July), but it will be nice to be able to visit it in the future, whether that be for functions or if the library moves in there.
	No significant impact on me.
	Neither since I don't use the town hall.
	If you get it wrong the Town hall will deplete funds for other projects which would better benefit Bury.
	We don't know as we haven't seen costs.
	Probably not as in my 80's.
	I won't use the town hall, in fact Bury will change so much I doubt if I will visit in future. The upgrading of the market by a company who has decimated markets in Greater Manchester is a poor choice.
	No impact.
	Essential that the redevelopment of Elizabethan suite meets the future needs of the community, probably by providing a fully catered conference facility/ celebration room for hire that compliments the Lancaster suite in Presteigne.

Q3) How might we reflect the history of the borough in the redevelopment of the town hall?
Display boards with images/historical timeline.
By keeping the original iconic building in its current form and maintaining and restoring any historical relics within it. Don't over modernise it!
Use some design feature to officially recognise local Borough of Bury people who have achieved great things like John Spencer and Danny Boyle.
In public spaces, in the library. I visited the Herakleion technology museum in Athens. They combined models, written and photographic information on boards but also a number of screens with films /animation illustrating developments presented by academics.
Make the building fit for use.
By incorporating the traditional, council chambers etc., with an open, brighter, modern communal area.
Have a section where the public can come and see pictures of the town's history - perhaps in a cafe, or in the art gallery where there are already historical documents of the town,
No idea other than naming of rooms
Public should be able to access. Consider offering tours?
By retaining the visual presence of the current building - particularly the main frontage. In addition, there should be visual spaces, freely open to the public, which highlight the history of the town - historical figures, photographic history of people and events., artifacts etc.
There is plenty of history on the site/close to. ELR, former sidings, station and livestock market close to, Union Square, Fusiliers, Peel....the list is endless.
how about including people who live right across Bury much more in design ideas , the use of the building in actual planning sessions ? but not sure I understand the question very well
Celebrate diversity, industrial heritage through, perhaps photo, images, artwork created locally?
Do not over modernise.
Some artworks about the history of Bury would be good
Don't do it...its typical/historic of Bury to throw good money at bad projects...

By retaining all the historical features of the current Town Hall.
Maybe include artwork in the fabric of the building in different materials to show the towns heritage and diversity. Use local artists and talent where possible.
Have dedicated public areas that are completely separate from security-controlled staff cases and in the public areas showcase any treasures held by the council and perhaps stuff from the Art gallery depending on what and concentrate on our links to cotton, paper, weaving
Fundamentally by a quality refurbishment that respects and conserves the heritage significance of the building, inside and out, and its setting.
The history of the Borough is perfectly reflected in the museum. I believe that is where it should be and not the Town Hall
Have a display with video and provide for questions from viewers
Retain the library building.
The heritage of Bury needs to be celebrated to restore civic pride. More should be made of the great achievements of Bury people.
We don't want reflection on history, we want decent services, decent roads and a safe town centre without the fear of knife crime. That question shows how far out of touch you are.
Unfortunately, the Town Hall is no longer in the centre of the town, thus I cannot see many people using it regularly' than having to call in and sort out a local council issue.
I feel that two of our most historical looking buildings and more central are the library and museum/art gallery. Why not use these as the town hall. And move the existing facilities into the current town hall building.
Retain as many original features as possible and definitely retain crests etc within the building.
Highlight the railway and the mills/housing that used to stand on the site. Display the history of each of the townships of the borough and timeline the way those townships had a life prior to current set up.
Keep loved and notable features from when BTH was built, show a timeline of its history and happenings.
Having public rooms displaying Council treasures etc
Just do not go ahead with it.
Artwork, photography etc displayed alongside information, include interactive - e.g., scan QR code for more information.
Artefacts should be on display to the public and not simply in the Mayor's Parlour.

The exterior will remain unchanged so that will reflect some history. The inside needs to change drastically and be modern but displaying photos of Bury through the years and using maps etc. on the walls, and maybe even some small museum display cases could help show Bury's past.
Following the suggestions, you have already made.
Bury Archives used to provide a website that housed thousands of photographs (15,000 +) and a multitude of other local history digitised material. This website was made possible via Heritage Lottery Funding which ran out last year. It would be fantastic if this website was made "live" again, not only for anyone to access online but for locations that have been redeveloped throughout the borough to have digital screens so that people can freely access this wealth of local history digitised content.
The idea of bringing history of the borough to the building, either through designated spaces or regular 'pop ups' is a good idea. Consultation with Children and Young People should also take place asking for their views and what they would like to see.
Wall hangings showing photographic history, cabinets showing items of interest, keeping original light fittings (though using a modern amp) and other such features.
Exhibition space
Have a special day every five years to commemorate all the people whose lives have enriched the town. This would educate young people and all newcomers to our historic town.
The story of Burys' historic identity.- how and why Bury looks the way it does.

Q4) Do you have any other suggestions for consideration as part of the detailed design of the Town Hall refurbishment ?
It needs to be tastefully done and maintain original features
Aesthetic beauty and quality materials have a place in the Town Hall. I get most annoyed when councils go for designs which date quickly and money is wasted on short term, fashionable solutions.
Save as much money as possible and use it for badly needed social care.
Make the building as multi-functional as possible
I think you need to set out your ROI target as part of the next stage consultation
Definitely include public facilities such as hireable rooms and retain the Elizabethan Suite for major functions
Just to balance the history of the building with stylish modernisation within.

The voids are a key in my opinion, keep them light, maybe glass floors, great display area for the art gallery move, open plan on all floors, any extension upwards to allow maximum light into offices and the central voids. Plenty of plants inside.
Main thing is to make some of the space more community minded and facing. How can the town hall become a space that people want to be part of - helping them be more active in democracy and decision making ? Maybe have a few more decent resident events - Bury needs to do something that help it become more 'new' power focused. https://www.citizenlab.co/blog/civic-engagement/what-is-the-difference-between-old-and-new-power/ be useful to have more citizens assemblies run in interesting new ways - to challenge the outdated pomposity / structures many councils still hold. Keeping history and tradition alive is great as long as this doesn't keep useless symbols of unchallengeable status quo in place.
If possible, as an integral part of refurbishment, build in hearing loops at reception and other public area.
Could be an opportunity to create a one stop hub to include key agencies from all sectors. Encourage e.g., apprenticeships or seconding staff across agencies?
Have professional help from the REAL professionals, i.e., people with disabilities of all kind and wheelchair users, when designing disability access. Please ensure that lavatories meant for use by wheelchair users have the access from either side of the toilet, have a bar across the wall for men who wish to stand but need to hold on to something and have something simple, such as a shower curtain, across the inside of the door for if the person requires help to access the toilet but so that the helper can then leave the room until needed again. Happy to help with this kind of information, CIconultancy@aol.com plus other such as signage.
Nothing too Avant Garde and nothing that involves kids doing artwork please!
The town hall, if in such a state of disrepair should be sold to a private entity for the conversion/remodelling into flats with the council utilising monies earned from the sale of the town hall and savings made from ending private lease to build a state-of-the-art multi-function building to undertake and house all council facilities.
Make all information in respect of this refurbishment, publicly available.
The reception area needs updating, but please don't make it too corporate. Be Bury, not an anonymised anywhere-Ville complex. And make the gardens around the buildings look even more lush; one of the wonderful things about Burys civic pride is its attention to green spaces.
there is no phone signal in the basement so perhaps include a 5G mast as part of the design
Bury has enough cafes. Do you really want to take business from smaller enterprises?
Connectivity to the remainder of Bury centre will become more important and how those linkages work, especially to the Transport Interchange, will require careful thought. The current improvements to the nearby junctions are a start, but the wider needs of pedestrians and those less mobile will need to be addressed - including the entrance(s) into the Town Hall.
I strongly disagree with the proposed refurbishment. Money should be spent on highways across the Borough not on the Town Hall cafe and plush new offices
Would not like open plan offices - too noisy for concentration and stressful

Yes, tell us costs
Include renewable energy production and improve insulation. Do not include open doors dissipating heat.
The refurbishment should make it modern in its layout and functional for modern workforce with a feel of its history and those who have gone before.
That question tells me it's going ahead regardless of what people think. Time for change, time for independent councillors to take over and apply common sense.
It must be the hub of the town... used daily and weekly.
Perhaps radical but would give a heritage feel to the town hall
The suggestion of a cafe is a good one, perhaps one that has different opening hours to the one already housed in the art gallery and museum so as NOT to take trade away from it.
Stop throwing taxpayers money down the grid Bury.
Celebrate the age and style of the building and don't make it a modern clinical glass building with big open spaces that are hard to heat and divide for flexi use. Make public spaces, staff food outlet, cafe etc.
Hope it is modernised but hope this does not take away from Bury heritage and tradition
A new space needs to be developed for staff to easily drop off/collect IT equipment and access IT support.
Less huge open areas that rarely get used. Make rooms so they can be split into several rooms by moving screens etc whilst maintaining some larger rooms which may be required. There is no need for the open spaces, if you visit the Town Hall, you rarely see anyone. it is a rabbit warren of a building and could be laid out more effectively. More lifts are required though or means of accessing other floors for disabled, elderly etc (including staff!). Reducing the height of ceilings would save heat = money. Great idea to encourage a centralised building housing the museum, cafe etc.
Waltham Forest Town Hall (https://www.hawkinsbrown.com/projects/waltham-forest-town-hall/) is a very similar building to Bury Town Hall. The website shows lots of images of the exterior and interior and is something that could be looked at when refurbishing the town hall.
To make the building feel more welcoming, light and airy. Creating multi use areas that can be opened up or partitioned for use by smaller groups when necessary, helping the building to be more sustainable. To be accessible to all.
Consult other groups directly for their thoughts before planning such as the blind society, the hearing hub, people first, ADAB.
Please do not lose the interior style of the building as it is simple but stylish. Making it look like an up-to-date interior would be unforgiveable. Up to date technology is naturally acceptable.
Ensure residents are part of the committee/group of 'decision makers'



Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Radcliffe Hub Project – Enabling Works (Part A)	
Report of	Leader and Cabinet Member for Strategic Growth and Skills	

1. Summary

1.1 The purpose of this report is to advise Cabinet of the works packages that, in accordance with the Radcliffe Hub project programme, now need to be instructed via an enabling works contract. The relevant reports, drawings and programme that inform these works are appended to Part B of this paper.

1.2 In order for the Council and Vinci Construction to transition from the Pre-Construction Service Agreement (PCSA) into the Main Contract, an enabling works period is proposed to facilitate the delivery of various preparatory works, thus ensuring the site is ready for development.

1.3 Works included within the proposed enabling works contract, have been market tested and independently verified, and a copy of the tender report is appended to Part B of this paper.

1.4 This proposal aligns with the cashflow spending commitments outlined in the previously agreed Levelling Up Fund Memorandum of Understanding (MOU), and ensures the project is compliant with the stipulation that all monies awarded from the fund are fully defrayed by March 2025.

1.5 Since confirmation of the Levelling Up funding award in October 2021, the project has been subject to a quarterly reporting cycle to the Department of Levelling Up, Housing & Communities (DHLUHC). The proposed cashflow forecast, programme and risk management plan outlined in these returns, has consistently reflected a construction programme phased to enable preparatory works to be delivered under a separate contract, with works commencing in May 2023.

2. Recommendation(s)

2.1 Cabinet to recommend to:

- Approve the proposed scope of the enabling works to be undertaken by Vinci Construction.
- Accept the tender report recommendation that Vinci Construction undertake this works package at the contract sum set out in Part B of this report
- Delegate finalisation of the contract amendments and clarifications to the Director of Law and Governance.

- Approve the contingency allowances (set out in Part B) to account for potential cost increases.

3. Reasons for recommendation(s)

3.1 Development Site

The development site identified for the Hub project in Radcliffe town centre, includes several assets that will need to be demolished and cleared, and remedial works undertaken, in order for the main construction and refurbishment work to be carried out. Whilst the delivery of a vacant possession strategy will ensure that the South Block and Market Chambers buildings are no longer occupied and all units are empty by April 2023, Radcliffe Market will remain operational throughout the proposed construction period.

These key considerations have informed both the scope and methodology for carrying out the works, and the phasing of the construction programme and including the enabling period.

3.2 Programme

The project programme has been informed by four core elements:

- **Funding Requirements** – as previously agreed Memorandum of Understanding with DLUHC regarding Levelling Up Fund (LUF) spend, all monies awarded must be fully defrayed by March 2025. In order to achieve this, cashflow has been forecast against the proposed construction programme. Contracting and subsequent instructions are required to adhere to the timescales and milestones stated within said programme.
- **Deliverability and logistics** – the sequence of works and duration of the programme is informed by survey works, design development, supply chain management, and overarching health and safety requirements; underpinned by industry standards and appropriate methodologies for the delivery of the construction works
- **Value for money** – the phasing of the programme is intended to deliver the project as efficiently as possible; minimise overall duration of the works and reduce the cost of prelims, whilst ensuring quality is not compromised.
- **Minimising operational disruption** – the phasing of works has been planned in such a way as to minimise disruption and mitigate the risk posed by construction work upon Radcliffe Market and traders. Phasing will also enable the Market Chambers building to be completed earlier in the main contract, thus allowing the commercial tenants in these units to commence trading. Moreover, the overarching programme must be delivered in a timely fashion, to ensure minimum service disruption to local residents.

A copy of the proposed enabling works programme is appended Part B of this report.

3.3 Determining the Enabling Contract Scope of Works

Following a procurement exercise via the North West Construction Hub Framework, in September 2021 the Council appointed Vinci Construction as the project's

construction partner. Under a two-stage design and build contract, Vinci firstly entered into a PCSA with the Council to develop the project proposals through the required design development of RIBA Stages 2-4.

Following the conclusion of RIBA Stage 3, and the completion of all required survey and design work, Vinci Construction produced an updated pre-construction programme which identified all the works packages required to deliver the project, including a proposed enabling works period. The scope of works included a range of utility service diversions that have already been instructed under the PCSA. The remaining enabling works have now been market tested, with all packages tendered by Vinci Construction. The scope of the enabling works is summarised in Part B of the report.

4. Alternative options considered and rejected

4.1 Instructing the works under a single main works contract. The main works contract cannot be entered into until RIBA stage 4 is complete and all packages tendered, planning permission is granted, and Cabinet have reviewed and approved the proposed finalised design and full business case. The enabling works would have to be re-tendered, as prices quoted in February 2023 (reflected in the attached tender report) would no longer be valid in August 2023 when the main contract is due to be formalised. A significant delay of several months would therefore be incurred, resulting in a later completion date. This would increase the period of temporary leisure service provision in Radcliffe (following demolition of the existing centre in Spring 2024). It would also delay occupation of commercial units within the Market Chambers and trading within these refurbished spaces; further disrupting businesses and reducing commercial income to the Council. Furthermore, the delay incurred would erode confidence in the town that the project is being delivered as a key strategic priority for the Council.

Use of a two-stage design and build procurement system has also enabled significant collaboration between the main contractor and design team. This has improved buildability of the asset and enabled more effective value management.

Report Author and Contact Details:

Name: Robert Summerfield

Position: Assistant Director: Regeneration Delivery

Department: BGI

E-mail: r.summerfield@bury.gov.uk

5. Background

5.1 The development of a Hub in Radcliffe's town centre is integral to the Radcliffe Strategic Regeneration Framework (SRF), which was adopted in September 2020 as the Council's policy for the future regeneration of the town.

5.2 Similar to many former industrial communities, the Radcliffe continues to feel the ongoing effects of economic restructuring. Traditional employment has contracted, and the town has amongst the highest levels of deprivation across the Borough, with significant challenges in relation to employment, skills, and health. In parallel, the growth of convenience and digital retail, and the COVID 19 pandemic, has put considerable pressure on the High Street, which has experienced a sharp decline, impacting on the range and quality of services within Radcliffe town centre.

5.3 The SRF was clear in specifying that reversal of this trend, would be reliant upon a strategic approach to diversifying and increasing footfall into the town centre. The masterplan therefore determined that the preferred location for a new Civic Hub, which could act as a catalyst for economic recovery of the High Street, should be in the very heart of Radcliffe town centre and, specifically, identified the site of the existing 1960's precinct (the South Block).

5.4 Acquisition of the North and South Blocks, and former TSB bank was completed in 2021, and development proposals for the Hub project were progressed on the basis that these sites would in part, need to be demolished and cleared in order for development to be carried out.

5.5 The Radcliffe Civic Hub bid submitted to the Levelling Up Fund presented for consideration, a sustainable town centre new build development, and the refurbishment and repurposing of existing assets in council ownership. The proposed scope of works included preparatory packages to enable development on the identified town centre site.

6. Links with the Corporate Priorities:

6.1 The regeneration of Radcliffe supports delivery of the *Let's Do It* strategy and the five themes that underpin the plan. The five themes all have a correlation to how we design our Towns. As we move towards a future in urban areas where people travel less, buy locally, work and access local services, we need vital and liveable neighbourhoods. This means the Council must think carefully about neighbourhoods and how they can be either built or re-designed to work well. Strategic investment in Radcliffe Hub project is fully aligned with this vision. A detailed economic value analysis, and synergistic strategic case was included as part of the LUF bid.

6.2 Our Corporate Plan sets out key themes, principles, and deliverables to support the Borough of Bury as it recovers from the local impact of the Covid-19 pandemic and builds a better and brighter future for our population, communities, and

businesses. The contractor will be seeking to implement apprenticeships, skill enhancement and placement opportunities with local education providers. Wherever possible, they will seek to utilise a local supply chain for labour and materials. Vinci has established a charitable trust, which supports local community groups and charitable organisations to deliver programmes and projects being undertaken at a local level. A social value plan is being developed to ensure that every opportunity to deliver benefits to the local community are identified and brought forward.

6.3 The contractor has been fully appraised of the strategic drivers of the projects and understand how these capital developments will act as enablers to realising key objectives and benefits in Radcliffe.

7. Equality Impact and Considerations:

7.1 Diversions to pedestrian routes have been reviewed with appropriate consultees in relation to the safe management of the highway, and ensuing safe access is maintained for all visitors to the town centre. This includes footpaths, dropped curbs, tactile paving, crossings and parking and loading bays. Proposals have been shared with Bury Blind Society and Access All Areas for review and comment.

7.2 The operator of Radcliffe Market has been engaged in design development, programming and management of the proposed temporary works. This includes risk assessment and agreed mitigation relating to the restriction of access due to hoarding locations, and maintaining safe and accessible routes; including lighting, dropped curbs, tactile paving and drop off bays.

7.3 Works will be continuously monitored against pre-construction information outlined in the CDM construction phase plan and RAMS updated accordingly

8. Environmental Impact and Considerations:

8.1 Extensive ecological surveys and impact assessments have been carried out in association with the proposed works.

8.2 It is anticipated that there will be some recovery of materials from site, but also that some excavated materials will be unsuitable for re-use (contaminated soils / cohesive soils/ saturated soils) and will need to be removed from site. There will be an import of fill material required to make up levels.

Any reuse of materials generated on the site will be subject to a Materials Management Plan (MMP) prepared in accordance with the Definition of Waste Code of Practice (DoWCoP) and CL:AIRE protocols. This will need to be submitted to the Environment Agency by a nominated Qualified Person (QP). Monitoring during the works will be required and a validation document prepared upon completion. Vinci have included within their tender submission, allowances for the preparation, monitoring and discharge of the MMP, in connection with these works.

8.3 The wider project is being designed to ensure that the Hub building is carbon neutral in operation and is to a BREEAM Excellent standard.

Assessment and Mitigation of Risk:

Risk issues	Management Strategy/ Mitigation
Strategic - Business and External risks	
Reputational – confidence in the ability of BC to deliver objectives undermined	Appointing an expert and experienced delivery team Effective project management structures Appropriate contingency provision in programming and budget Appropriate standard and negotiated clauses in the contract document (NEC 3 short form) Risk apportionment Ongoing proactive approach to risk management
Catastrophe risk – inherently unpredictable events – Covid, Brexit	
Regulatory risk – changes in laws and regulations New planning bill - new design standards New building regs	
Delivery Risks	
Site conditions – risk that adverse / unforeseen site conditions result in cost increases	Site investigations – full SI report Appropriate cost planning and contractor engagement Form of contract / warranties etc
Build risk – risk associated with contractor management / underperformance / site characteristics	Effective contract management following the Government Construction Strategy involving: Form of contract – NEC 3 short form Soft-landing provisions - Operational led design Contract retentions
Supplier risk – availability of expert contractors for site clearance and specialist activities; risk of contractor failure	Procurement strategy Due diligence – transfer risk to main contractor Contracting – risk transfer Local labour vs established operators
Programme risk – LUF bid requirements	
Permissions – risk that delays in securing planning, building regs and highways approvals impacts on programme	SRF establishes principle Early engagement – pre-application Ensure planning strategy aligned with delivery strategy – phasing of applications Managing statutory consultees Minimise pre-commencement conditions
Procurement – the risk that strategy results in delays / impacts on objectives	Procurement strategy - work packages Form of contract – NEC programme is part of contract pack D&B approach Use of frameworks Early engagement with contractor Phasing plan – staged approach
Financial risk	

Project costs – risk that capital costs increase above projections	Carry out investigations and site surveys Procure expert advice via consultant team Contingency and Optimism Bias allowance, including appropriate sums for inflation Risk allocation to contractor (as stipulated in the contract) Monitoring of works progress via TAs and Clerk of works, and maintaining contractor relationship Manage iterative value engineering through RIBA Stages Project budget oversight and management via internal and external governance structures
---	---

Legal Implications:

Under the Council's constitution this decision is to be made by Cabinet as it is over £500k, the details of the financial implications are set out in part B of this report. The report is required at this time in order to meet the timetable to meet the defrayment of funds by March 2025.

Financial Implications:

Funding for these works is included within the Capital Programme budget for this scheme.

Appendices:

1. Enabling Works Programme
2. Site Establishment and Hoardings
3. Site Access and Traffic Routes
4. Site Clearance Drawing
5. Demolition Plan (South Block)
- 6a. Demolition Plan (TSB Block)
- 6b. Demolition Plan (TSB Block)
7. Radcliffe Market Preparatory Works Drawing
8. Market Chambers Remedial Works Schedule
9. Scaffolding Plan
10. Commercial Tender Report

Background papers:

None.

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

Term	Meaning
LUF	Levelling Up Fund
DLUHC	Department of Levelling up, Housing and Communities
NWCH	Northwest Construction Hub – GM region-based procurement framework

MOU	Memorandum of Understanding
D&B	Design and Build (form of contract) is an approach where a contractor will be responsible for designing an asset as well as all procurement, planning, and construction activity.
NEC	New Engineering Contract – a commonly used form of contract for construction works
RIBA Stage	Incremental approach to the development and delivery of construction projects, as outlined by the Royal Institute of British Architects. The process includes seven stages from project inception, strategic development, detailed design, technical design and procurement, construction, commissioning and handover, and post occupancy
BREEAM	Building Research Establishment Environment Assessment Method – a methodology for assessing, rating, and certifying the sustainability of buildings
PCSA	Pre-Construction Service Agreement – A contract that covers all activities required to develop a project ahead of the main construction contract being agreed and entered into
SFS Frame	Steel framing system – utilised in the construction of building structures and walls
LHS	Linear Heat Sensing – cables that detect heat as part of the fire safety detection system installed in a building
End packers and timber packers	Spacers used to fill unwanted gaps as well as make slight adjustments to building elements, such as windows and door frames
Piling	Piling is the process of inserting structural piles into the ground that will become the base of the building. Piles are required where soil and earth are performing poorly and are used to spread the load of a building and firm the ground.
Provisional Sum	An allowance (or estimate), that is inserted into tender documents for a specific element of the works that is not yet defined in enough detail for tenderers to accurately price
RAMS	Risk Assessment and Method Statement – utilised to identify hazards, assess the impact and likelihood of risks occurring and outline appropriate management and mitigation methodologies
CDM	Construction Design Management Regulations 2015 – ensure projects are effectively delivered by competent persons, with clearly defined roles and robustly managed health and safety planning and protocols
DoW CoP	Definition of Waste Code of Practice - provides a clear, consistent and efficient process which enables the reuse of excavated materials on-site or their movement between sites



Classification: Open	Decision Type: Key
--------------------------------	------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Bury Market and Flexihall - Property Acquisition (Part A)	
Report of	Leader and Cabinet Member for Strategic Growth and Skills	

Summary

In October 2021 the Council were notified of its successful bid to the Levelling Up Fund (LUF) for a £20million contribution towards the Bury Market and Flexihall project. The purpose of this programme is to regenerate Bury Market and deliver a new community space. Work has continued at pace towards delivering this project. To proceed with the scheme several property acquisitions are required to facilitate the construction works. These properties have been identified as critical to the delivery of the redevelopment plans for the market and the surrounding area.

The property, described within this report, sits within the proposed footprint of the new Flexihall building. Vacant possession of the property is therefore critical for the delivery of the project. External advice has been sought by independent chartered surveyors, Nolan Redshaw who have provided advice on the lease surrender value and has undertaken negotiations on behalf of the Council. The values arising from the negotiations are subject to Member approval. The details of the proposed terms of the acquisition are commercially sensitive and are set out in the Part B paper. A best value report for the property has been provided by Nolan Redshaw and is appended to the Part B report.

Recommendation(s)

1. Approve the payment of a surrender premium to extinguish the lease in place at 6 – 10 Princess Parade in accordance with the terms set out in Part B of this report.
2. Delegate the finalised terms of the agreement to the Chief Executive in consultation with Cabinet Member for Finance, S151 Officer and Monitoring Officer.

Reasons for recommendation(s)

1. To facilitate completion of land assembly required to deliver the Bury Market and Flexihall project in accordance with the Levelling Up Fund bid submission and subsequent notification of a successful bid.

Alternative options considered and rejected

1. An alternative option is to not secure a surrender of the lease, this option was rejected as vacant possession of the property is required in order to continue with the Flexihall development under the previously agreed scope.
2. The Council can seek to use compulsory purchase powers as an acquiring authority the Council is able to use compulsory purchase powers and acquire land without the consent of the landowner. The process however is not swift and could take in the region of 18-24 months to be concluded. The requirements of the Levelling Up Fund bid stated that all funds would need to be defrayed by quarter one 2025. This option has been rejected as it would give the Council insufficient time to acquire the properties within the funding defrayment timeline.

Report Author and Contact Details:

Name: Robert Summerfield

Position: Assistant Director of Regeneration Delivery

Department: BGI

E-mail: r.summerfield@bury.gov.uk

Name: Steven Manifold

Position: Major Projects Manager

Department: BGI

E-mail: s.manifold@bury.gov.uk

Background

The Levelling Up Fund (LUF) bid for the Bury Flexihall proposes to deliver the following:

- **Market improvement works** – to sustain and enhance the market, including installation of a new roof, reconfiguration of existing spaces, access improvements, repairs and maintenance.
- **Flexihall** - the creation of a high quality, flexible facility at a key gateway to enhance cultural, leisure and hospitality offer. The facilities will support a range of business and community organisations and will be actively managed as part of a co-ordinated town centre offer.
- **Public realm** – a new public realm environment will be created to link the Market and adjacent infrastructure including Bury Interchange, Bury College and other civic infrastructure.

- **Supporting activities** - a range of complementary measures to diversify market demographic, including events, business enterprise and resident support.

In order to facilitate the delivery of the Flexihall, the acquisition of a number of properties is required along with provision of vacant possession of the buildings ahead of demolition. Following announcement of the LUF funding, negotiations have taken place via specialist advisors and, subject to Member approval, acceptable terms to facilitate vacant possession of the property referred to within this report have been agreed.

Links with the Corporate Priorities:

The regeneration of Bury Town Centre supports delivery of the Let's Do It strategy and the five themes that underpin the plan.

The five themes all have a correlation to how we design our Towns. As we move towards a future in urban areas where people travel less, buy locally, work and access local services, we need vital and liveable neighbourhoods. This means the Council must think carefully about neighbourhoods and how they can be either built or re-designed to work well. The five themes are summarised below and how they link into the vision for Bury Town Centre.

1. **Healthy Communities:** The delivery of the Bury Market and Flexihall projects will provide community infrastructure including civic facilities and other health related services will be a true connection to the community. The implementation of active travel, walking and cycling routes connecting people with local amenities and increasing the availability of public open space will enable the community in Bury Town Centre and surrounding suburban area to reconnect and thrive.
2. **Carbon neutral:** We need to use every opportunity to ensure that development in Bury Town Centre on our land is carbon neutral and prioritises active travel.
3. **Inclusion:** making sure that everyone's voice is heard, this will absolutely be a focus through the Consultation of the levelling up project delivery.
4. **Digital first:** the full fibre roll out has enabled access to faster speeds and future-proofed infrastructure. This presents an excellent opportunity for the businesses and community with Bury Town Centre being the ideal location to cultivate new business growth, encourage start up SMEs, promote digital growth, and deliver tech enabled employment space.
5. **Inclusive Growth:** the project will include investment in physical infrastructure (roads, cycle facilities and public realm); creating more flexible and innovative/digital workspaces to encourage more businesses to open and remain in Bury; to ensure residents have the best chance to access good jobs.

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 –

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- 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.

A full stakeholder, resident and wider community engagement strategy is being undertaken during the project.

The Council has a pledge to be Zero Carbon by 2038. This means that the current estate needs to be rationalised and modernised.

Our Corporate Plan 2020/22 sets out key themes, principles, and deliverables to support the Borough of Bury as it recovers from the local impact of the Covid-19 pandemic and builds a better and brighter future for our population, communities, and businesses.

Environmental Impact and Considerations:

The Council has a pledge to be Zero Carbon by 2038. The proposals for the Flexihall have due regard for this pledge.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Risk: Consideration of acquisition	Council has received external real estate advice and independent assessment of value has been obtained.

Legal Implications:

Member approval is sought to facilitate vacant possession of the premises by way of a surrender premium to the leaseholder. A report from Nolan Redshaw is appended

to the Part B report detailing the negotiations and providing a view regarding best value. Members are asked to note that the proposed surrender premium is on the basis of a negotiated price to allow development to proceed. This is not an open market valuation.

If members agree to the recommendations in this report full legal due diligence, will be required in respect of this transaction.

Financial Implications:

As part of the Levelling Up Fund bid, an allowance was made within the budget for the acquisition of a number of properties to successfully deliver the project. Cabinet has already approved the acquisition of four of these properties and this report seeks authority to proceed with this further transaction to facilitate vacant possession.

Nolan Redshaw recognise within their report that the tenant has an oversailing lease and were not looking to vacate and therefore the proposed price is a negotiated figure but vacant possession of this property is essential to secure the wider regeneration benefits and deliver the project on the basis to which the funding was secured.

Background papers:

Cabinet report 26.05. 2021 Levelling up Bids

(<https://councildecisions.bury.gov.uk/documents/s27164/Levelling%20Up%20Bids%20-%20Part%20A.pdf>)

Cabinet report 17.11.2021 - Acquisition of the Mill Gate Estate

(<https://councildecisions.bury.gov.uk/documents/s29158/Acquisition%20of%20the%20Millgate%20Estate%20Bury%20part%20A%20report.pdf>) (*specifically recommendation 5 Approval of acquisition of 6 – 10 Princess Parade*)

Cabinet report 15.12.2021 Levelling up Fund approval of expenditure

(<https://councildecisions.bury.gov.uk/documents/s29489/Levelling%20Up%20Fund%20approval%20of%20expenditure%20PART%20A.pdf>)

Cabinet report 13.04.2022 Bury Market & Flexihall – Further acquisitions to facilitate delivery of Levelling up project

(<https://councildecisions.bury.gov.uk/documents/s31294/Bury%20Market%20and%20Flexihall%20Further%20acquisitions%20to%20facilitate%20delivery%20of%20levelling%20up%20project%20PART.pdf>)

Cabinet report 01.06.2022 Bury Market and Flexihall Property Acquisition

(<https://councildecisions.bury.gov.uk/ieListDocuments.aspx?CId=126&MId=3133&Ver=4>)

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

Term	Meaning
------	---------

--	--



Classification: Open	Decision Type: Non-Key
--------------------------------	----------------------------------

Report to:	Cabinet	Date: 19 April 2023
Subject:	Bury Town Centre Public Spaces Protection Order	
Report of	Cabinet Member for Finance and Communities	

Summary

This report outlines the application for a Public Spaces Protection Order (which will be referred to as a PSPO throughout this report). The PSPO if authorised will be a new application and will apply to Bury Town Centre only.

Bury Council and Greater Manchester Police have received complaints from members of the public and local businesses with regards to disturbances from Buskers in Bury Town Centre. In addition to this there are regular complaints from members of the public and TfGM regarding people who are drinking alcohol in open spaces, causing anti-social behaviour, harassment, and intimidation. Due to these complaints, investigations have been carried out and work with partners has been done, to come to the best resolution to enable members of the public to enjoy Bury Town Centre.

This report has been produced in conjunction with the Bury Business Improvement District (Bury BID) who endorse the recommendations.

Recommendation(s)

- To continue the existing ban on alcohol consumption within Bury Town Centre whilst in a public space.
- To ban the use of any amplified sound equipment, speakers, microphones etc.
- Both these recommendations would be exempt if Bury Council give permission to any individual who is wanting to hold a specific event or festival.
- To delegate the authority to approve future Public Spaces Protection Orders to the Council's Chief Information Officer in consultation with the Director of Law & Governance and the Cabinet Member for Finance and Communities.

Reasons for recommendation(s)

- I. The reason for the recommendation regarding the banning of consuming alcohol in a public place, is mainly due to the deterrent that it provides to members of the public who consider this to be acceptable behaviour.
- II. The reason for the recommendation to ban the use of amplified equipment in Bury Town Centre, is due to the disturbances that excessive noise has caused for residents and local businesses. The initial request put towards Bury Council was to ban busking altogether to try and rectify this problem. However, after discussions

with partners and looking at the impact on the community, it was agreed that busking brings positives as well as negatives, therefore the banning of amplified equipment was agreed as it is the volume of the busking that was reported as causing the most concern.

Alternative options considered and rejected

When dealing with any anti-social behaviour it is important to consider all the tools and powers that are available to the Council to ensure appropriate action is taken. The alternative options that were considered but rejected were:

Civil Injunction

A Civil Injunction is an order that could be considered to deal with a certain individual that is causing harassment, alarm, or distress. This is a highly effective tool in most instances and if applied to this situation it could be useful to remove a prolific offender. However, this would only apply to the individual in question, meaning that other people causing the issues raised within this report would be able to continue and the same work would have to be repeated for each individual.

Community Protection Notice (CPN)

A Community Protection Notice was designed and implemented in 2014 to help assist with such issues that cause harassment, alarm, and distress within the community. This option was a viable option at the beginning of this process and has been used on a few occasions. However, as with the Civil Injunction this is an action that can only be used towards an individual and not to tackle a collective problem.

Acceptable Behaviour Contract (ABC)

An ABC is a low-level intervention that will still be used alongside the PSPO if these recommendations are approved. This is a non-enforceable contract between Bury Council and an individual which is voluntarily agreed. It is a way of an individual working with the Council to avoid any further actions being taken.

During the consultation process, the option to ban busking altogether was considered as this had been requested by some residents and businesses, however after assessing the situation and looking at the overall impact this would have it was agreed that this was not a viable option and for the members of the public who are socially and economically struggling, it would possibly have a detrimental effect on them.

Report Author and Contact Details:

Name: Damian Miller

Position: Anti-Social Behaviour Officer

Department: Corporate Core

E-mail: d.r.miller@bury.gov.uk

BACKGROUND

Under the Anti-Social Behaviour act 2014 Bury Council are seeking to apply for an amendment to the Public Spaces Protection Order (PSPO) that is currently in place in Bury Town Centre.

From June 2021 to September 2022 evidence was received from various members of the public outlining the issues that they have experienced regarding the effect Busking has had on the quality of their life. This information was analysed by the ASB Team to determine the most appropriate course of action.

In response to the evidence received it was agreed that a review would be initiated of the current PSPO for Bury Town Centre which currently only prohibits the consumption of alcohol in a public place. After consulting with partners on this matter, a set of questions were drafted that would make up the contents of a public consultation, covering the area of Bury Town Centre only. These are included in Appendix 1.

Public consultation commenced on the 20th of September and lasted for 4 weeks. The Public Consultation covered all the business properties within The Millgate Shopping Centre, and The Rock Shopping Complex. The Consultation was extended to the residents who occupy the apartments with The Rock, and also the residents who occupy the flats based on The Old Rock. In addition to this a link to the consultation was advertised on Bury Council's social media pages.

Once completed the results of the consultation were published and was analysed by the ASB Team. A summary of the responses is included in Appendix 2.

There were 304 visitors to the online questionnaire, with 107 engaging and completing the form, and engagement rates of 48.1%. There were several questions on the questionnaire about different subjects in order to ensure that the consultation was not seen as leading respondents to focus only on the known issues of alcohol and busking and also to provide wider evidence to help with putting in place a PSPO which would address the needs of the wider user base.

Alcohol Use in Public Spaces

There are a number of areas within the borough in which any person who is reasonably believed to be, or have been, consuming alcohol may be required to not consume alcohol and to surrender anything in their possession for it to be disposed of. This includes Bury Town Centre.

This condition provides Bury Council and Greater Manchester Police the power to approach and request the confiscation of any open container containing alcohol. It is intended to prevent members of the public becoming highly intoxicated whilst in a public area and to improve community safety for those visiting Bury Town Centre.

This order also assists other partners working within Bury Town Centre. For example, in instances where TfGM have experienced alcohol related anti-social behaviour this has been dealt with accordingly.

In terms of the responses to the consultation, the majority of respondents felt that drinking alcohol in the street was an issue in the town centre and was having a negative impact on their enjoyment. That said, less than half felt that the problem had got worse in the last three years which suggested that the current PSPO was having an impact on deterring people from drinking alcohol in public spaces.

There was a strong agreement that drinking alcohol in the public spaces within Bury Town Centre should be restricted and therefore this is included as a recommendation. This has also been endorsed by the Bury BID.

Busking

It was quite clear from the results that busking in Bury Town Centre was seen an issue for many of the respondents, however there was also clear evidence that members of the public appreciated the fact that busking was part and parcel of the culture of Bury and that they wanted it to remain. With the split being roughly 50/50 further work was undertaken with stakeholder to agree the most appropriate recommendation in relation to busking. It was agreed that busking itself could be a positive for Bury Town Centre and has been shown to bring footfall to the centre due to the positive environment it creates. That said, it was agreed that for some this is perceived as a nuisance which needs to be addressed so that all who visit and live in Bury town centre can enjoy the experience.

Various recommendations were discussed, and it was agreed that the banning of Busking would not be applied for. However, prohibiting the use of any speakers or amplified equipment would allow members of the public to enjoy their shopping experience without being affected excessively by the noise busking can create. This recommendation will still allow people to express themselves musically, with the noise levels being at a reasonable level.

It is noted that pubs, restaurants, and off-licences do not form part of the PSPO. Areas covered by a 'Temporary Event Notice' or a 'local authority premises licence' are only exempted from the PSPO whilst speakers or amplifiers are being used. This recommendation has been endorsed by the Bury BID as follows:

"Bury BID supports quality busking in the town centre however where buskers use amplification this can negatively impact on business operations in the vicinity, therefore Bury BID would support the request for buskers to perform without amplification in the town centre."

Charity Collections (Chugging)

Chugging was a topic that was discussed with partners, and it was agreed not to include this as part of the public consultation nor the PSPO application. Fundraisers working on behalf of charities to sign up for direct debit collections (chuggers) are not issued with a licence as they do not physically collect money. However, Licensing entered into a Site Management Agreement with the Public Fundraising Regulatory Association (PFRA) in January 2014 to regulate the number of fundraisers in the Town Centre at any time.

The agreement states the areas that can be used, the maximum number of fundraisers permitted in that area, the days and hours on which fundraising is permitted, the frequency per week that fundraisers may be in the town centre and states that only one charity is permitted per area on any one day.

As such, the Council receives regular notifications from the PFRA with a spreadsheet covering 4 weekly periods naming which charities will be in the Town Centre on a specified day. If a charity is collecting that is not named, they can be asked to leave the Town Centre. If a complaint is received regarding the conduct of a fundraiser this is passed to PFRA for them to action. At the present time, the Council's Licensing service are not aware of any

significant issue or complaints from members of the public regarding to chugging activities and as such the Council does not have any concerns with the agreement not being adhered to and it is due to be reviewed in 2023/24.

A draft signage of the proposed PSPO has now been created and is ready for use should the recommendations be approved. For reference it is included at Appendix 4.

Links with the Corporate Priorities:

This report primarily supports the LET'S principle of Locality and pursues the outcome for improved quality of life. Continuing to ban the consumption of alcohol will address issues of anti-social behaviour, harassment, and intimidation, and allow residents to use their local public spaces freely.

EQUALITY ANALYSIS

A full Equality Analysis was carried out and the full report is available.

Environmental Impact and Considerations:

There would be no carbon impact as a result of this decision.

Assessment and Mitigation of Risk:

This is covered in the Equality Impact Assessment.

Legal Implications:

The Anti-social Behaviour, Crime and Policing Act 2014 (the Act) introduced several new tools and powers for use by Councils including PSPOs. The Act provides a broad legal framework within which PSPOs can be implemented and is augmented by a "Statutory guidance for frontline professionals" (Revised in June 2022). The Council needs to be due regard to issues of proportionality in proceeding and needs to ensure that the proposed restriction is proportionate to the harm or nuisance being caused.

A PSPO can be made by the council if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:

- has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

Before introducing, extending, varying or discharging a PSPO, there are requirements under the Act regarding consultation, publicity and notification. The publicity and notification aspects of this PSPO are included in this report.

Before making a Public Spaces Protection Order, the Council must consult with the police. The council must also consult whatever community representatives they think appropriate. It is strongly recommended that the council engages in an open and public consultation to give the users of the public space the opportunity to comment on whether the proposed restriction or restrictions are appropriate, proportionate or needed at all. The council should also ensure that specific groups likely to have a particular interest are consulted, such as a local residents association, or regular users of a park or those involved in specific activities in the area, such as buskers and other street entertainers.

Financial Implications:

There are no financial consequences of implementing a public spaces protection order as the enforcement of it be within existing resources.

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

Term	Meaning
PSPO	Public Spaces Protection Order
ASB	Anti-Social Behaviour
CPN	Community Protection Notice
GMP	Greater Manchester Police
TfGM	Transport for Greater Manchester
ABC	Acceptable Behaviour Contract

APPENDIX 1

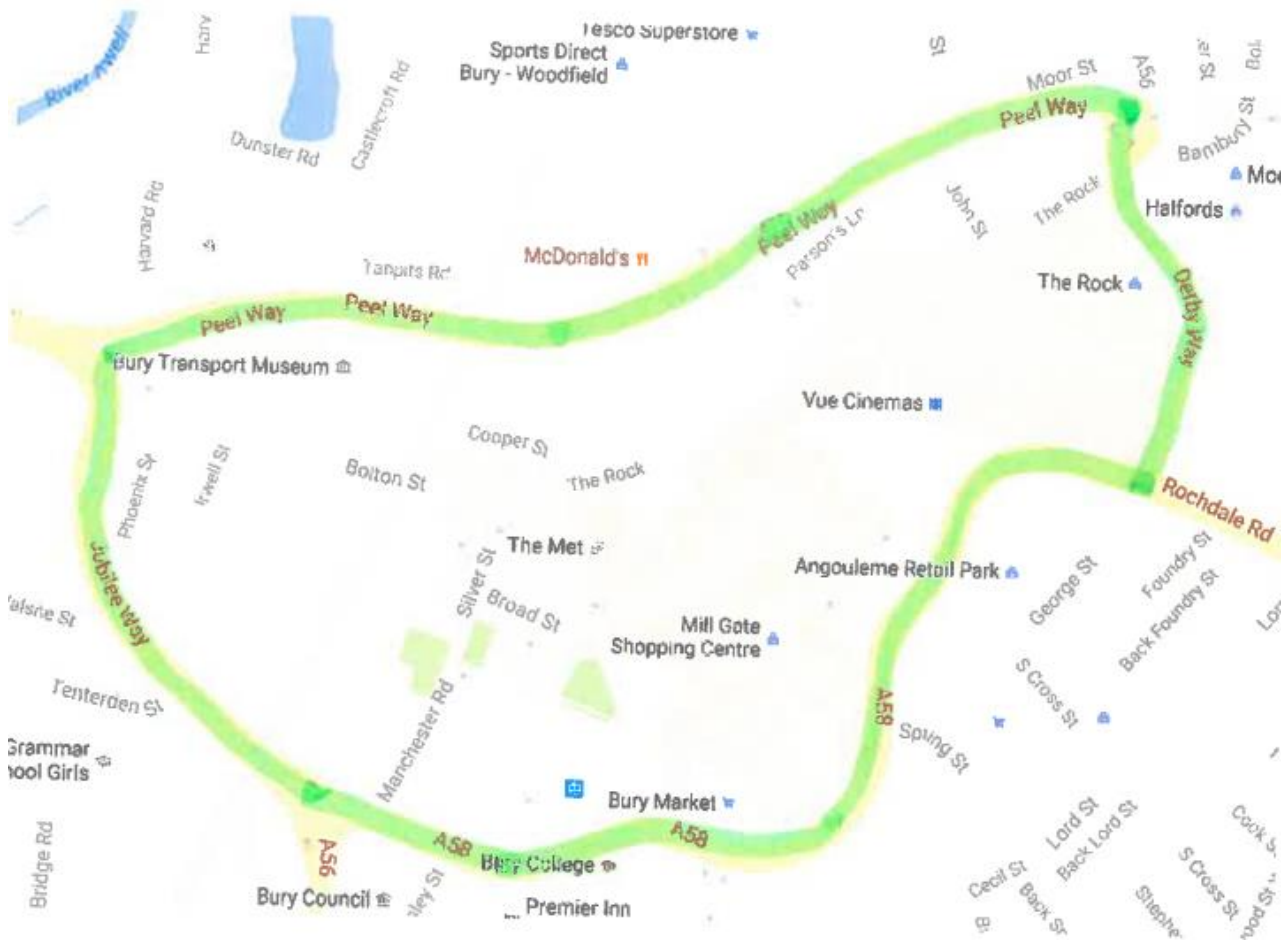
PSPO Public Consultation Questions

OVERVIEW

Please complete the following survey to give your views about the proposed variation and extension to the Public Space Protection Order (PSPO) in Bury Town Centre as shown below in the *public areas on the PSPO restricted area map*.

Before you start

- ❖ Please see the Restrictive Area Map below which the proposed PSPO will Cover.



This survey should take you no longer than 15 minutes to complete.

If you require this survey in any other format, please contact us via 0161 253 5353, requesting to speak to Damian Miller, ASB Officer, Bury Council, or email: d.r.miller@bury.gov.uk.

BUSKING (priority)

Any member of the public will not be allowed to perform an act in the "PSPO Restricted area" to which it appears that they are attracting voluntary donations. Busking includes, but not limited to, Singing, playing an instrument, performing an act such as juggling, fire eating etc... There may be an exemption whereby people busk WITHOUT the use of any speakers or amplifiers.

Draft legal prohibition: No one at any time is allowed to busk. For the purpose of this order busking will be defined as any person performing an act in a public place for voluntary donations.

- ❖ Do you consider busking to be a problem in the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ Has this type of behaviour (busking) had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
 - If yes, please give details of how this has affected you.....
- ❖ Do you think this busking, over the past 3 years has:
 - Improved
 - Worsened
 - Stayed the same
 - Don't know
- ❖ Do you think it is necessary to stop busking in the public areas as shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ If you have any additional comments about this subject, please let us know.
 - Please comment below.....

ALCOHOL (priority)

You can only drink alcohol at a licensed premises. You must hand over an open container which has alcohol or looks like alcohol in it, when asked to do so by an authorised officer.

Draft legal prohibition: No person shall at any time consume alcohol in any public place other than at licensed premises or refuse to hand over an open container containing or purporting to contain alcohol, in their possession, save for those places identified by section 62 of the anti-social behaviour act 2014, when required to do so by an authorised officer.

- ❖ Do you consider drinking alcohol in the street, other than at licensed premises, to be a problem in the public areas shown in the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ Has drinking alcohol in the street, other than at licensed premises, had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
 - If yes, please give details of how this has affected you.....

- ❖ Has drinking alcohol in the street, other than at licensed premises, improved or worsened over the past 3 years?
 - IMPROVED
 - WORSENER
 - STAYED THE SAME
 - DON'T KNOW
- ❖ Do you agree we should stop people drinking alcohol in the street, other than at licenced premises in the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ If you have any additional comments about this subject, please let us know
 - Please comment below.....

BEGGING (optional)

No one at any time is allowed to beg for money. People who don't have a place to live and/or don't receive an income may have an excuse for breaking this rule.

Draft legal prohibition: No one at any time shall beg for money. (Persons experiencing destitution, being defined as persons who do not have a fixed abode and/or do not receive an income will be considered to have a reasonable excuse for breaching this prohibition).

- ❖ Do you consider begging to be a problem in the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ Has this type of behaviour (begging) had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
 - If yes, please give details of how this has affected you.....
- ❖ Do you think this begging over the past 3 years has:
 - Improved
 - Worsened
 - Stayed the same
 - Don't know
- ❖ Do you think it is necessary to stop begging in the public areas as shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ If you have any additional comments about this subject, please let us know.

- Please comment below.....

SKATEBOARDING (optional)

No one shall at any time use a skateboard on the THE ROCK show red on the map. To annoy, scare or upset people.

Draft legal prohibition:

- ❖ No person shall at any time use a skateboard in the restricted area shown coloured red on the map.
- ❖ No person shall at any time use a bicycle, skateboard, scooter, or similar wheeled conveyance in such a manner that causes or is likely to cause nuisance, alarm, or distress.
- ❖ Do you feel that skateboarding is a problem in the area shown on the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ Do you feel that the use of bicycles, skateboards, scooters, or similar wheeled transport used to annoy, scare, or upset people in the public areas shown in the PSPO restricted area map is a problem?
 - YES
 - NO
 - DON'T KNOW
- ❖ Has this type of behaviour had a negative impact on your enjoyment of the public areas shown in the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
 - If yes, please give details of how this has affected you....
- ❖ Has this type of behaviour (use of a bicycle, skateboard, scooter, or similar wheeled transport in such a manner that causes or is likely to cause nuisance, alarm, or distress) improved or worsened over the past 3 years?
 - IMPROVED
 - WORSENER
 - STAYED THE SAME
 - DON'T KNOW
- ❖ Do you agree we should stop people from using a skateboard in the public areas shown in the PSPO restricted area map?
 - YES
 - NO
 - DON'T KNOW
- ❖ Do you think we should stop people at all times from using a bicycle, skateboard, scooter, or similar wheeled transport in such a manner that causes or is likely to cause nuisance, alarm, or distress?
 - YES
 - NO

- DON'T KNOW

- ❖ Please provide any additional comments you want to make about the proposal to stop people using a skateboard in the public areas as shown in the PSPO restricted area map

- Please comment below

- ❖ Please provide any additional comments you want to make about the proposal to stop people at all times from using a bicycle, skateboard, scooter, or similar wheeled transport in such a manner that causes or is likely to cause nuisance, alarm, or distress.

- Please comment below...

ANY OTHER ISSUES (optional)

Aside from what we are proposing, is there any other issues that you feel has a negative impact on Bury Town Centre, and a negative impact on your own personal experience when visiting Bury Town Centre.

APPENDIX 2 - SUMMARY OF QUESTIONNAIRE RESULTS

- Q1 Has this type of behaviour (busking) had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - 50% answered NO
 - 48.1% answered YES
 - 1.9% answered DON'T KNOW
- Q2 Do you think this busking, over the past 3 years has:
 - 38.9% answered WORSENER
 - 35.2% answered STAYED THE SAME
 - 16.7% answered DON'T KNOW
 - 9.3% answered IMPROVED
- Q3, do you think it is necessary to stop busking in the public areas as shown on the PSPO restricted area map?
 - 49.1% answered NO
 - 44.4% answered YES
 - 6.5% answered DON'T KNOW
- Q4, do you consider drinking alcohol in the street, other than at licensed premises, to be a problem in the public areas shown in the PSPO restricted area map?
 - 67.6% answered YES
 - 17.6% answered NO
 - 14.8% answered DON'T KNOW
- Q5 Has drinking alcohol in the street, other than at licensed premises, had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - 56.5% answered YES
 - 32.4% answered NO
 - 11.1% answered DON'T KNOW
- Has drinking alcohol in the street, other than at licensed premises, improved or worsened over the past 3 years?
 - 45.4% answered WORSENER
 - 34.3% answered DONTKNOW
 - 19.4% answered STAYED THE SAME
 - 0.9% answered IMPROVED
- Do you agree we should stop people drinking alcohol in the street, other than at licenced premises in the public areas shown on the PSPO restricted area map?
 - 89.8% answered YES
 - 5.6% answered NO
 - 4.6% answered DON'T KNOW
 -
- Has this type of behaviour (begging) had a negative impact on you enjoying the public areas shown on the PSPO restricted area map?
 - 50.9% answered YES
 - 39.8% answered NO
 - 9.3% answered DON'T KNOW

- Do you think this begging over the past 3 years has
 - 65.7% answered WORSENER
 - 19.4% answered DON'T KNOW
 - 14.8% answered STAYED THE SAME
- Do you think it is necessary to stop begging in the public areas as shown on the PSPO restricted area map?
 - 61.1% answered YES
 - 20.4% answered DON'T KNOW
 - 18.5% answered NO
- Do you feel that skateboarding is a problem in the area shown on the PSPO restricted area map?
 - 39.8% answered YES
 - 35.2% answered NO
 - 25% answered DON'T KNOW
- Do you feel that the use of bicycles, skateboards, scooters, or similar wheeled transport used to annoy, scare, or upset people in the public areas shown in the PSPO restricted area map is a problem?
 - 61.1% answered YES
 - 23.1% answered NO
 - 15.7% answered DON'T KNOW
- Has this type of behaviour had a negative impact on your enjoyment of the public areas shown in the PSPO restricted area map?
 - 50.9% answered YES
 - 38.9% answered NO
 - 10.2% answered DON'T KNOW
- Has this type of behaviour (use of a bicycle, skateboard, scooter, or similar wheeled transport in such a manner that causes or is likely to cause nuisance, alarm, or distress) improved or worsened over the past 3 years?
 - 50% answered WORSENER
 - 27.8% answered DON'T KNOW
 - 22.2% answered STAYED THE SAME
- Do you agree we should stop people from using a skateboard in the public areas shown in the PSPO restricted area map?
 - 61.1% answered YES
 - 26.9% answered NO
 - 12% answered DON'T KNOW
- Do you think we should stop people at all times from using a bicycle, skateboard, scooter, or similar wheeled transport in such a manner that causes or is likely to cause nuisance, alarm, or distress?
 - 76.9% answered YES
 - 18.5% answered NO
 - 4.6% answered DON'T KNOW

Appendix 4

PUBLIC SPACES PROTECTION ORDER



**CONSUMING ALCOHOL IN
THIS AREA IS PROHIBITED.**



**THE USE OF SPEAKERS OR
AMPLIFIERS IS PROHIBITED.**

MAXIMUM FINE £1000

**FAILURE TO COMPLY WITH THIS ORDER COULD LEAD TO A
£100 FIXED PENALTY NOTICE OR PROSECUTION AND A
FINE OF UP TO £1000 ON CONVICTION.**

This area is subject to a Public Spaces Protection Order (PSPO) pursuant to Part 4, Chapter 2 of the Anti-Social behaviour, Crime and Policing act 2014.

Pubs, restaurants, and off-licences do not form part of the PSPO. Areas covered by a 'Temporary Event Notice' or a 'local authority premises licence' are only exempted from the PSPO whilst speakers or amplifiers are being used.



Classification Open	Item No.
-------------------------------	-----------------

Meeting:	Cabinet
Meeting date:	19 th April 2023
Title of report:	Review of the Council's Senior Management Structure
Report by:	Cllr. Eamonn O'Brien: Leader of the Council
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary:

On 28 February 2023 the Chief Executive of Bury Council and Place-Based Lead for NHS Greater Manchester in Bury, Geoff Little, retired. During his five-year tenure, the Council has seen considerable change, in particular the focus on developing a more integrated place-based model between local government and health.

After a rigorous recruitment process, the Council's Deputy Chief Executive, Lynne Ridsdale, was appointed as the authority's first permanent female Chief Executive, with the role continuing to also encompass Place Based Lead accountabilities on behalf of NHS Greater Manchester. This appointment gives continuity in terms of the Council's commitment to the LET'S Do It! Strategy and Corporate Plan. However, the appointment also provides the opportunity to undertake a review of the wider Chief Officer structure, particularly in relation to the Corporate Core Services, in order to:

- Address the requirements of the role of Deputy Chief Executive and the responsibilities currently attached to that post.
- Ensure the Council's structure and Chief Officer capacity is effectively aligned to the priorities of the Corporate Plan and LET'S Do It!
- Ensure clarity of accountability and expectations across the Council's Executive Team and Strategic Leadership Group.
- Identify opportunities for savings and efficiencies in support of a total current savings target of £300k from the Council's Chief Officer structure to be delivered in its entirety by April 2024.

This report sets out proposals as a basis for consultation in response to the above opportunities. It delivers on the outstanding balance of the £200k savings from Chief

Officer costs within the 22/23 budget and confirms leadership arrangements for the Corporate Core Department from within existing capacity.

RECOMMENDATION(S)

Cabinet Is Recommended to:

1. Agree to the commencement of consultation with affected staff on the proposed structural changes set out within the body of this report. Specifically that:
 - a) The posts of Deputy Chief Executive (Chief Officer DCEX Band) and Joint Chief Information Officer (Chief Officer Band F) are deleted
 - b) A new post of Executive Director (Strategy & Transformation) is established at Chief Officer Band H to lead the Corporate Core Department
 - c) The post of Head of Strategic Performance & Intelligence (SM2) is deleted and a new role of Head of Performance & Delivery established (Chief Officer Band A) to replace the previous Head of Delivery post (Chief Officer Band A) and ensure focus on delivery of the Corporate Plan and its associated priorities
 - d) A new Policy Officer role is established (Grade 12) reporting to the Head of Performance & Delivery
 - e) The portfolio of the Assistant Director (Digital, Data and Technology) is expanded to take on joint leadership of the ICT and Digital portfolio across the Council and NHS Greater Manchester in Bury. Leadership responsibility for the Contact Centre will also transfers to this post from the Head of Communication, Marketing & Engagement
 - f) Leadership responsibility for the Communications function transfers from the Deputy Chief Executive to the Executive Director (Strategy & Transformation)
 - g) The Assistant Director (Economy & Business) and their current portfolio transfer to the leadership of the Executive Director (Strategy & Transformation) and that this role takes on responsibility for the Bury Adult Education Service and is redesignated Assistant Director (Business & Skills)
 - h) The Director of Housing becomes a direct report of the Executive Director (Place) with the Housing portfolio aligned as part of the Business Growth Infrastructure (BGI) Department
 - i) To take account of the proposed changes, that the role of Executive Director (Place) is regraded from Chief Officer Band G to Chief Officer Band H
 - j) To take account of the proposed changes, that the role of Director of Law & Governance is regraded from Chief Officer Band E to Chief Officer Band F
 - k) Leadership responsibility for the Bury Art Museum transfer to the Executive Director Operations
 - l) The One Commissioning Organisation is re-named as the Health and Adult Care Department

- m) The Executive Director (Strategic Commissioning) is redesignated Executive Director (Health and Adult Care). The Executive Director (Health and Adult Care) will assume responsibility for leading and implementing the Public Service Reform Strategy, including the neighbourhood model.
- 2. Delegates authority to the Chief Executive and Leader of the Council, in consultation with the Cabinet Member for HR & Corporate Affairs, Director of People and Inclusion, Monitoring Officer and S151 Officer to consider responses received from the consultation and agree a final proposed report. (Where the changes from the proposals set out below are not substantive, the Cabinet Member for HR & Corporate Affairs will agree implementation, where changes are substantive revised proposals will return to Cabinet for consideration and approval).
- 3. Subject to consultation, commend the following proposals to Council where the required changes are decisions which directly rest with Council:
 - a) That the role of Executive Director (Place) is regraded from Chief Officer Band G to Chief Officer Band H.
 - b) That a new post of Executive Director (Strategy & Transformation) is established at Chief Officer Band H.
 - c) That the role of Director of Law & Governance is regraded from Chief Officer Band E to Chief Officer Band F.
 - d) That a Market Supplement payment of £14k is applied to the Director of Adult Social Services role.

KEY CONSIDERATIONS

1. Context

- 1.1 In 2018 an integrated leadership team across Bury Council and the former Bury Clinical Commissioning Group (CCG) was established. Investment was made in a number of new leadership roles creating a revised operating model based on six departments. Since this time the team has focused on a range of strategic priorities including the following examples:
- Integration of the local health and care system.
 - Development of a new shared Community Strategy for the borough.
 - Strategic economic development and regeneration planning.
 - The improvement of Children's Services.
 - Establishing the structures and systems of a single corporate core including a digital-first operating model and more robust financial management mechanisms.
- 1.2 These developmental priorities have, of course, been progressed alongside the Council's leadership role in responding to the Covid-19 Pandemic and, more recently, the national Cost of Living Crisis and resultant impact on the Council's budget.
- 1.3 The focus now is on implementation and delivery, in pursuit of the vision that, by 2030, Bury will stand out as a place that is achieving faster economic growth than the national average, with lower than national average levels of deprivation, LET'S Do It!
- 1.4 In addition, as described in the Corporate Plan 2023/24, the team must respond to a number of new priorities including:
- The implementation of the Integrated Care System which has replaced the former Clinical Commissioning Group and re-balanced functions between the locality and Greater Manchester teams within the One Commissioning Organisation.
 - Progressing external investments secured to further both the Culture and Wellness strategies.
 - Delivery of the very challenging budget for 2023/24, with over £31m of savings required in 2023/24 and further savings necessary in future years.
- 1.4 This report sets out proposals to align strategic capacity with established priorities, to take the council forward to its next phase of delivery.

2. Proposals

- 2.1 The six departments within the Council's structure remain appropriate for delivery in the context described above, however the rebalancing of functions within and between some departments is proposed to manage capacity, drive efficiency and take account of the vacant leadership post within the Corporate Core. Proposals for change within affected departments are therefore described below.
- 2.2 A number of practical considerations and design principles have been considered in reviewing the Council's operating structure. Specifically:
- The opportunity to develop a more consistent and distributed leadership model within the Executive Team and Strategic Leadership Group (SLG), through common job sizing and the removal of a dedicated Deputy Chief Executive (DCE) role, on the basis that each Executive Director is fully and equally accountable for their portfolio and that this extends to appropriate deputisation for the Chief Executive where necessary. However, to ensure business continuity in the event of the Chief Executive's absence:
 - The redesignated Executive Director (Health & Adult Care) will remain the designated Deputy Place Based Lead for NHS Greater Manchester, deputising in relation to the Place Base Lead elements of the Chief Executive's role.
 - Cover for periods of absence of the Chief Executive will be arranged with regards priorities at the time. Any unplanned absence will be covered by the new post of Executive Director (Strategy & Transformation) as described below.
 - A requirement to strengthen collective leadership of the Inclusive Economic vision so that it becomes a whole Council endeavour and to mobilise senior leaders and partners around the LET'S Do It! strategy and Public Service Reform agenda.
 - The opportunity to strengthen the Council's approach to governance, particularly in relation to commercial activity, business planning and budget delivery. The Monitoring Officer is one of the Council's statutory officers with personal and independent accountability for Council's governance. This report formalises the statutory status of this role in leading corporate governance and with a direct line of accountability to the Chief Executive.
 - A requirement to backfill executive leadership of the Corporate Core, but with an opportunity to do so from within, in pursuit of efficiencies and to continue to develop the potential of a relatively new and high performing team.
- 2.3 Details of the proposed changes, by affected Department, are summarised below as a basis for consultation. Current and proposed structure charts are also appended. These changes deliver on the outstanding balance of the £200k savings from Chief Officer costs within the 22/23 budget.
- 2.4 The most substantive areas of change relate to the Corporate Core, where the proposals seek to clarify and confirm leadership arrangements for the department from within existing resources through the deletion of the Deputy Chief Executive role and a reconfiguration of the portfolios of the remaining three Director level posts.

2.5 Business Growth and Infrastructure (BGI)

- 2.5.1 Whilst all Executive Directors have a role in place leadership, accountability for the ambitious economic development and regeneration plans across the borough sits within BGI. This includes leadership of the planning and building control functions and management of a series of major projects to regenerate the town centres. In the last two years the team have secured two £20m Levelling Up bids and developed a Strategic Regeneration Framework for Radcliffe and a masterplan for the town centre. There is currently in the region of £0.25billion in investment being delivered in the borough's regeneration. Delivery of this agenda will continue to be overseen by the Executive Director (Place).
- 2.5.2 The housing portfolio is currently managed directly by the Chief Executive but is central to the borough's regeneration plans and its integration within this portfolio is critical. A pipeline now exists to develop c2,000 homes, 500 of which will be affordable. This work must be led and developed in the context of wider economic development plans. It is therefore proposed that the Director of Housing moves to become a direct report of the Executive Director (Place). To take account of this proposed change, the role of Executive Director (Place) will be regraded from Chief Officer Band G to Chief Officer Band H.
- 2.5.3 To support the establishment of collective capacity on Inclusive Growth, the role and portfolio of the Assistant Director (Economy & Business) will transfer from the leadership of the Executive Director (Place) to the Executive Director (Strategy & Transformation) and be re-designated as Assistant Director (Business & Skills) as described below.

2.6 Corporate Core

- 2.6.1 The Corporate Core Management Team has made significant progress in establishing a portfolio of corporate services and beginning a process of quality improvement. In 2021 an LGA Corporate Peer Challenge review remarked that "in many ways, Bury is a different council" (to the one that was first reviewed in 2018, before the Corporate Core was established). There is, however, a significant journey ahead for the Corporate Core, to continue the progress with internal transformation and establish the maturity of its functions.
- 2.6.2 To ensure delivery continuity, efficiency and the development of internal potential, it is proposed that the vacant post of Deputy Chief Executive post is deleted and the duties absorbed across the remaining Corporate Core Management Team as follows.
- 2.6.4 A new post of **Executive Director (Strategy & Transformation)** (Chief Officer Band H) will provide overall leadership of the Corporate Core, including accountability for all Corporate Core Services. The current Joint Chief Information Officer role will be deleted and the postholder slotted into this role. As well as overall leadership of the Corporate Core this post will be accountable for:
- Driving corporate performance management; including the programme of budget savings

- Leadership of borough-wide strategic partnerships including co-chairing the Community Safety Partnership
- Management of the Head of Communications, Marketing & Engagement
- The provision of targeted, project-based leadership, capacity and support to the Chief Executive.

2.6.5 Strategically, the Executive Director (Strategy & Transformation) will steer delivery of the Council's Inclusive Economy Strategy including the implementation of the Economic Development Strategy and development of place-based communications to promote the narrative of our changing borough as a place to live, work and prosper. The focus of this work will be on developing the human capital required to connect local people to the economic opportunities being created through regeneration. This will include leadership of the skills, employment and social value agendas, working closely with the Executive Directors for Health and Adult Care, Children and Young People and Place as well as other leaders across the Council and wider Team Bury partnership.

2.6.6 This role will mobilise partners and citizens across the borough to make a demonstrable impact on levels of unemployment, in-work progression, reducing in-work poverty and the economic wellbeing of Bury's residents. They will also work closely with the GMCA and national public sector partners to influence reform and deliver the long term LET'S Do It! outcomes and vision.

2.6.7 The postholder will have the capacity to assume this wider role through:

- The appointment of the Assistant Director (Digital, Data and Technology) who will lead all technical IT functions. The proposal is that this role will assume joint leadership of IT and Digital functions across both the Council and NHS Greater Manchester in Bury from the current Joint Chief Information Officer. Management of the Council's contact centre, as a digital-first communications channel, will also move from the Head of Communications, Marketing & Engagement to the Assistant Director (Digital, Data and Technology), to maximise the professional capacity available for creative external communications activity
- Moving the reporting line of the Assistant Director (Economy & Business) to the Executive Director (Strategy & Transformation) to lead an integrated work and skills function and drive delivery of the All-Age Skills Strategy. This portfolio will include management of the Bury Adult Learning Service. To reflect this, the post will be redesignated as Assistant Director (Business & Skills)
- Integrating leadership of the Council's Delivery Unit and Performance & Intelligence Service under a new role of Head of Performance & Delivery (Chief Officer Band A). A primary focus of this post will be ensuring robust monitoring of the Council's Corporate Plan and associated priorities, as well tracking budget savings delivery and providing meaningful reports to the Executive Team, Cabinet and Scrutiny.
- The establishment of a new Policy Officer (Grade 12) who will convene strategic partnerships agendas; produce and monitor corporate policy and

performance plans including Cabinet Member portfolio plans and also provide business planning support to the Director of Law and Governance. This post will work closely with the Head of Business & Executive Support to assist with GMCA policy briefings and internal report quality assurance and the Leader's Executive Policy Officer to support Member portfolio planning; ministerial visits and public relations opportunities.

- Transfer of leadership responsibility for Bury Art Museum to the Operations Department (see below).

2.6.8 **The Director of Law and Governance** (Monitoring Officer) is a member of the Executive Team; it is proposed that the postholder personally reports to the Chief Executive, to ensure they are able to provide close and responsive advice at the most senior level. Legal and Democratic services will otherwise remain part of the Corporate Core structure.

2.6.9 The Director of Law and Governance will also assume a leadership role on business planning and, in conjunction with the Executive Directors for Finance and Strategy & Transformation, will direct the budget setting process, the production of the Annual Governance Statement and provide support to the annual audit process and development and management of the council's risk register.

2.6.10 This Director of Law and Governance, who is already accountable for the Authority's Data Protection Officer, will become the Council's Senior Information Risk Officer (SIRO), will chair the Information Governance Steering Group and take organisational oversight of the Council's response to Freedom of Information Requests and Subject Access Requests.

2.6.11 The Director of Law and Governance and Executive Director (Strategy & Transformation) will also act as the local authority's Deputy Returning Officers in relation to Local Elections with this responsibility included in substantive job descriptions to enable efficiencies to be maximised.

2.6.12 To take account of the proposed changes the role of Director of Law & Governance will be regraded from Chief Officer Band E to Chief Officer Band F.

2.6.13 All People and Inclusion functions will remain part of the Corporate Core structure. The **Director of People and Inclusion** will, however, report directly to the Chief Executive and attend Executive Team meetings. This reporting arrangement reflects the critical importance of workforce engagement and development and culture change as a cross-cutting corporate priority.

2.6.14 Since the establishment of the Director of People and Inclusion role, this post has taken on an expanded portfolio, including Health and Safety and leadership of the integrated Business and Executive Support service. Establishment of the latter Service has delivered over £1m in savings and work is continuing on a fundamental improvement programme across business support functions, aligned to the Council's wider digital transformation.

2.7 Operations

- 2.7.1 The Operations department was established as the Council's delivery vehicle for all non-social care services. The Executive Director (Operations) has a clear remit around the improvement, modernisation and integration of these services to meet clear customer service standards and expectations.
- 2.7.2 To apply the design principle of an integrated department for the delivery of universal services it is proposed to transfer management of Bury Art Museum, including the Tourist Information service, to the Department. The service will lead the implementation of the Borough Culture strategy, also being recommended to Cabinet at this time, as well as developing the offer within the two Levelling Up sites in Radcliffe and Bury the context of this Strategy.
- 2.7.3 A leadership structure for culture, including appropriate connections to the Wellness strategy also being developed by the Operations department, will be brought forward separately. Pending the development of a leadership proposal, the service will be managed directly by the Executive Director.

2.8 One Commissioning Organisation (OCO) / Health and Adult Care

- 2.8.1 The OCO was established to deliver an integrated health and care commissioning function across adult social care and former CCG functions.
- 2.9.2 In 2022 the NHS Integrated Commissioning System was established, which seeks to further the integration of health and care services at regional, locality and neighbourhood level but also reduces the size and scale of directly locally commissioned health services significantly. As part of these new arrangements the Council Chief Executive was designated Place Based Lead for Health and Care in Bury and the Executive Director (Strategic Commissioning) as Deputy Place Based Lead. Together, these posts are accountable for system-wide health and care performance through system-wide partnership working, including joint programmes of work with the Children and Young People's Department.
- 2.9.3 To better reflect this evolved focus, the OCO will be re-named the Health and Adult Care Department and the Executive Director (Strategic Commissioning) will be redesignated Executive Director (Health and Adult Care). The proportionate split of Council/NHS funding for the position will also shift from an equal, 50/50 proportion to a decrease to 35% in relation to the Council. The postholder will remain a substantive Council employee. To balance this, and reflect the revised capacity requirements in this areas, the funding associated with the Executive Director (Finance) role, which also operates jointly across the Council and NHS Greater Manchester, will shift from an equal, 50/50 proportion to an increase to 65% in relation to the Council.
- 2.9.4 The leadership responsibilities of the Executive Director (Health and Adult Care) for directing partnership working will also be strengthened and the role given designated responsibility for delivering the Public Service Reform model in Bury. Specifically, the postholder will be accountable for:
- Increasing and extending the scale of neighbourhood-based integration of health and care teams,

- Bringing other public services into the neighbourhood structure, particularly children's services through the Early Help and Family Safeguarding Models,
- The ongoing development of Voluntary Community and Social Enterprise (VCSE) capacity to achieve the ambitions within LET'S Do It!
- Championing the principles of prevention, early intervention and targeting of resources across all other Council services

2.9.5 A primary function of the Health and Adult Care Department will continue to be the delivery and transformation of adult social care. Adult social care is one of the council's primary statutory responsibilities; the greatest area of financial spend and, within the next twelve months, anticipated to be subject to a comprehensive assurance visit from the Care Quality Commission. The leadership of the Director of Adult Social Services (DASS) is key in this context and this post will continue to have a direct line of accountability to the Chief Executive. Benchmarking has, however, demonstrated some gaps between pay for this post in Bury and the (very competitive) market across Greater Manchester. A market rate supplement of £14k is therefore proposed to secure retention.- This post is currently funded equally by the Council and NHS Greater Manchester. The additional cost in relation to the Market Supplement will be funded by the Council.

3 Chief Officer Savings

3.1 The Council's 2022/23 budget included a £200k savings target to be delivered from costs associated with the Council's Chief Officers. £125k in savings have been achieved to-date through structure and post reviews during the past year with a further £13k of savings in-progress linked to a review of operational on-call arrangements. The net effect of the changes proposed in this report delivers on the remainder of this target. A further £100k savings target from Chief Officer costs is included in the Council budget for 2024/25 and the Chief Executive will work to identify and assure delivery of these remaining savings by April 2024.

4. Consultation and Implementation

4.1 Subject to approval by Cabinet the proposals set out in this report will be presented to Trade Union Colleagues at the next Local Government Services Consultation Meeting and agreement sought to start a period of 30 days consultation with affected staff. Following this, final proposals reflective of feedback from the consultation process, will be shared with the Cabinet Member for HR & Corporate Affairs for approval. In accordance with the Council's Pay Policy Statement, changes to salary packages above £100k require approval by Council and these recommendations, following consultation, will be commended to Council for their agreement.

Community impact/links with Community Strategy

The proposed structural changes have been developed to ensure the most effective alignment of the Council's organisational structure and senior leadership capacity behind delivery of the LET'S Do It! Strategy.

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	The proposed changes will be implemented in line with the Council's workforce policy framework which has been subject to appropriate equality analysis.
--------------------------	---

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
The proposed structure does not effectively deliver on the Council's strategic priorities	The Chief Executive will continue to monitor the effectiveness of the Council's operating structure and bring forward further proposals if required.

Consultation:

The proposed changes will be subject to a period of 30 days consultation with affected staff and Trade Unions.

Legal Implications:

If Members are minded to agree to the recommendations a 30-day consultation will take place in accordance with legislation and the Council's consultation tool kit. The proposals will be reviewed following the consultation period. If there are not substantial changes to the proposals Members are requested to commend the proposals to Council. In accordance with the Localism Act these proposals set out at recommendation 3 will require Council approval.

Financial Implications:

As part of its 2022/23 budget setting the Council committed to making savings against its Chief Officer costs of £200k and then within the 2023/24 budget setting proposals a further £100k. These proposals complete the delivery of the first £200k and make a contribution to the 2023/24 budget savings proposals.

The funding sources of the Council and therefore its executive and senior leadership team are complex and the funding sources include, the Councils' general fund, contributions from the NHS for shared integrated posts, recharges to the Housing revenue account and also external funding from grants and recharges to capital. A proportion of the salary of the Executive Director (Place) will be recharged to the HRA following the transfer of the housing portfolio to this post.

The full year savings from the proposals above are circa £65k when comparing between top of grade to top of grade.

Report Author and Contact Details:

Lynne Ridsdale
 Chief Executive & Place Based Lead for Health and Care
l.ridsdale@bury.gov.uk

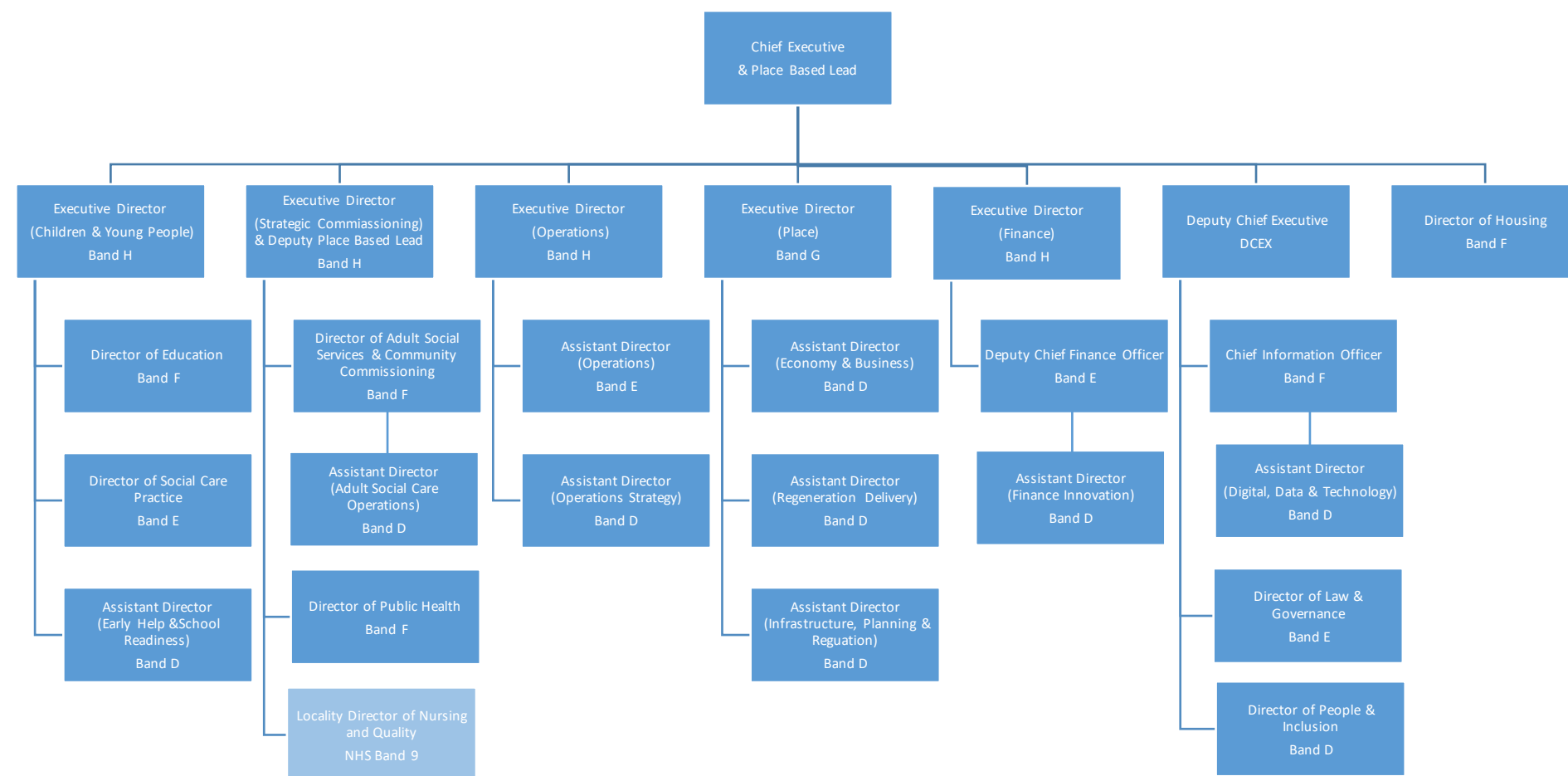
Background papers: None

Term	Meaning
BGI	Business Growth & Infrastructure Department
CCG	Clinical Commissioning Group
DSG	Dedicated Schools Grant
CCMT	Corporate Core Management Team
UKSPF	United Kingdom Shared Prosperity Fund
OCO	One Commissioning Organisation

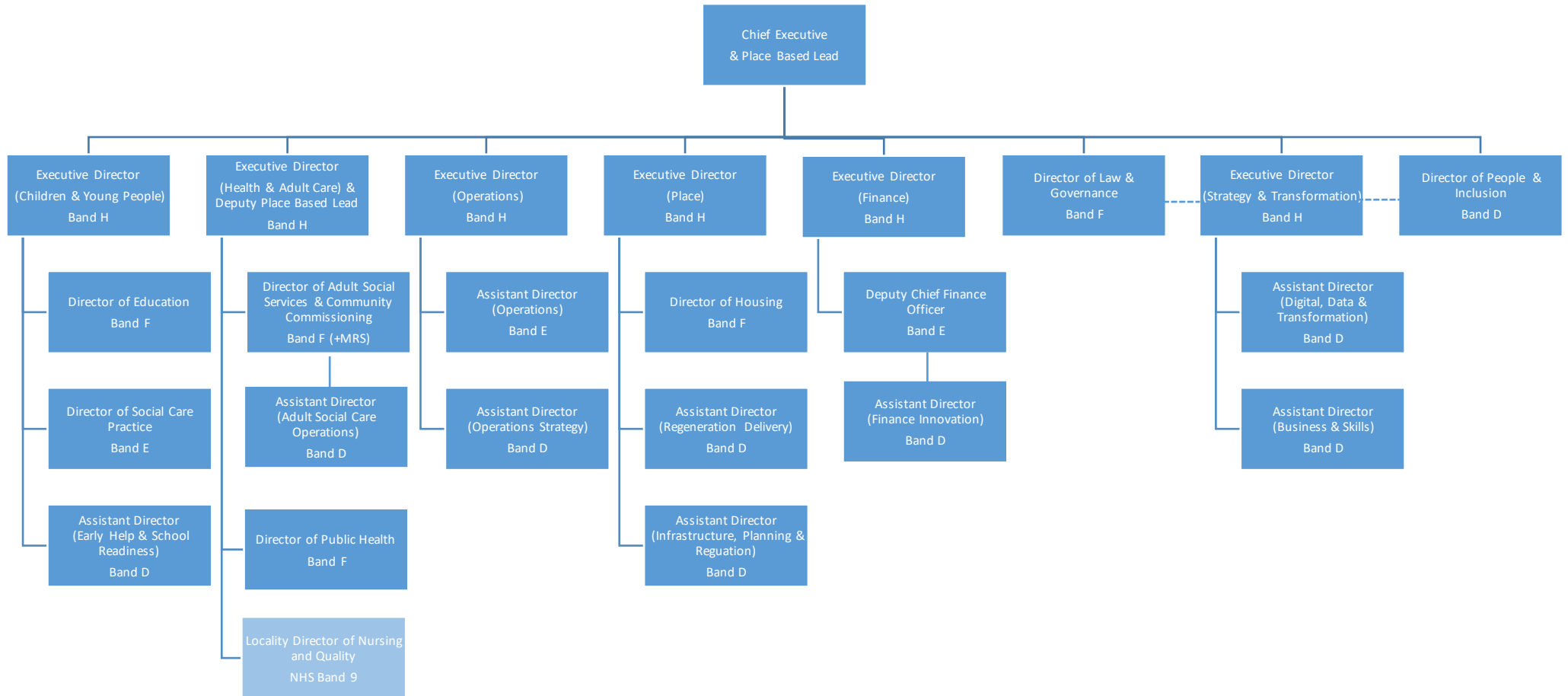
Appendix 1 – Current Council & NHS Greater Manchester (Bury) Strategic Leadership Group structure

Appendix 2 – Proposed Council & NHS Greater Manchester (Bury) Strategic Leadership Group structure

Appendix 1 – Current Council & NHS Greater Manchester (Bury) Strategic Leadership Group structure



Appendix 2 – Proposed Council & NHS Greater Manchester (Bury) Strategic Leadership Group structure



**MINUTES OF THE MEETING OF THE GREATER MANCHESTER COMBINED
AUTHORITY HELD ON FRIDAY 10TH FEBRUARY 2023**

AT SALFORD TOWN HALL

PRESENT:

GM Mayor	Andy Burnham (in the Chair)
GM Deputy Mayor	Kate Green
Bolton	Councillor Hilary Fairclough
Bury	Councillor Eamonn O'Brien
Manchester	Councillor Bev Craig
Oldham	Councillor Elaine Taylor
Rochdale	Councillor Neil Emmott
Salford	City Mayor Paul Dennett
Stockport	Councillor Mark Hunter
Tameside	Councillor Gerald Cooney
Trafford	Councillor Tom Ross
Wigan	Councillor David Molyneux

OFFICERS IN ATTENDANCE:

Chief Executive Officer, GMCA & TfGM	Eamonn Boylan
GMCA Deputy Chief Executive	Andrew Lightfoot
GMCA Monitoring Officer	Gillian Duckworth
GMCA Treasurer	Steve Wilson
Bolton	Sue Johnson
Bury	Geoff Little

Manchester	James Binks
Oldham	Harry Catherall
Rochdale	Steve Rumbelow
Salford	Tom Stannard
Stockport	Caroline Simpson
Tameside	Sandra Stewart
Trafford	Sara Todd
Wigan	Alison McKenzie-Folan
Office of the GM Mayor	Kevin Lee
GMCA	Julie Connor
GMCA	Sylvia Welsh
GMCA	Lee Teasdale
TfGM	Steve Warrener

ALSO IN ATTENDANCE:

Chair of GMCA Overview & Scrutiny	Cllr John Walsh
Rochdale	Cllr Janet Emsley

GMCA 21/23 APOLOGIES

RESOLVED /-

That apologies be received and noted from Councillors Martyn Cox (Bolton) and Amanda Chadderton (Oldham) and Joanne Roney (Manchester).

- a) The GM Mayor advised that this was to be the last meeting of the Chief Executive of Bury Council Geoff Little before his retirement. His achievements during his time in Greater Manchester were highlighted, not least of which was his contribution in driving forward health devolution, and he was wished all the best for the future.
- b) The Mayor advised Members of the latest developments on clean air zone proposals. GM had previously approached Government with a proposal for an investment led, non-charging clean air zone – an approach that it was believed could ensure Greater Manchester reaches compliant levels whilst also minimising financial hardship. A meeting had taken place with the former responsible Minister and an initial renegotiation of the legal direction had been agreed.

The submission for this proposal had taken place in July 2022 and there had been disappointment that the Government had not responded to this. The Mayor subsequently met with the current responsible Minister in January 2023. It was then that it was advised that the Government still sought for GM to model the proposals against a charging zone focussed purely upon the city centre, with a particular focus upon the inner relief road – it had been asked that the approach requested be provided to the Mayor in writing, and a letter was subsequently received to this effect.

The Government had also highlighted that they required evidence that emissions on the A58 (Bury New Road) could be reduced to compliant levels – it was advised that this could be evidenced and that a report would be taken to the Air Quality Administration Committee at the end of the February. New zero emission buses would be a significant contributor to this.

To undertake the new Government request – the modelling tools previously used would need to be updated and this would take a number of months – and would be concluded by the end of June 2023.

The Mayor would be making it clear to the minister that whilst required to undertake modelling on a charging zone, an investment led non-charging zone was still the preference for the whole region including the city centre and that the steps being taken through the Bee Network made this increasingly credible.

However, it could be concluded from the Government's request that it was highly unlikely that any form of charging zone would now be required in Bolton, Bury, Oldham, Rochdale, Stockport, Tameside, Trafford or Wigan – with only the city centre areas of Manchester and Salford currently subject to further modelling.

Lobbying would continue with Government to open up funding to help people transition towards emission compliant vehicles in any case.

Further details on this would be included within a report that would also be submitted to the next meeting of the Air Quality Administration Committee on 27th February 2023.

Comments were raised around DEFRA's reluctance to look at the national strategic highway network in regard to clean air – which included Regent Road in Salford.

Comments were also raised about the signage remaining in place advising that a clean air zone was still potentially going ahead. When could these be removed and who would be providing the funding to do so. It was advised that the signage would need to remain in place until explicit instructions were received from the Government that these could be removed. It was confirmed that the signs were paid for by the Government and it would be their responsibility on any decision in relation to them. It was advised that the Air Quality Administration Committee would look to gather a clearer view around the position on this.

RESOLVED /-

1. That the GMCA wishes Geoff Little all the best for the future following his retirement as the Chief Executive of Bury Council as of 28th February 2023.

2. That the latest update on the progress of the GM proposal and the Governments response to GM Non charging clean air zone be received.
3. That it be noted that the Air Quality Administration Committee will consider the issues raised on the latest clean air zone developments at its meeting of 27th February 2023.

GMCA 23/23 DECLARATIONS OF INTEREST

RESOLVED /-

That it be noted that both Mayor Paul Dennett (Salford) and Councillor Hilary Fairclough (Bolton) declared an interest in item 16 (GM Culture Investment Approach – Proposed Spirit and Sustain Portfolio).

GMCA 24/23 MINUTES OF THE GMCA MEETING HELD ON 27 JANUARY 2023

RESOLVED /-

That the minutes of the GMCA meeting held on 27 January 2023 be approved as a correct record.

GMCA 25/23 MINUTES OF THE GMCA OVERVIEW & SCRUTINY COMMITTEE HELD ON 25 JANUARY 2023

RESOLVED /-

That the minutes of the GMCA Overview & Scrutiny Committee meeting held on 25 January 2023 be noted.

GMCA 26/23 MINUTES OF THE GMCA AUDIT COMMITTEE HELD ON 25 JANUARY 2023

RESOLVED /-

That the minutes of the GMCA Audit Committee meeting held on 25 January 2023 be approved.

**GMCA 27/23 MINUTES OF THE GMCA RESOURCES COMMITTEE HELD
ON 27 JANUARY 2023**

RESOLVED /-

That the minutes of the GMCA Resources Committee meeting held on 27 January 2023 be approved.

GMCA 28/23 BUDGET REPORTS

A. GMCA Revenue and Capital Budgets 2023/4 Overview

Councillor David Molyneux (Portfolio Lead for Resources) was invited to introduce the overarching paper on the GMCA budget proposals for 2023/24. The paper summarised the position on the Mayoral General Budget and Precept Proposals, The GMCA General Budget, GMCA Transport budgets including Transport Levy and Statutory Charge and the GM Waste Services Levy. It also set out the implications of the proposed budgets and the resultant charges on districts and the Mayoral Precept.

Thanks were expressed to GMCA Treasurer Steve Wilson and the GMCA finance team for the significant work put into pulling the budget papers together.

RESOLVED /-

That the contents of the summary report be noted.

B. Mayoral General Budget & Precept Proposals 2023/24

Salford City Mayor, Paul Dennett, GMCA Deputy Mayor, took the Chair for this item of business.

The report sought approval for the Mayoral General Precept for 2023/24 and recommended the setting of the Revenue Budget for 2023/24 as required under section 42A of the Local Government Finance Act 1992 (updated in the Localism Act

2011) and the precepts and relevant levels of Council Tax required under sections 40, 42B and 47 of the Act.

Cllr John Walsh, Chair of the GMCA Overview & Scrutiny Committee was invited to report back on the Committee's discussion of the budget and proposals. He advised that the Committee's most significant concerns related to Transport as the area containing the most financial risk at the present time, and had been keen to reaffirm that they wished, on a regular basis, to receive demonstration of how income and expenditure related to changes in public transport patronage and the impact on the fare box and revenue levels. There was also concern around the risks relating to fuel costs and other non-controllable items which would impact on the budget. In terms of the general revenue budget, there had been some concerns about adequate provisions to deal with inflation and related factors. Members also expressed concern about the National Waste Strategy and the potential impact upon medium term budgets.

The GMCA Treasurer was invited to comment on the budget and proposals. He advised that further updates were being scheduled with the Overview & Scrutiny Committee to help in assuaging their concerns referenced above.

The meeting was advised that a named vote was required to approve the proposals for The GM Mayoral General Budget. Members voted on the recommendations as follows:

District	GMCA Member	
Bolton	Cllr Hilary Fairclough	Agreed
Bury	Cllr Eamonn O'Brien	Agreed
Manchester	Cllr Bev Craig	Agreed
Oldham	Cllr Elaine Taylor	Agreed
Rochdale	Cllr Neil Emmott	Agreed
Salford	Mayor Paul Dennett	Agreed
Stockport	Cllr Mark Hunter	Agreed

Tameside	Cllr Ged Cooney	Agreed
Trafford	Cllr Tom Ross	Agreed
Wigan	Cllr David Molyneux	Agreed

RESOLVED /-

1. That the Mayor's General budget for 2023/24 set out in this report together with the calculation of the precepts and Council Tax rates set out in Appendix 2 be approved.
2. That the Mayoral General Precept to £107.95 (Band D) comprising of £76.20 for functions previously covered by the Fire and Rescue Authority precept and £31.75 for other Mayoral General functions be approved.
3. That the following be approved:
 - i. the overall budget for the Fire and Rescue Service for 2023/24 covered by the Mayoral precept.
 - ii. the medium-term financial position for the Fire and Rescue Service.
4. That approval be given to the use of reserves as set out in section 3 of the report and the assessment by the Treasurer that the reserves as at March 2023 are adequate.
5. That it be noted that in accordance with legal requirements, the minutes will record the names of those Members voting for or against the Mayor's budget and precept proposals.
6. That the feedback from the GMCA Overview and Scrutiny Committee be received and noted.

Andy Burnham retook the Chair from this point in the meeting.

C. GMCA Transport Revenue Budget 2023/24

There were a number of challenges set against the transport revenue budget, as 2023/24 was set to be a year of significant transition and ambition for the network as

the roll out of the Bee Network commenced – in the shadow of existing issues around the increasing of patronage and inflationary pressures.

Despite these pressures, a balanced budget had been proposed, that would, for the first time in a number of years, require an increase in the Transport Levy amounting to 4% - which would be made up from a 3% recurrent increase and a 1% one-off non-recurrent increase.

Conversations remained on-going with government in terms of support grants to help in mitigating risk, and the GMCA would be kept updated of any developments on this front.

RESOLVED /-

1. That the risks and issues which are affecting the 2023/24 transport budgets as detailed in the report be noted.
2. That the GMCA budget relating to transport functions funded through the Levy, as set out in this report for 2023/24 be approved.
3. That a Transport Levy on the District Councils in 2023/24 of £113.472m, apportioned on the basis of mid-year population 2020 be approved.
4. That a Statutory Charge of £86.7m to District Councils in 2023/24 as set out in Part 4 of the Transport Order, apportioned on the basis of mid-year population 2020 be approved.
5. That the proposal to increase fees and charges where applicable, in line with inflation and to approve the increases proposed to Bus stop closure charges. as set out in paragraphs 4.32 and 4.33 be approved.
6. That the use of Transport reserves in 2022/23 and 2023/24 as detailed in section 5 be approved.

D. GMCA Revenue General Budget 2023/24

The Levy to councils would remain unchanged. This was a budget area that exemplified the complexities around Government grant funding, but it had been

agreed that inflationary pressures would be absorbed within the GMCA and not passed onto local authorities.

RESOLVED /-

1. That the budget relating to the Greater Manchester Combined Authority functions excluding transport and waste in 2023/24 as set out in section 2 of this report be approved.
2. That District contributions of £8.603 million as set out in section 5 of this report be approved.
3. That the use of reserves as set out in section 6 of the report be approved.

E. GM Waste Budget and Resources - Budget and Levy 2023/24 and Medium Term Financial Plan to 2022/23 - 2025/26

There were a number of contracts within these areas linked to CPI and RPI and therefore large increases were being seen. Work had taken place to mitigate this as much as possible to ensure the Levy was increased by as small an amount as feasible, which amounted to an average of 2.5% though this did vary based upon local tonnage collections within each authority.

The longer-term issues around the National Waste Strategy were noted and there would be a need to keep reserves aside to be able to deal with that.

A one-off reduction in the Levy in 2023/24 of £27m was referenced as per the recommendations.

RESOLVED /-

1. That the forecast outturn for 2022/23 be noted.
2. That the proposed 2024/25 Trade Waste rate of £134.14 to allow forward planning by Districts be approved.
3. That the budget and levy for 2023/24 of £169m (2.5% increase) be approved.
4. That approval be given to a one-off reduction of £27m to the levy in 2023/24 funded from reserves reducing the 2023/24 requirement to £142m and authority

be delegated to the GMCA Treasurer to agree the basis of distribution with local authority Treasurers.

5. That the risk position set out in the balances and reserves strategy be noted.

F. GMCA Capital Programme -2022/23 - 2025/6

These figures now included the full confirmation of the City Region Sustainable Transport Scheme settlement with Government.

The paper highlighted pressures on capital budgets on both a national and global scale in terms of supply chain issues and inflationary problems – and a further update would be submitted to the May meeting of the GMCA to further detail this.

RESOLVED /-

1. That the current 2022/23 forecast of £462.1m compared to the 2022/23 previous forecast of £565.6m and approve changes to the capital programme as set out in the report be noted.
2. That the capital programme budget for 2023/24 and the forward plan as detailed in the report and in Appendix A be approved.
3. That funding from the City Region Sustainable Transport Scheme (CRSTS) grant as set out in Section 3.10 of this report be approved.
4. That a further update on the Capital Budget be submitted to the May 2023 meeting of the GMCA

GMCA 29/23

GMCA REVENUE UPDATE – QUARTER 3 2022/23

Councillor David Molyneux, Portfolio Lead for Resources, presented a report informing the GMCA of the 2022/23 financial position at the end of December 2022 (quarter 3) and the forecast revenue outturn position for the 2022/23 financial year.

RESOLVED /-

1. That the 2022/23 forecast outturn position for the GMCA budgets at the end of December 2022 (quarter 3) be noted.

2. That the changes to the GMCA General and Transport budgets following the confirmation of additional funding and planned expenditure during quarter 3 shown in sections 2 and 6 of the report be approved.

**GMCA 30/23 SKILLS BOOTCAMP: PRIORITIES AND APPROACHES FOR
2023-25**

Councillor Eamonn O'Brien, Portfolio Lead for Education, Skills, Work & Apprenticeships, introduced a report which provided an update on Skills Bootcamps, particularly the opportunities to access devolved funds to support retraining and upskilling until March 2025. The report outlined a delivery proposal for skills bootcamps including sector focus and set out the approach for working with stakeholders to commission provision, before setting out key recommendations to ensure that the ambitious programme could be delivered on time, with full draw down of funding and maximum benefit for GM residents.

The Deputy Mayor was then invited to provide an update on the GMFRS Fire Apprenticeship Scheme – the programme had recently been subject to an OFSTED inspection where a number of parts had received an 'outstanding' rating.

RESOLVED /-

1. That comments on the proposed approach to Skills Bootcamp delivery until March 2025 be noted.
2. That authority be delegated to the GMCA Treasurer and Monitoring Officer, in consultation with the Portfolio Lead for the Education, Skills, Work & Apprenticeships and Digital to agree the commissioning route and award of individual contracts including any subsequent contract extensions.

**GMCA 31/23 CITY DEAL RECEIPTS – INVESTMENT APPROVAL
RECOMMENDATIONS**

Steve Rumbelow, Chief Executive Portfolio Lead for Housing, Homelessness & Infrastructure, introduced a report seeking the GMCA's approval to the investment of

City Deal Receipts in two social impact funds focussed on the delivery of housing for vulnerable people.

RESOLVED /-

1. That the following investments of City Deal Receipts, as detailed further in this and the accompanying Part B report be approved;

FUND	SCHEME	DISTRICT	INVESTMENT
National Homelessness Property Fund 2	Homelessness Fund	GM wide	£2.5m
Resonance Supported Homes Fund LP	Supported Homes Fund	GM Wide	£2.5m

2. That authority be delegated to the GMCA Treasurer acting in conjunction with the GMCA Monitoring Officer to prepare and effect the necessary legal agreements.

GMCA 32/23 GM INVESTMENT FRAMEWORK, CONDITIONAL PROJECT APPROVAL

Councillor David Molyneux, Portfolio Lead for Resources, introduced a report seeking approval for an investment into My First Five Years Limited (“MFFY”). The investments would be made from recycled funds.

RESOLVED /-

1. That an investment into My First Five Years Ltd (investment of up to £150k) be approved.
2. That authority be delegated to the Combined Authority Treasurer and Combined Authority Monitoring Officer to review the due diligence information in respect of the above investments, and, subject to their satisfactory review

and agreement of the due diligence information and the overall detailed commercial terms of the investments, to sign off any outstanding conditions, issue final approvals and complete any necessary related documentation in respect of the investments noted above.

GMCA 33/23 GMCA CULTURE INVESTMENT 2023-2026

Councillor Neil Emmott, Portfolio Lead for Culture, introduced a report seeking GMCA approval on levels of investment to the GM Culture Investment approach 2023-26, including organisations to be funded under the new Spirit and Sustain strands of investment.

Further details were included as a more detailed report, considered in the confidential part of the agenda (**GMCA 36/23**) due to the information relating to the potential investments by GMCA subject to GMCA approval.

RESOLVED /-

1. That approval be given to a three-year budget of £4,425,000 p/a from April 2023 (subject to annual review) to support the new GMCA Cultural Investment Approach. Annual budget to be made up of £3.3m District Contributions and £1.25m Retained Business Rates.
2. That approval be given to the proposal that, between April 2023 and March 2026 this budget will be spent in the following ways:
 - £3,965,000 p/a to support delivery and project management of the five strands of the new GM Culture Investment approach (recommended Spirit and Sustain organisations and recommended levels of investment detailed within the Part B item of this report)
 - Inspire (£100,000 p/a)
 - Spirit (See Part B)
 - Sustain (See Part B)
 - Collaborate (£120,000 p/a)

- Strategic (£150,000 p/a)
 - Project Management (£70,000 p/a)
 - £460,000 p/a to support the ongoing social impact commitment
3. That it be noted that the list of organisations proposed to be funded by the GMCA Culture Fund are detailed in a separate report to be considered in Part B of this agenda, to be made public within one month of this meeting.
4. That the outlined approach to GM Town of Culture 2023, with a view to revising the application process in 2024 be approved.

GMCA 34/23 URGENT BUSINESS

Eamonn Boylan, Chief Executive Officer, GMCA & TfGM, advised the meeting a request had been received from the Mayor of Kyiv to work with the GM on a knowledge exchange and a potential peer review of their recovery plan. No financial investment would be required. All agreed to offer the support requested.

RESOLVED /-

That the request received from the Mayor of Kyiv seeking support in rebuilding city resilience be received.

GMCA 35/23 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100 (A)(4) of the Local Government Act 1972 the press and public should be excluded from the meeting for the following items on business on the grounds that this involved the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**GMCA 36/23 GM CULTURE INVESTMENT APPROACH – PROPOSED
SPIRIT AND SUSTAIN PORTFOLIO**

Following on from Declarations of Interests (GMCA 23/23) received from Mayor Paul Dennett and Councillor Hilary Fairclough and they left the meeting during discussion on the item.

RESOLVED /-

1. That the list of organisations and amounts to be awarded, funded from the GMCA Culture Fund 2023 – 26, as detailed in Appendix A be approved.
2. That authority be delegated to the GMCA Treasurer, in consultation with the Culture Portfolio Leader and Chief Executive, to enter into grant funding agreements with the organisations.
3. That the proposal for the report to be made public within one month of this meeting be approved.

**GMCA 37/23 GM INVESTMENT FRAMEWORK, CONDITIONAL PROJECT
APPROVAL**

Clerk's Note: This item was considered in support of the report considered in Part A of the agenda (minute 32/23 refers)

RESOLVED /-

That the report be noted.

**GMCA 38/23 CITY DEAL RECEIPTS – INVESTMENT APPROVAL
RECOMMENDATIONS**

Clerk's Note: This item was considered in support of the report considered in Part A of the agenda (minute 31/23 refers)

RESOLVED /-

That the report be noted.

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank