

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) (Chair), C Cummins (Cabinet Member, Housing Services), R Gold (Cabinet Member, Finance and Communities), C Morris (Cabinet Member, Culture, Economy & Skills), A Quinn (Cabinet Member, Environment, Climate Change and Operations), T Rafiq (Cabinet Member, Corporate Affairs and HR), L Smith (Deputy Leader and Cabinet Member, Children and Young People) and T Tariq (Deputy Leader and Cabinet Member, Health and Wellbeing)

Dear Member/Colleague

Cabinet

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

Date:	Wednesday, 13 December 2023
Place:	Council Chamber, 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, 11th December 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 Friday 8th December 2023.

5 MINUTES *(Pages 5 - 14)*

Minutes from the meeting held on 7th November 2023 are attached.

6 MEDIUM TERM FINANCIAL PLAN REFRESH *(Pages 15 - 26)*

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

7 PRESTWICH VILLAGE REGENERATION: APPROPRIATION OF LAND AT FAIRFAX ROAD AND RECTORY LANE FOR PLANNING PURPOSES - PART A *(Pages 27 - 40)*

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

8 RELOCATION OF SPRING LANE SCHOOL TO THE NEW KERSHAW CENTRE *(Pages 41 - 48)*

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

9 EXTENSION OF CONTRACT FOR CHILDRENS SAFEGUARDING EQUINOX PROJECT TEAM *(Pages 49 - 56)*

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

10 HOME TO SCHOOL AND COLLEGE TRANSPORT POLICY - PROPOSAL TO CONSULT ON CHANGES TO THE POLICY *(Pages 57 - 62)*

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

11 ADULT SOCIAL CARE PERFORMANCE QUARTER ONE AND QUARTER TWO REPORT 2023/24 *(Pages 63 - 88)*

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

12 TRANSFER OF 11 - 13 STOCK STREET, BURRS COUNTRY PARK, BURY TO HOUSING SERVICES *(Pages 89 - 94)*

Report of the Cabinet Member for Housing Services is attached.

13 PROCUREMENT OF WATER HYGIENE MONITORING SERVICES FOR THE PREVENTION OF LEGIONELLA - PART A *(Pages 95 - 100)*

Report of the Cabinet Member for Corporate Affairs and HR is attached.

14 CONTRACT RENEWAL FOR THE SUPPLY AND DELIVERY OF VARIOUS LIQUID FUELS - PART A *(Pages 101 - 116)*

Report of the Cabinet Member for Environment, Climate Change and Operations is attached.

15 THE LOCAL AUTHORITY BIODIVERSITY DUTY: FIRST CONSIDERATIONS REQUIREMENT *(Pages 117 - 150)*

Report of the Cabinet Member for Environment, Climate Change and Operations is attached.

16 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY *(Pages 151 - 166)*

To consider the minutes of meeting of the Greater Manchester Combined Authority held on 27th October 2023.

17 URGENT BUSINESS

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

18 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.

19 PRESTWICH VILLAGE REGENERATION - APPROPRIATION OF LAND AT FAIRFAX ROAD AND RECTORY LANE FOR PLANNING PURPOSES - PART B *(Pages 167 - 170)*

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

**20 PROCUREMENT OF WATER HYGIENE MONITORING SERVICES FOR
THE PREVENTION OF LEGIONELLA - PART B** *(Pages 171 - 174)*

Report of the Cabinet Member for Corporate Affairs and HR is attached.

**21 CONTRACT RENEWAL FOR THE SUPPLY AND DELIVERY OF VARIOUS
LIQUID FUELS - PART B** *(Pages 175 - 178)*

Report of the Cabinet Member for Environment, Climate Change and Operations is attached.

Minutes of:	CABINET
Date of Meeting:	7 November 2023
Present:	Councillor E O'Brien (in the Chair) Councillors C Cummins, R Gold, C Morris, A Quinn, T Rafiq and T Tariq
Also in attendance:	Councillors R Bernstein, M Smith and C Birchmore
Public Attendance:	Cath Farrell, Interim Chief Executive of Six Town Housing was present at the meeting.
Apologies for Absence:	Councillor L Smith

CA.72 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Lucy Smith.

CA.73 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.74 PUBLIC QUESTION TIME

There were no public questions.

CA.75 MEMBER QUESTION TIME

The following question was submitted in advance of the meeting by Councillor Carol Birchmore:

With regards to the following statement taken from the Radcliffe Regeneration, Interim Service Arrangements document, Section 4.3, page 3, being discussed at Cabinet this evening.

“An options appraisal was carried out looking at potential alternative locations for the library once the construction work on the Enterprise Centre commences. It has not been possible to identify a vacant building in Radcliffe that is large enough or at an affordable price to relocate the whole library to. Options around providing a portable building on the car park were investigated but there is a lack of availability of these buildings nationwide due to the current RAAC crisis in schools across the Country and the costs were unaffordable. The architect and developer will work up a series of options for the December 2023 Regeneration Board for the continuation of Library Services in conjunction with the Library Service during this period.”

This appears to suggest that the Council may withdraw the library service in Radcliffe rather than moving it into temporary accommodation to clear the existing Carnegie Library to make space for the Enterprise Centre.

Please can you explain what the above statement means. Can the Council tell me if Radcliffe will be left with no library service during the period when the library has been moved out of the Carnegie building and prior to moving into the new hub and if this is the case how long will Radcliffe be left without a library?

Responding, Councillor Eamonn O'Brien reported that there was no proposal to withdraw the Library Service in Radcliffe. Options were being worked through how it would be provided, with

the current plan to continue to provide the service within the Carnegie Library during the redevelopment. The arrangements for this are currently being considered as part of the design work and we will be briefing Councillors once we have more detail. We are also proposing a public information event in the new year when we hope to share the design proposals for the space and answer any questions people may have. He advised there would be disruption to the library service, but the commitment was to not withdraw it.

A further supplementary question was submitted:

We were told the Enterprise Centre wouldn't start until after the Hub was finished, then were told through Cabinet papers that there would be temporary buildings for the library, then told again through papers that it wouldn't be temporary buildings. This makes it very difficult to speak with residents, and we need better communication.

Councillor O'Brien reported that emails were sent to all Councillors ahead of the Cabinet report explaining the situation and offering a face-to-face briefing, and undertook to look into whether this wasn't received by some Members and if so, why. He advised that there were also monthly Radcliffe meetings to facilitate this sort of communication, and if these were not functioning as planned he would speak to the officers involved to look at options to improve things. He noted that sometimes things do change and often this was out of the Council's control; for example the Enterprise Centre had to be brought forward as the Shared Prosperity Fund monies had a deadline to be spent by. Briefings and papers have been clear that we have always been looking at options and things were not yet decided; there were no guarantees as to how long leisure facilities could be retained in Radcliffe as the school deadlines were absolute. The goal has always been to minimise impact as much as possible and communicate as best as we can to ensure the residents of Radcliffe are confident in the development.

CA.76 MINUTES

It was agreed:

That the minutes of the meeting held on 5 October 2023 be approved as a correct record.

CA.77 QUARTER ONE AND QUARTER TWO CORPORATE PLAN PERFORMANCE REPORT 2023/24

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which contained full updates in terms of both the delivery against the priorities set out in the Corporate Plan and associated key performance indicators for Quarters 1 and 2. In response to Members' questions, Councillor Rafiq undertook to get detail regarding Care Leavers sent outside of the meeting, and advised that absenteeism rates had been affected by the increase in Covid cases. With regards to the further work on targets, it was noted that this related to local targets where there was no comparison data or where more context was needed to establish the correct target.

Decision:

Cabinet noted the update on progress against performance and delivery and the priorities for action against key metrics and timescales.

Reasons for the decision:

N/A

Other options considered and rejected:

N/A

CA.78 QUARTER 2 BUDGET MONITORING REPORT

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which outlined the forecast financial position of the Council at Quarter two 2023/24 and provided an update on the work to mitigate and reduce the overspends and how this will be managed throughout the remainder of this financial year. It was noted that the Council was forecasting an overspend of £9.749m, which was an improvement from Quarter 1.

In response to Member questions, it was noted that some longer term bad debts might have had payment plans and been escalated further down the line, or were being pursued prior to Covid. It was noted that the Medium Term Financial Strategy was expected to come to Cabinet in December, and savings were still being driven forward but resources to do so were getting tighter. Councillor Gold confirmed that Levelling Up deadlines were being met, and advised that SEND demand had been an unexpected issue nationally but was being planned for in the MTFS for next year.

Decision:

Cabinet:

1. Noted the delivery of savings to date of £12.849m with a forecast savings delivery of £18.888m within the challenging context of increased demand and inflationary cost increases;
2. Noted the forecast overspend of £9.749m within the revenue budgets at Quarter two and the recovery action proposed;
3. Noted the re-phasing of the capital budget;
4. Noted the deficit on the Dedicated Schools Grant and the ongoing activity within the Project Safety Valve project;
5. Noted the mid-year treasury management report for onward approval by Council of the refreshed prudential indicators and updated Approved Lending List Criteria; and
6. Approved the write off of the business rate accounts included in Appendix 4

Reasons for the decision:

To update Members on the Council's budgetary position and ensure the Council's budgetary targets are achieved. This report is in accordance with the Council's financial procedure regulations.

Other options considered and rejected:

None.

CA.79 RADCLIFFE REGENERATION, INTERIM SERVICE ARRANGEMENTS

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which provided an update on the interim service arrangements required to enable the implementation of the schemes to regenerate Radcliffe, including the construction of a new school, the opening of a new Leisure Centre and Library as part of the new Radcliffe Hub and the redevelopment of the current Radcliffe Library into an Enterprise Centre.

Members discussed the importance of leisure facilities on physical health and mental wellbeing, and thanks were given to officers who had worked very hard to find alternative leisure provision in Radcliffe, which had unfortunately been unsuccessful. Decommissioning of services and equipment had begun, and users had been kept informed and signposted to alternative arrangements. In response to Members' questions, it was noted that options for relocating the PRU were still being explored and it wasn't clear whether temporary facilities would be needed or if a permanent move could be made.

Decision:

Cabinet:

1. Agreed that the Leisure Centre in Radcliffe will close on 10th December 2023 to enable the handover of the site for the construction of the new school on the Spring Lane site;
2. Noted the temporary arrangements which will be put in place prior to the opening of the new leisure facility in Radcliffe in late 2025;
3. Noted that the PRU will vacate the Spring Lane site in February half term 2024 and options to proceed with alternative arrangements are underway and will be approved subject to further work on costs and programme planning. A further report will be brought forward once this work is completed; and
4. Noted recent progress with the development of the Enterprise Centre and a proposal to bring forward a further report setting out details of decant and library services.

Reasons for the decision:

- Any delay in vacating the Spring Lane site will attract a financial penalty for the Council of £2.4m.
- Various options have been explored to re-provide a full-time sports hall and gym in Radcliffe and the service has worked closely with local Members and the community and voluntary sector to identify suitable locations. This has not been possible as the community venues are required for other activities throughout the week such as church services and it would not be possible to move the gym equipment to accommodate. It is not possible or affordable to re-provide a temporary swimming pool in Radcliffe.
- The new Community Wellness Activity Plan is an appropriate next step following the development of the 2023 Wellness Strategy and is an excellent demonstration of the ambitions of the Let's do it Strategy, working together to deliver for the local community.
- The PRU will need to vacate the site during February half term 2024 to hand over the site for the construction of the school. The option to relocate to Spurr House has proved too expensive and not achievable within the timescales so further options are under discussion.
- The financials have been agreed to turn the current Radcliffe Library into an Enterprise Centre by April 2025 and the work is underway to tender for a construction partner and operator. When the construction programme is agreed a further report will be brought forward after December 2023 Regeneration Board to set out the operational impact on the current Library.

Other options considered and rejected:

- An options appraisal was carried out looking at assorted options to re-provide the sports hall and gym in community venues and by renting or buying a portable building, but this proved to be unaffordable in the current climate, there was a lack of available alternative sites and a shortage of portable buildings nationally due to RAAC issues elsewhere in the UK.
- An alternative long-term option for the PRU relocation was considered at Spurr House although costs have risen significantly against the Cabinet approved budget. This option has been discounted as a short-term solution as the construction programme does not align with offering vacant possession of Spring Lane to the DfE.
- An options appraisal was carried out looking at potential alternative locations for the library once the construction work on the Enterprise Centre commences. It has not been possible to identify a vacant building in Radcliffe that is large enough or at an affordable price to relocate the whole library to.
- Options around providing a portable building on the car park were investigated but there is a lack of availability of these buildings nationwide due to the current RAAC crisis in schools across the Country and the costs were unaffordable. The architect and developer will work up a series of options for the December 2023 Regeneration Board for the continuation of Library Services in conjunction with the Library Service during this period.

CA.80 MILL GATE STRATEGIC REGENERATION FRAMEWORK

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which presented a draft Strategic Regeneration Framework document and sought approval to go out for formal public and stakeholder consultation. Members supported the aspirations for the Town Centre and for the Mill Gate, noting its current success should be built upon, diversifying the offer and ensuring public engagement and buy in.

Decision:

Cabinet:

1. Provided approval for the Mill Gate JV to carry out a formal period of public and stakeholder consultation on the draft strategic regeneration framework; and
2. Noted that following the public and stakeholder consultation, a full review of consultation feedback will be undertaken and required amendments will be made before the Strategic Regeneration Framework is brought back to Cabinet for formal adoption in Spring 2024.

Reasons for the decision:

It is important for the JV to continue to engage with the Public and other stakeholders in order to refine the emerging vision for the Mill Gate estate via the Strategic Regeneration Framework. Public and Stakeholder consultation and development of the Strategic Regeneration Framework for Mill Gate enables large scale development to progress in accordance with the emerging vision of the Mill Gate Joint Venture vehicle and the strategic objectives set out during the acquisition of the asset.

Other options considered and rejected:

N/A

CA.81 SUBSTANCE MISUSE SERVICE CONTRACT

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which sought approval to recommission Greater Manchester Mental Health (GMMH), an NHS provider, to deliver its substance misuse treatment service.

Decision:

Cabinet agreed to make a direct award to the current provider, GMMH, for a period of 3 years (with the right to extend at the Council's discretion for two further years) at a total estimated cost of £4,284,000 for the initial 3 years, and £1,428,000 per annum thereafter (subject to inflation and Agenda for Change pay increases).

Reasons for the decision:

The Council is happy with the current performance of GMMH. Its substance misuse services were rated as outstanding from their most recent inspection by the Care Quality Commission (CQC) in 2018. In 2022 GMMH had an independent, external provider evaluate the partnership model, which overall was considered to work very effectively and reflect the aims of the contract.

This option would allow the Council to continue to build on already existing, positive relationships that have been built over the last four years, not just between GMMH and Bury Council but between it and numerous other external partners. Continuing with the current provider will enable current projects and funding streams to continue seamlessly. The current contract represents good value for money, compared to other organisations and localities, evidenced in supporting documents.

Other options considered and rejected:

Tender for new provider(s). This would allow direct comparison to other providers, offer confirmation that the Council is getting best value for money, and could ask for more for the same value, whether this takes the form of price reductions, better service, higher quality products or other added value. This option was rejected as it would:

- Create disruption to current service users and staff. Anecdotal reports from the last tender in 2018 demonstrated that implementation of a new provider caused significant disruption to service users and triggered low staff morale.
- Potential disruption to performance.
- Based on an understanding of the current market, there is unlikely to be a better provider for this role and we believe it is good value for money.
- Loss of the positive relationships already built.
- Would interfere with current / planned projects and external funding streams.
- A tender process would require extensive use of resources (particularly staff time across the organisation), which would come at a significant opportunity cost, preventing time being spent on primary prevention and current workstreams. This process would be complex and would need to consider adults, young people, and assertive outreach. This may involve tendering for more than one provider. Likely to require additional capacity to support the process.
- May lose partnership between neighbouring authorities who also have GMMH as their substance misuse provider. This currently allows for economies of scale of work, shared back-office functions and a peer support approach across all organisations involved.
- Potential loss of the benefits of the partnership model that is in place with GMMH as lead provider. The current partnership model incorporates both NHS and third sector organisations, meaning the Council is able to benefit from both types of organisations working on our substance misuse agenda.

CA.82 HOUSING SUPPORT SERVICE: YOUNG PEOPLE 18-25 YEARS - CARE PROVIDER CONTRACT AWARD - PART A

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which outlined an innovative support service to provide a transitional home for 8 young Bury adults with Learning Disabilities and/or autism, aged 18-25 years. It was noted that this was pending a procurement outcome and if the result was over the £500,000 threshold it would come back to Cabinet for final approval.

Decision:

Cabinet:

1. Approved the Procurement of a Care Provider for 18-20 St Marys Place Bury either:
 - i) via a Teckal exemption; or
 - ii) An Invitation to Tender to the open market (if needed)
2. Delegated the approval for the 4 year contract award (with an option to extend for another 2 years) to the Executive Director of Health and Adult Care, to be awarded. Procurement route to be confirmed in due course;
3. Delegated approval for the 2-year extension of the contract, if required, of the chosen Care Provider to the Executive Director of Health and Adult Care; and
4. Noted that the proposed contract will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

This innovative support scheme offers a transitional living service for young adults with Learning Disability aged 18-25 years. The potential for cost savings/cost avoidance has been demonstrated. The scheme offers 8 units towards our corporate and ASC housing commitments and supports our 'Let's Do It' strategy in offering an opportunity for people to live locally, independently, and with choice.

Other options considered and rejected:

- Option 1: Not to proceed with the scheme
- The impact of this will mean young adults continue to be placed out of borough and/or in more expensive placements. This accommodation and model of care (including follow-up support to prevent escalation of crisis/ challenging behaviour), follows best practice. Not to proceed with the scheme would be a missed opportunity to:
 - pilot a new transitional offer for young adults
 - contribute towards our ASC housing targets, which provide people with learning disabilities the chance to live locally, independently, with choice
 - save and prevent costs compared to people living independently/placing young people in expensive out of borough placements.
- Option 1 was therefore rejected.
- Option 2: To proceed with the scheme using an alternative property/landlord
- This scheme was brought to our attention by the property developer Mortimer, Mortimer and Mortimer Ltd. ASC operational professionals and commissioning staff viewed the property for suitability. All agreed the property as suitable for this type of service. The property developer and vendor have been very supportive in the current fast-paced housing market.
- Option 2 was therefore rejected.

CA.83**TOPPING MILL MENTAL HEALTH SUPPORTED LIVING SCHEME - PART A**

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which sought approval to commission care and support services for a new mental health supported housing scheme. Members supported the proposal, which made use of old buildings and created decent supported accommodation for those with a mental health diagnosis.

Decision:

Cabinet:

1. Approved the procurement through a competitive process of a care provider for the provision of mental health support at Topping Mill, Topping Street, Bury BL9 6DR;
2. Approved the award of a 3-year contract to the successful bidder with the right to extend it for a further period of up to two years at the discretion of the Council, subject to monitoring of performance and satisfactory delivery of the desired outcomes; and
3. Noted that this will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

The recommendations align to the Council's Housing for Adults with Additional Needs Strategy 2021-2025 and the vision for mental health supported accommodation to:

- Improve outcomes for people with mental health needs.
- Enable people to live independently.
- Reduce the need for out of area residential placements.
- Enable tenancy sustainment.
- Support management of long-term health conditions.
- Create employment for local people.
- Create value for individuals, communities, and statutory services.
- Reduce hospital admissions and / or reducing delayed transfers of care (DTOC) where people are fit for discharge but accommodation with appropriate support is the barrier.

Other options considered and rejected:

None.

CA.84 STRATEGIC HOUSING REVIEW - FUTURE MANAGEMENT AND MAINTENANCE OF COUNCIL HOUSING

Councillor Clare Cummins, Cabinet Member for Housing Services, presented the report which updated Members on the in-principle decision to return the management of housing stock to the Council's direct control following a Strategy Housing Review and Tenants Test of Opinion. Members discussed the report, welcoming the proposal to transfer functions from 15 January 2024. The significance of the governance review was noted, as was the importance of including tenant voice through a forum or within the Board itself. It was noted that governance work was on track, and the ambition was for Six Town Housing to align with the neighbourhood approach elsewhere in the Council.

Members had a discussion in Part B regarding staffing during the Strategic Housing Review, and it was noted that proposals would be brought to Cabinet in due course regarding staffing structures to ensure sufficient leadership capacity from both the transfer of Six Town and the new regulatory responsibilities for Social Housing.

Decision:

Cabinet:

1. Noted the work undertaken since the last update to Cabinet in October 2023;
2. Approved the return of Six Town Housing to direct Council control through a mutually agreed termination of the Management Agreement;
3. Agree that, subject to the support of the recognised Trade Unions through the Local Government Services Consultation Meeting:
 - Consultation with affected Council staff on changes to structures and responsibilities should begin on 13th November for a period of 30 days.
 - The Director of People & Inclusion should ask Six Town Housing to commence formal TUPE consultation with Six Town Housing staff following the same timeline
4. Noted the transfer of housing management functions will take effect from 15th January 2024;
5. Instructed the Director of Law & Governance to enter into legal arrangements to support the termination and the return of stock to Council ownership; and
6. Approved the restructure of Council Chief Officer responsibilities to support new responsibilities, subject to the outcome of consultation as described in the report.

Reasons for the decision:

To approve the return of housing management to the Council.

Other options considered and rejected:

- The Council may continue with the existing management arrangements and continue to have the Housing Stock managed by Six Town Housing. This option has been rejected by the Council as tenants' views which were reported to the October Cabinet were in favour of a return to the Council directly managing the stock. Six Town Housing agree to the mutual termination of the management arrangements.
- The Council could consider a hybrid arrangement where the management function could sit across a range of third-party providers, this option was discounted as the Council needs to ensure compliance with new social housing regulator standards by 1 April 2024. The contracting and procurement work required to appoint a third party would take time and resources best spent ensuring compliance with the housing regulator standards.

CA.85 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY

Members discussed the minutes, noting in particular the Integrated Water Management Plan and its importance regarding draining and preventing flooding.

It was agreed:

That the minutes of the Greater Manchester Combined Authority meeting held on 29 September 2023 be noted.

CA.86 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.87 HOUSING SUPPORT SERVICE: YOUNG PEOPLE 18-25 YEARS - CARE PROVIDER CONTRACT AWARD - PART B

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the Part B report which included full financial details.

Decision:

Cabinet:

1. Approved the Procurement of a Care Provider for 18-20 St Marys Place Bury either:
 - i) via a Teckal exemption; or
 - ii) An Invitation to Tender to the open market (if needed)
2. Delegated the approval for the 4 year contract award (with an option to extend for another 2 years) to the Executive Director of Health and Adult Care, to be awarded. Procurement route to be confirmed in due course;
3. Delegated approval for the 2-year extension of the contract, if required, of the chosen Care Provider to the Executive Director of Health and Adult Care; and
4. Noted that the proposed contract will be funded using Bury's Adult Social Care Community Care budget.

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.

CA.88 TOPPING MILL MENTAL HEALTH SUPPORTED LIVING SCHEME - PART B

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the Part B report which included full financial details.

Decision:

Cabinet:

1. Approved the procurement through a competitive process of a care provider for the provision of mental health support at Topping Mill, Topping Street, Bury BL9 6DR;
2. Approved the award of a 3-year contract to the successful bidder with the right to extend it for a further period of up to two years at the discretion of the Council, subject to monitoring of performance and satisfactory delivery of the desired outcomes; and

3. Noted that this will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

As set out for the Part A report.

Other options considered and rejected:

None.

COUNCILLOR E O'BRIEN

Chair

(Note: The meeting started at 6.00 pm and ended at 7.30 pm)



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Medium Term Financial Plan Refresh	
Report of	Cabinet Member for Finance and Communities	

Summary

1. The Bury Council Medium Term Financial Plan (MTFP) runs to 2026/27 and will be refreshed as part of the annual budget setting process in February 2024. A mid-year review of the MTFP has been undertaken as a matter of good practice and consideration given to the pressures Bury Council is experiencing in the current financial year.
2. The review has indicated a provisional budget deficit of £41.582m over the next three years to 2026/27 before proposed savings. This provision budget gap is broken down across the three years as £22.611m in 2024/25; £12.789m in 2025/26 and £6.182m in 2026/27. This report provides the detail of the updated MTFP forecast and sets out options to address this deficit.

Recommendation(s)

3. The Cabinet is asked to:
 1. Approve the updated medium term financial plan and the assumptions regarding resources and spending requirements, as of November 2023. It should be noted that this information does not yet include the national Provisional Local Government settlement which is expected in December 2023.
 2. Note the projected medium term budget gap of £41.582m of which £22.611m is 2024/25, a further gap of £12.789m in 2025/26 and a further £6.182m in 2026/27.
 3. Note that there is still a remaining gap in the 2024/25 budget and that further work will continue to close this over the next two months, before the final budget proposals are made to Members in February 2024.

Reasons for recommendation(s)

- 4 It is a legal requirement that all local authorities set a balanced budget before the start of each financial year. It is also a requirement to consult on service closures and changes and, in order to do this in advance of decisions being made, consideration needs to be given as to which of the savings proposals this affects.

- 5 Early and iterative planning is essential for the Council to proactively respond to the financial challenge in future years.

Alternative options considered and rejected.

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

Report Author and Contact Details:

Name: Paul McKevitt

Position: Executive Director of Finance & S151 Officer

Department: Corporate Core - Finance

E-mail: Paul.McKevitt@bury.gov.uk

Background

- 7 The Medium-Term Financial Plan (MTFP) is the Council's multi-year financial plan and control framework to align resources to the spending priorities set out in the corporate plan and Borough vision: LET'S Do It! In preparation for setting the 2024/25 budget the MTFP has been updated to reflect resource forecasts and funding announcements. The update this year is forecasting significant pressures within the Children and Young People Directorate in the current financial year and further demand for Adults and Children's services over the medium term.
- 8 The outcome of this review is a projected budget gap of £22.611m in 2024/25; a further gap of £12.789m in 2025/26 and a further £6.182m in 2026/27 a total of £41.582m over the next three financial years. These projected financial gaps and budgetary pressures are not unique to Bury Council, this is the landscape which is common across the Greater Manchester authorities and England.

Local Government Finance Settlement & Autumn Statement

- 9 On the 12 December 2022, the Secretary of State published a Policy Statement on the 2023/24 Local Government Finance Settlement and the assumptions about the 2024/25 Local Government Finance Settlement as follows:
 - The Council Tax referendum principles will continue the same as 2023/24 of Councils with Social Care Responsibilities will be able to increase Council Tax by up to 2.99% with an additional 2% for adult social care without a local referendum.

- The Settlement Funding Assessment (SFA), of Revenue Support Grant and Baseline Funding Levels (to be based on September 2023 CPI), while social care grants will increase as set out in the December 2022 Policy Statement.
- The Government will set out the future position of New Homes Bonus ahead of the 2024/25 Local Government Finance Settlement.

10 On the 22 November 2023, the Chancellor presented the 2023 Autumn Statement to the House of Commons, the main announcements that are relevant to Local Government are:

- Planned departmental resource spending for the years beyond the current Spending Review period (2025/26 to 2028/29) will continue to grow at 1% a year on average in real terms, excluding the funding provided to local authorities in 2024-25 as part of the one-year Retail, Hospitality, and Leisure relief scheme.
- Business rates in 2024/25:
 - For 2024-25, the small business multiplier in England will be frozen for a fourth consecutive year at 49.9p, while the standard multiplier will be updated by September CPI to 54.6p.
 - The current 75% relief for eligible Retail, Hospitality and Leisure (RHL) properties is being extended for 2024-25, a tax cut worth £2.4 billion. Around 230,000 RHL properties in England will be eligible to receive support up to a cash cap of £110,000 per business.
 - English Local Authorities will be fully compensated for the loss of income as a result of these business rates measures and will receive new burdens funding for administrative and IT costs.
- Planning:
 - DLUHC will bring forward plans for authorities to offer guaranteed accelerated decision dates for major developments in England in exchange for a fee, ensuring refunds are given where deadlines are not met and limiting use of extension of time agreements. This will also include measures to improve transparency and reporting of planning authorities' records in delivering timely decision-making.
 - The government will introduce a "premium planning service" that will allow local authorities to charge higher fees, and recover their full costs, for major applications.

- Housing:
 - The government announced a £5 million extension to June 2025 of the Public Works Loan Board policy margin announced in Spring 2023. Enabling authorities to borrow through the HRA to invest in social housing, at 40 basis points above prevailing gilts rates, or, equivalently, 60 basis points below the Standard rate.

Medium Term Financial Plan 2024/25 – 2026/27

- 11 The medium-term financial plan has been updated with the latest information excluding any impact from the announcements made within the Autumn Statement which will now be worked through, together with a range of assumptions and estimates. This update on the MTFP financial position provides members with information on the budget available to operate within over the medium term and the current budget gap.
12. The budget includes several pressures and growth requirements identified across directorates through the zero-based budgeting exercise and the budget setting process carried out during the summer and autumn.
13. The key assumptions included within the MTFP are:

Table 1

Key Assumptions	
Pay	<p>The budget has been updated to include a pay award of 6% for 2024/25 and 2025/26 and 3% for 2026/27.</p> <p>The council has committed to paying the National Living Wage which has been increased by 10% in 2023/24 and the assumption included within the 2024/25 budget is a further increase of 10% and 5% in the following two years.</p>
Inflation	Inflation has only been applied to contracts and the amount varies according to the agreement set out within the contract.
Energy	Energy cost prices which are causing a pressure in year, will reduce during 2024/25 due to the expected reduction in the unit cost from April 2024, therefore no increase has been applied to energy.
Council Tax	Council Tax has been increased by 2.99% plus 2% social care and the tax base is estimated to increase by

	1.23. in 2025/26 and 0.5% in 2026/27. In addition, the council tax collection rate has been increased by 1% from 95% to 96% which will generate an additional £0.800m
Business Rates Assumptions	To be updated – Currently no uplift to the multiplier and CPI September 2023.
Fees and Charges	Fees and charge increase have been increased in line with legislation where required and inflation where not.

The Medium-Term Financial Plan includes £36.442m of budget assumptions which include those set out in Table 1 above plus further pressures across directorates. Council Tax has been modelled based on an increase which is the maximum allowed, any further increase would require a referendum.

The available budget plus budget assumptions identified a budget requirement of £231.518m against available funding of £208.907m reporting a budget gap of £22.611m before reducing this further by savings proposals of £5,368m which were approved as part of the 2023/24 budget setting process. The budget for 2024/25 is £17.243m.

Table 2

Table 3. MTFP Summary	NOV 2023		
	2024/25 (£000s)	2025/26 (£000s)	2026/27 (£000s)
Net Budget b/fwd	£195,076	£231,518	£252,470
Budget Assumptions	£36,442	£20,952	£14,952
NET BUDGET	£231,518	£252,470	£267,422
<u>Funding:</u>			
Council Tax	(£110,198)	(£116,231)	(£119,117)
Business Rates	(£69,587)	(£70,870)	(£76,510)
Government Funding Grants	(£29,122)	(£29,969)	(£30,213)
ASSUMED FUNDING	(£208,907)	(£217,070)	(£225,840)
CUMULATIVE BUDGET GAP (EXCL PROPOSALS)	£22,611	£35,400	£41,582
ANNUAL INCREMENTAL BUDGET GAP (EXCL PROPOSALS)	£22,611	£12,789	£6,182
Approved Budget Proposals (Feb 2023)	(£5,368)	(£3,377)	(£908)
BUDGET PROPOSALS	(£5,368)	(£3,377)	(£908)
CUMULATIVE BUDGET GAP (INCL PROPOSALS)	£17,243	£26,655	£31,929

ANNUAL INCREMENTAL BUDGET GAP (INCL PROPOSALS)	£17,243	£9,412	£5,274
---	----------------	---------------	---------------

Savings Proposals

The Council approved as part of setting the 2023/24 budget savings proposals of £5,368m and these are included within Table 2. In addition to the £5,368m a further £7m of proposals have been identified. The savings have been reviewed and 35% of savings have been ragged RED for 2024/25 31% ragged AMBER and 34% Green. Further work is taking place over the coming weeks to firm up savings plans and assess delivery of them within the 2024/25 financial year and they will then form part of the budget proposals following consultation with stakeholders.

Table 2 sets out the financial position which includes the £5,368m savings proposals prior to the above savings reducing the budget gap in 2024/25 to £31.949m, however it is likely this will increase if robust plans cannot be put in place.

Indicative Proposals to balance the budget.

Council Tax

14 As identified in the tables above the MTFP includes the following assumptions for Council Tax:

- A 2.99% increase in the relevant basic amount of Council Tax for 2024/25 & 2025/26 and 1.99% in 2026/27.
- A 2% increase in the adult social care precept for 2024/25 & 2025/26 but no increase in 2026/27 following the Fair Funding Review reforms expected to be implemented in 2026/27.
- An increase in the tax base of 1.23% for 2024/25 and 0.5% for 2025/26 & 2026/27.

The funding model used by Central Government assumes Council Tax increases in line with the referendum principles, as a method of identifying Core Spending Power, as such in the MTFP it is assumed that the Council will increase Council Tax in line with the referendum principles.

15 Reserves

The Council has a general fund reserve plus a number of ear marked reserves which are currently being reviewed as part of the budget setting process. These reserves will be reviewed alongside the risks facing the council to ensure sufficient reserves are set aside to manage them should they come to fruition.

The budget gap for 2024/25 stands at £17.243m for 2024/25 and that is subject to the delivery of all savings proposals including those ragged red.

The Council can utilise reserves to balance the cumulative budget gap of £31.929m should the need arise at this moment in time; however, the budget gap should be closed using other means including generating additional income and delivering efficiency savings.

Capital

- 16 When setting the Council's budget and Medium-Term Financial Plan the Capital Programme needs to be considered in conjunction with the Treasury Management Strategy to set a balanced revenue budget.

The Capital Programme utilises all known available capital funding sources including capital grants & contributions, capital receipts, reserves & revenue contributions, and prudential borrowing.

At quarter 2 of 2023/24, programme managers had undertaken a review of their respective capital schemes and proposed the re-phasing of £80.891m into 2024/25 and 2025/26, increasing the overall 2-year programme to £166.753m, that includes £85.705m of prudential borrowing.

Given the current economic environment of high inflation & interest rates, a further review of the future year's programme will be undertaken and reported back in February 2024. This will involve a review of existing planned programmes against new emerging priorities, including any invest to save measures required to support future revenue savings.

Risks and Uncertainties

- 17 During the budget setting process consideration is given to the risks Facing the council which are set out below.

Children and young people

- There are risks and uncertainties that could impact the successful delivery of the 2024/25, £savings target:

Edge of care team: The introduction of an edge of care team may not generate the expected savings if the team is not able to effectively prevent children entering the care system. This could happen if the team is not adequately staffed, trained, or equipped to handle the complex needs of children on the edge of care.

In-house fostering: The reduction of expensive residential external placements through in-house fostering may not be achievable if the council does not have enough foster carers or if the carers are not adequately supported to provide the necessary care and meet the needs of the child.

- Funding uncertainty – The MTFs is based on assumptions about future funding levels, which are subject to change due to factors such as central government funding decisions, local tax base changes, and economic fluctuations. Children's services may face challenges in maintaining service levels if funding is reduced or delayed.

- Increased demand for services – The MTFS may not fully account for potential increases in demand for Children's Services, such as those arising from population growth, changes in demographics, number of Educational, Health Care Plans or unexpected events such as the pandemic in 2020.
- Workforce challenges – The MTFS may not fully consider workforce challenges, such as staff turnover, recruitment difficulties, or training needs which could potentially lead to service disruptions.
- Academisation of schools – the conversion of schools to academies will impact on the funding available to the council through direct funding and that generated by way of trading across the whole of the local authority. There will need to be decisions taken on how services are provided if income is reduced.
- Sufficiency – The MTFS has been prepared on the basis that there will be the required number of placements available for both social care and education. Lack of sufficiency could impact on decision making for Children's services leading to additional financial implications.
- Supply vs demand – market forces in areas such as agency costs, educational and residential placements could impact on the Children's Services leading to payment of premium rates.

Business, Growth & Investment (BGI):

- Academisations - this is a risk in a number of areas. In BGI there will be a significant increase in workload due to the number of schools being converted to academies both in the remainder of 23/24 and into future years. There is no additional funding available to the council for this process and so the risk is that resource has to be diverted from other areas (e.g. Accelerated Land Disposal Program ALDP, Commercial Estates, Major Projects) to be able to work on the academisations or that additional staff are needed which will put a pressure on budgets (approx £60-80k / additional person)
- Savings Targets - the target of £0.845m for revenue reductions by closing and selling surplus buildings is subject to a number of risks; delays in reaching completion due to factors outside of BMBC control, budgets having already been given up for savings targets prematurely so the target is too high, lack of resource in the team to progress sales as quickly as would be needed to realise all of the savings.
- Workforce Challenges – The MTFS makes an assumption that a large number of permanent roles will be funded from capital projects, capital receipts (4%), external grants / other external funding sources and transfers into the HRA. Should any of the external grants be stopped or reduced or capital projects not proceed, there is a risk of pressures in the budget.
- Reductions in Income – Due to market conditions, there is also a risk in income from rental income, planning fees and building control due to the continuing high interest rates subduing the market for domestic projects.

This will be mitigated by the Government announced increase to planning fees and by large scale projects known to be coming forward but still should be noted as a risk.

Health and Adult Care (HAC) Directorate

- Demographic Demand Pressure - The number of older people (the group most likely to need social care) is rising faster than the population as a whole. There is also increased demand for care from working age adults.
- Risk of Demand Pressure eroding the impact of Current Savings Delivery - The HAC directorate has delivered c.£21m of savings over the period of 2021/22 -2023/24 with a further £4.135m of savings to be delivered in 2024/25. However, the impact of rising demand on social care services is having an offsetting effect on the hard work of successfully delivering the HAC savings programme to date.
- Risk of Savings Delivery - A significant proportion of the HAC savings programme are related to reducing the cost of care packages. For example, the savings delivery of Learning Disability care packages are subject to appropriate accommodation being available and legal process being completed, consequently where there is delay in transitioning to suitable accommodation there is risk in delay of savings being achieved.
- Cost Pressures Linked to Social Care Workforce Recruitment & Retention- The Council and social care providers are struggling to maintain staffing levels, consequently, the solution to maintain safe staff levels is a reliance on expensive Agency staff provision.
- Real Living Wage (RLW) Cost pressure - The Council is formally accredited by the Real Living Wage Foundation as a RLW employer, The total cost impact of the RLW on the 2024/25 council budget is £6.654m of which £5.504m relates to Adult Social Care budgets. If the RLW inflationary uplift continues on the same trajectory, then the annual cost impact will be of a similar value in 2025/26 and beyond.
- Transitional Cost Pressure from Childrens Social Care - The care package costs of young people who are scheduled to transition Adult Care Services in the medium term can be significant in value. Without accurate transitions costing information and pre-emptive care package planning/design the HAC directorate budget is at risk of being under resourced.
- Social Care Provider Failure - In addition to social care providers meeting the cost pressures related to paying their staff the Real Living Wage providers are exposed to a number of inflationary pressures such as utility and food prices. If provider failure happens in a service setting where supply is low in the first instance (e.g., Nursing Dementia), then the risk of having to decant residents into expensive out of borough provision is high.
- Funding of Social Care - The Autumn statement on November 22 made no mention of social care and therefore in the spirit of the Councils 'Lets

Fix it Together' campaign, continuing pressure needs to be put on Government with regards to:

- Providing adequate funding which aligns to inflationary and demand pressures
- Multi-year funding to provide the certainty to plan our budgets and minimise service disruption.
- Comprehensive fiscal reform, covering all key aspects of local funding, to secure a stable source of revenue for our vital public services.

Conclusion

- 18 This draft Medium Term Financial Plan assumes a flat cash settlement for the remainder of the spending review period; however, this will not be confirmed until later in the year. Whilst the Government has stated some key principles for 2024/25 there remains extreme uncertainty around future Government spending plans. This makes it difficult to say with any confidence what our funding will be in the short to medium term.

It is essential that, together with Directorates delivering the savings targets for this financial year, we remain prudent and ensure that the financial position of the Council continues to be managed effectively and robustly.

The Council will refresh the Medium-Term Financial plan 2024/2027 as part of the modelling work in advance of setting the Budget 2024/25 in February 2024 and an update will be provided to Members in due course.

Links with the Corporate Priorities:

- 19 Details are set out within the main body of this report.

Equality Impact and Considerations:

- 20 In setting its budget for 2023/24 and beyond the Council must be mindful of its obligations in relation to equality and inclusion; both the legal obligations set out in the Equality Act (2010) and coherence with the Authority's stated Equality Objectives and Strategy and the central role of inclusion within LET'S Do It!

A full Equality Impact Assessment (EIA) of the Council's budget will be developed over the coming months and included for consideration alongside the February budget report to Cabinet and Council. This assessment will take account of the results of the proposed general and proposal-specific consultations, include details of where potential equality implications are identified (both negative and positive) and set out the measures the Council will take to mitigate the negative implications insofar as is possible.

In addition to the overarching EIA, consideration will be given to the level of equality analysis required for each proposal individually and, where necessary, specific EIAs will be developed prior to the implementation of individual proposals.

The Council is committed to taking all measures to minimise the differential negative impact across the 13 protected characteristics recognised by our Inclusion Strategy.

Environmental Impact and Considerations:

- 21 There are no direct environmental impacts of the MTFS refresh although there may be some from within the specific savings proposals where these may include reduced travel or reduced consumption of utilities.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation

Legal Implications:

- 22 This report updates members on the Medium-Term Financial Strategy and sets out the steps needed to progress with the Council's budget setting process.

Local authorities must make proper arrangement for the administration of their financial affairs and produce a balanced, robust budget for forthcoming years, together with a medium-term financial plan (MTFP). This should be consistent with the Council's work plans and strategies and any identified budget gap, providing proposals for its closure. This report sets out the current anticipated position and the impact, further work will be undertaken which will manage the projected gap. This will assist Cabinet in formulating proposals to submit to Council as part of the budget setting process in February 2024, for the Council budget and council tax calculations for 2024/25.

Section 28 of the Local Government Act 2003 also imposes a statutory duty on the Council to monitor during the financial year its expenditure and income against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the Council must take such action as it considers necessary to deal with the situation. This might include, for instance, action to reduce spending in the rest of the year, or to increase income, or to finance the shortfall from reserves.

Financial Implications:

23 The financial implications are set out in the body of report.

Appendices:

None.

Background papers:

None.

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

Term	Meaning
MTFP	Medium Term Financial Plan
SFA	Settlement Funding Assessment
CPI	Consumer Price Index
DLUHC	Department for Levelling Up, Housing and Communities



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Prestwich Village Regeneration – Appropriation of land at Fairfax Road and Rectory Lane for planning purposes (Part A)	
Report of	Leader and Cabinet Member for Strategic Growth	

Summary

1. Cabinet approved the formation of the Prestwich Regeneration LLP (the joint venture or JV) between Bury Council and Muse Places Ltd in October 2021 and has received reports on progress of the Prestwich Village proposals, most recently in the report to Cabinet on 12 July 2023.
2. A large part of the Council's Land included in the Prestwich Village proposals is currently open to public access (being a public car park) and may be impacted to varying degrees by adverse third-party rights or interests arising from the use of the Council's Land.
3. Any person who holds the benefit of such a legal right or interest and who suffers a relevant loss when development takes place would be entitled to claim statutory compensation pursuant to section 204 of the Housing and Planning Act 2016.
4. When land which is held for planning purposes is subsequently developed those who can demonstrate that they had a third-party right or interest in the land may claim compensation for the loss of that right or interest. Liability for the payment of such compensation lies with the Council in the first instance. Section 204 of the Planning and Housing Act 2016 provides that such compensation is assessed on the basis of the diminution in value of the land affected by the loss of such right.
5. The Human Rights of persons who would be affected by a decision to appropriate the Council's Land have been taken into account in this Cabinet report and it has been concluded that interference with any such rights is proportionate in the context of the public benefits of the scheme proposals that would be facilitated by appropriation and that there is a compelling case in the public interest to do so.
6. The details of the statutory compensation are commercially sensitive and linked information which is likely to reveal the identity and financial position of individuals is personally sensitive and is therefore exempt from this Part A Cabinet report. Such details are set out in a Part B Cabinet report.

Recommendation(s)

Cabinet is recommended to:

7. Approve the appropriation of the Council's Land for planning purposes to facilitate the development of the Council's Land by the Prestwich Regeneration LLP.
8. Note the criteria to be met before development that may interfere with third-party rights may take the benefit of section 203 of the Housing and Planning Act 2016.
9. Note the potential for claims for compensation arising from the interference with third-party rights. And to ensure that prior to the commencement of any development that might cause such interference, sufficient funds have been reserved by the Council before its development of the Council's Land and/or an indemnity has been put in place with the Prestwich Regeneration LLP as a condition to the drawdown and development of the Council's Land by them to meet the likely compensation arising from such claims.
10. Approve for the Executive Director of Place in consultation with the Executive Director of Law and Democratic Services to have delegated authority to enter into an indemnity agreement with the Prestwich Regeneration LLP and settle compensation claims that may be submitted.

Reasons for Recommendation(s)

11. The Council's Land may be impacted by third-party rights or interests that could affect the development to be carried out by the Prestwich Regeneration LLP.
12. The owners and beneficiaries of third-party rights may take legal action to protect those rights.
13. The appropriation of the Council's Land for planning purposes would convert any third-party rights or interests to an entitlement to compensation allowing the development to be carried out.
14. The criteria to be satisfied before the powers within section 203 of the Housing and Planning Act 2016 may be relied on have been clearly identified and it has been made clear that the carrying out of building or maintenance work may not be undertaken in breach of a private right or interest unless those criteria are met.
15. The Human Rights of third parties, who may claim to have the benefit of rights over the Council's Land have been considered and the interference with any such rights would be proportionate in the context of the public benefits of the

scheme proposals and that there is a compelling case in the public interest to do so.

Alternative Options Considered and Rejected

16. The scheme proposals could be designed in such a way as to avoid the infringement of potential rights or interests but the constraint that would place on the development proposals would significantly reduce or potentially negate the regeneration benefits of the scheme.
17. In some cases, it is possible to identify the beneficiaries of every private right or interest over land and negotiate the release of such right or interest, but the nature and uncertainty of the potential rights or interests in this case do not make that feasible or achievable within a reasonable timescale.
18. Another alternative to appropriation of land for planning purposes would be for the Council to seek title indemnity insurance, but such insurance would not overreach any claimed rights, leaving a residual risk that a third party could prevent the redevelopment of the Council's Land.
19. It is therefore considered that the best option to deal with any third-party rights is to appropriate the Council's Land for planning purposes.

Report Author and Contact Details:

Name: Robert Summerfield
Position: Assistant Director of Regeneration
Department: Business, Growth & Infrastructure
E-mail: r.summerfield@bury.gov.uk

Name: Liz Gudgeon
Position: Major Projects Manager (Prestwich)
Department: Business, Growth & Infrastructure
E-mail: e.a.gudgeon@bury.gov.uk

Background

20. As part of the Authority's vision for 2030, we are working collaboratively with our communities to achieve faster growth than the national average alongside lower levels of average deprivation. The 'Let's do it!' strategy focuses on building a better future for our children and young people, promoting inclusion, improving our environment, and delivering improvements in quality of life.
21. In line with this vision, the Council's ambition is to bring forward a cohesive programme of regeneration in Prestwich, developing a new village centre which is inclusive, sustainable, reflects the needs and aspirations of local residents,

and delivers an attractive urban environment alongside a thriving local economy.

22. Cabinet approval was given in October 2021 for the Council and Muse Places Ltd to form the Prestwich Regeneration LLP to bring forward a multi-phase mixed use regeneration scheme.
23. As noted in previous Cabinet reports, notably the report to the 12 July 2023 Cabinet, the regeneration scheme has the potential to bring in significant capital investment, which will help to deliver regeneration, economic growth, and environmental improvements in Prestwich.

Title Investigations

24. As a standard step in the redevelopment process, detailed title investigations have been carried out of the land at Fairfax Road and Rectory Lane owned by the Council (the Council's Land) which is required for the development. The Council's Land is shown on the plan at Appendix A that accompanies this Cabinet report.
25. A large part of the Council's Land is currently open to public access (being a public car park) and may be impacted to varying degrees by adverse third-party rights or interests arising from the use of the Council's Land. The existence of third-party rights has the potential to constrain the development of the Council's Land.
26. It is sometimes possible to negotiate the release of third-party rights through negotiation but in this case the nature and extent of such rights is unknown, and the negotiation of releases is not considered feasible or achievable within a reasonable timescale.
27. The Council could seek title indemnity insurance, but such insurance would not overreach any claimed rights leaving a residual risk that a third party could still seek to prevent the redevelopment of the Council's Land.
28. In the circumstances, the Council has been advised that the best course of action is to appropriate the Council's Land for planning purposes. Appropriation is a term given in local government legislation to an internal process of a Council that allows land acquired or held for one purpose to be used for another.

Appropriation of Council Land for Planning Purposes

29. Where land of a local authority is held for planning purposes, section 203 of the Housing and Planning Act 2016 would enable relevant rights and interests (such as easements which benefit other land) and contractual restrictions on

the use of the Council's Land (such as restrictive covenants) to be overridden when development is carried out.

30. Any person who holds the benefit of such a legal right or interest and who suffers a relevant loss when development takes place would be entitled to claim statutory compensation pursuant to section 204 of the Housing and Planning Act 2016.
31. It has been established through an assessment of the Council's records that the land forming part of the Council's Land is held (or in use) either as a property asset or for highway purposes. As part of the proposed regeneration and redevelopment, the Council's Land will not be required for the current purposes and will instead need to be held for planning purposes to enable the scheme to be developed.
32. The proposed appropriation of the Council's Land will not affect any public rights of way or the status of any adopted highway. Should any highway require stopping up as part of the proposed redevelopment, that will be the subject of a separate statutory process.
33. It is therefore proposed that the Council should now confirm that the land which is held or being used for other purposes is no longer required for those purposes and that the Council should now appropriate the Council's Land for planning purposes using the powers in section 122 of the Local Government Act 1972 and section 227 of the Town and Country Planning Act 1990.
34. Although the Council's Land will remain in use as, for example a car park or public highway until redeveloped, the purpose for which it is to be held going forward is planning purposes as defined by Section 226 of the Town and Country Planning Act 1990 consistent with the Council's regeneration objectives for Prestwich.
35. Under section 122(1) of the Local Government Act 1972 the Council can appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement. Section 227 of the Town and Country Planning Act 1990 authorises the Council to acquire land by agreement for a purpose for which the Council is authorised to acquire land under section 226 of the Town and Country Planning Act 1990.
36. Section 226 of the Town and Country Planning Act 1990 authorises the acquisition of land in the Council's area for planning purposes where the Council believes the acquisition is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the whole, or any part, of the area in the interests of the proper planning of the area.

37. It is considered that the appropriation of the Council's Land for planning purposes would achieve the objectives specified in section 226 of the Town and Country Planning Act 1990.

Subsequent Reliance on Section 203 of the Housing and Planning Act 2016

38. When land has been appropriated for planning purposes, reliance may be placed on section 203 of the Housing and Planning Act 2016 that allows building or maintenance work to be carried out on land to be used in breach of a private right or interest.
39. The criteria that must be satisfied before the powers in section 203 may be relied on are:
- a. There is a planning consent in place for the works or the use of the land that has been acquired or appropriated;
 - b. The works or use must be intended to be carried out on land that has been appropriated for planning purposes;
 - c. The land is land which the Council could acquire compulsorily for the purpose of the works or use; and;
 - d. The works or use is for the purpose for which the land was vested, acquired or appropriated by the Council.
40. Compliance with these criteria cannot be demonstrated at this stage but will need to be demonstrated before development commences in reliance on the provisions of section 203 of the Housing and Planning Act 2016.

Compensation

41. When land which is held for planning purposes is subsequently developed those who can demonstrate that they had a third-party right or interest in the land may claim compensation for the loss of that right or interest.
42. Section 204 of the Planning and Housing Act 2016 provides that such compensation is assessed on the basis of the diminution in value of the land affected by the loss of such right or interest. This is commonly looked at on the basis of what the land owned by the third-party land would have been worth with the benefit of the right or the interest and what it would be worth without it.
43. The Council through the Prestwich Regeneration LLP has received a report from surveyors Keppie Massie on the potential value of such compensation claims. Details of this can be found in the Part B report.

44. The potential for claims for compensation arising from the interference with third-party rights should be noted and the Council should ensure that prior to the commencement of development that might cause interference with third-party rights, sufficient funds have been reserved by the Council before its development of the Council's Land and/or an indemnity has been entered into with the Prestwich Regeneration LLP as a condition to the drawdown and development of the Council's Land by them to meet the likely compensation arising from such claims.
45. Approval for such funds will be obtained from Cabinet alongside future budget approvals for further stages of the Prestwich Village redevelopment scheme.

Publicity for Proposals

46. Although the Council's Land does not include any land within categories where advertisement of an intention to appropriate is required by legislation, the Council has voluntarily advertised its intention to appropriate the land for planning purposes in site notices erected around the land between 1st November 2023 and 23rd November 2023 and available to view at Prestwich Library and Bury Town Hall for the same time period and through advertisements in the Bury Times for two consecutive weeks on 2nd November 2023 and 9th November 2023.
47. The site notice and press advertisement invited any person who considers that they have the benefit a legal right which might be interfered with or breached by the development of the Council's Land and who wishes to comment on the proposed appropriation before a decision was reached to contact the Council.
48. One response to the notice has been received requesting a copy of the plan identifying the Council's Land and this has been sent to the requestee.

Human Rights

49. Advice contained in government guidance: "Compulsory Purchase process and the Crichel Down Rules", which applies by analogy to the appropriation of land for planning purposes, says this:

"...When making and confirming an order, acquiring authorities and authorising authorities should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land effected. The officers report seeking authorisation for the compulsory purchase order should address human rights issues..."
50. Under the Human Rights Act 1998 the Council is obliged to act in accordance with the European Convent on Human Rights (ECHR). Article 1 of the First Protocol of the ECHR entitles any person to peaceful enjoyment of their possessions. Section 203 of the Housing and Planning Act 2016, by allowing

interference with a person's rights, engages with Article 1. However, Article 1 is a qualified rather than absolute right, as the Article permits the deprivation of a person's possessions where it is in the public interest and subject to conditions provided by law.

51. A balance has to be struck between the public interest and the private interest of individuals whose rights may be affected. Such interference must be proportionate, that is to say be no more than is necessary to achieve the lawful objective of appropriation.
52. In this case it is considered that the significant public benefits (as summarised in the background section of this report) outweigh the private rights of any individuals to peaceful enjoyment of those rights, and that the appropriation of the Council's Land for planning purposes to facilitate the use of section 203 of the Housing and Planning Act 2016 is a proportionate interference in the circumstances and that there is a compelling case in the public interest to support the decision to do so.
53. Furthermore, the entitlement to compensation by those affected by appropriation in the event of interference is relevant to the question of proportionality.

Conclusion

54. In conclusion, the appropriation of the Council's Land for planning purposes is the best option for addressing third-party rights or interests that might otherwise prevent its development in accordance with the scheme proposals.
55. Adequate publicity has been given to the intention to appropriate and any representations received by the Council have been considered.
56. The significant public benefits from the scheme proposals outweigh any private rights that may be affected and the proposed interference with rights is proportionate in accordance with the requirements of the Human Rights Act 1998 and the ECHR.
57. Where legal rights are interfered with in the carrying out of the development, compensation may be payable in accordance with the provisions of section 204 of the Housing and Planning Act 2016.

Links with the Corporate Priorities:

58. The redevelopment of Prestwich Village supports delivery of the 'Let's do it' strategy and the four principles that underpin it. They all have a correlation to how The Council will design the future of our towns:

- a. **Local/ Neighbourhoods:** The proposed Prestwich Community Hub building will re-provide a modern-day library, adult learning, civic facilities, and other health related services will be a true connection to the community and integrated public service teams in the village centre. The building of new homes will endeavour to meet the eco-homes standard. The implementation of active travel, walking and cycling routes will connect people with local amenities, decrease public sector emissions and increase the availability of green infrastructure via the creation of public open space. This will enable the community in Prestwich to thrive.
- b. **Enterprise to drive economic growth and inclusion:** Investment in physical infrastructure (roads, cycle ways and public transport); creating more flexible and innovative/digital workspaces and providing modern retail space to encourage more businesses to open and remain in Prestwich; to ensure residents have the best chance to access good jobs. The Prestwich Town Centre is one of the regeneration plans mentioned in the strategy.
- c. **Delivering Together:** Making sure that everyone's voice is heard via community engagement/consultation at various stages of the development of the scheme and through a variety of media platforms, including a dedicated website.
- d. **A Strength-Based Approach:** Community groups have and will continue to be encouraged to be part of the community engagement/consultation process and all local groups have been reached out to. Links have been made with Bury VCFA. It is hoped that having flexible community space in the community hub and outdoor space for events will promote and increase community wealth building and capacity within the village.

Equality Impact and Considerations:

- 59. A full Equality Impact Assessment has been carried out and it has been concluded that there will be a neutral effect on all groups of people with protected equality characteristics as the need to appropriate the Council's land is an enabling process to allow the land to be redeveloped.

Environmental Impact and Considerations:

- 60. The appropriation of the Council's Land for planning purposes will help to deliver sustainable development.
- 61. As noted in the report to the 12 July 2023 Cabinet, delivering sustainable developments is now a primary goal for the Prestwich Regeneration LLP, and as such it has adopted Muse's Sustainability Strategy which includes a Sustainable Development Brief and Sustainable Action Plan which will be

utilised on the regeneration scheme (together which makes up the Sustainable Development Strategy).

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Risk: Third-party claiming that it was not aware of the intention to appropriate and was deprived of the opportunity to protect their interests.	Wide publicity has been given to the intention to appropriate through site notices, advertisements in the press, and through the general publicity given to Cabinet meetings.
Risk: High compensation claims for interference with third party rights.	The Council through the Prestwich Regeneration LLP has received advice from specialist surveyors that there is a low risk of compensation claims and that value of any such claims if brought would be low and would be covered by compensation and/or an indemnity from the Prestwich Regeneration LLP.
Risk: Spurious third-party claims to rights or interests.	No compensation would be paid in respect of a claimed right or interest unless evidence demonstrating a lawful entitlement to compensation was proved.
Risk: Scheme not proceeding and Council wishing to use the land for other purposes.	The Council may appropriate land to other purposes in the event that it was no longer required for planning purposes.

Legal Implications:

1. The Council can rely on its powers in section 122 of the Local Government Act 1990 and section 227 of the Town and Country Planning Act 1990 to appropriate the land for planning purposes.
2. The overarching joint venture agreement governs the carrying out of the development by the Prestwich Regeneration LLP.
3. The Human Rights of persons who would be affected by the overriding of easements and other interests in the Council's Land have been taken into account in the main body of this report and interference with those rights is considered to be proportionate.
4. The liability to pay compensation arising from the operation of section 203 of the Housing and Planning Act 2016 rests with the Council. The Council will therefore need to ensure that prior to the commencement of development that might cause interference with third-party rights, sufficient funds have been

reserved by the Council before its development of the Council's Land and/or an indemnity from the Prestwich Regeneration LLP is secured as a condition to the drawdown and development of the Council's Land by them to make any such payments that are properly due and payable pursuant to s.204 of the Housing and Planning Act 2016.

Financial Implications:

1. There are no immediate financial implications from the appropriation of land for planning purposes.
2. When land which is held for planning purposes is subsequently developed those who can demonstrate that they had a third-party right or interest in the land may claim compensation for the loss of that right or interest. Liability for the payment of such compensation lies with the Council in the first instance. Section 204 of the Planning and Housing Act 2016 provides that such compensation is assessed on the basis of the diminution in value of the land affected by the loss of such right.
3. The Council through the Prestwich Regeneration LLP has received a report from surveyors Keppie Massie on the potential value of such compensation claims – please refer to paragraph 6.

Appendices:

Appendix A: Plan identifying the Council's Land.

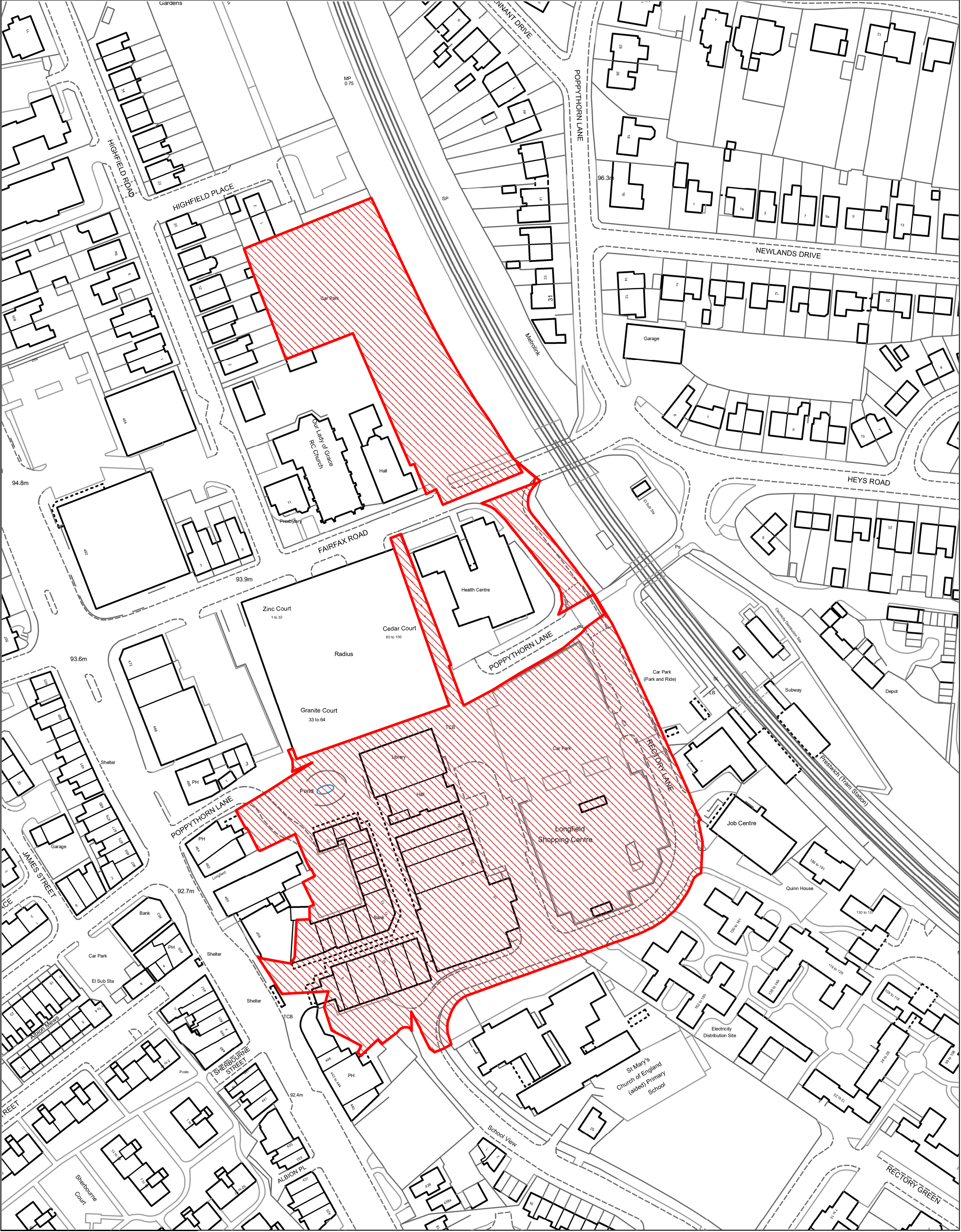
Background papers:

Report to 12 July 2023 Cabinet.

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

Term	Meaning
Appropriation	Appropriation is a term used in local government legislation to an internal process of a council designed to allow flexibility in its use of land. It allows land acquired or held for one purpose to be used for another.
Council's Land	As identified on the map in Appendix 1.
Diminution in value	Means the amount by which an interest in land is reduced by the loss of a right or interest in other land.
Planning purposes	Means purposes that achieve the promotion or improvement of the economic, social or environmental well-being of the whole, or

Term	Meaning
	any part, of the area in the interests of the proper planning of the area
Prestwich Regeneration LLP	The joint venture company that comprises of Bury Council and Muse Places Ltd that has been established to deliver the Prestwich Village regeneration scheme.
Proportionate	Proportionate means no more than is necessary to achieve the lawful objective of appropriation
Third Party Rights	Means rights and interests (such as easements which benefit other land) and contractual restrictions on the use of land (such as restrictive covenants)



PLAN Prestwich
SCALE M25 1AY
DRAWN BY 1:1250
DATE CG
23/10/2023

Business Growth & Infrastructure
Land & Property
3 Knowsley Place
Duke Street,
Bury,
BL9 0EJ



This page is intentionally left blank



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Relocation of Spring Lane School to the New Kershaw Centre	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

Summary

1. A key element of the Council's Strategic Regeneration Framework for Radcliffe is the construction of the new secondary school, to be sited on land off Spring Lane, Radcliffe.
2. Planning permission for the new school has recently been granted, and construction site is due to commence in March 2024.
3. To enable construction, the Council is committed to relocating Spring Lane School by that date.
4. The Council has developed plans and secured planning permission to adapt premises at Spurr House, Unsworth to accommodate Spring Lane School. However, those adaptations cannot be completed in time to enable Spring Lane School to relocate directly from its current site, and hence an interim solution needs to be identified.
5. A number of options have been considered in order to accommodate the needs of Spring Lane School. It currently operates out of four buildings at Spring Lane, Park House, Milltown House and Whitefield hub.
6. Working with the leadership team of Spring Lane School, and Oak Learning Partnership, the Council initially identified a number of interim solutions, including the provision of modular accommodation, and the use of Council owned premises.
7. The issues relating to the use of Reinforced Autoclaved Aerated Concrete (RAAC) nationally has impacted significantly on the availability and cost of modular accommodation and this is no longer a viable solution.
8. Focus therefore has been on the use of Council owned premises that have the potential to meet the needs of the Pupil Referral Unit in terms of size, configuration and location of building. This has resulted in the identification of the New Kershaw Centre (NKC) as a viable proposition.

9. The NKC currently accommodates a number of Children's Services teams, including a number of social care services, a base for care leavers, and the youth service.
10. The Children's Services longer term strategy was to examine ways in which those services could be delivered from different locations in order to improve the quality of provision. It is now proposed to accelerate these plans in order to vacate NKC, carry out adaptations to the building, and enabling Spring Lane School to relocate into the building.
11. Technical capacity in the form of a Project Manager has been commissioned, located within Business, Growth and Investment (BGI), to support the delivery of the Children's Services capital programme, which will include the project to decant existing services from NKC to alternative premises; the delivery of adaptations to the NKC building; and the relocation of Spring Lane School in February 2024.
12. It is anticipated that existing services will be relocated on w/c 8th of January 2024, to other Council owned premises, with the majority of those services being accommodated in 6 Knowsley Place and the Town Hall.
13. The Project Manager is now working with a project team to implement the various aspects of the project. Alongside this, the leadership team of Spring Lane school are developing plans for how the different functions of the PRU can be accommodated whilst using the interim accommodation.
14. One of the four buildings currently used by the school, Milltown House has recently suffered some structural damage and is currently out of use, with pupils having been moved to the other three buildings available to the school. The interim plans for the School when it vacates the Spring Lane site will therefore also need to consider how pupils across all four sites can be accommodated in the continued absence of Milltown House.
15. This will necessitate some work to the Park House and Whitefield Hub buildings to ensure that the required pupil capacity is available across those two buildings and NKC.
16. Detailed design work is on-going in respect of the necessary adaptations to the NKC and Park House to facilitate movement of the PRU early next year. This design activity is progressing alongside required planning/design of adaptations to 6 Knowsley Place and the Bury Town Hall to facilitate the move of staff from the Children and Young People's directorate currently operating from NKC.

BGI officers have made use of pre-procured framework arrangements to appoint consultant resources to facilitate delivery of the project. This includes Project Management, Architectural and Cost Consultancy resources. The Constellia Framework has been utilised for this activity.

The construction works must be delivered in a very constrained timescale, with mobilisation required in January 2024. Design development for the first phase of construction works must also be carried out with detailed reference to the material/labour supply chain, to ensure it is deliverable. It is particularly important that materials with a long procurement lead time are not specified as this will cause unacceptable delay. The requirement to secure labour availability in January is also an important factor.

Use of Early Contractor Involvement (ECI) is required in the first phase of the project and there will be a significant requirement for joint working between a contractor and the scheme designer. It is for this reason that officers have requested permission for exemption from the Council's Contract Procedure Rules to facilitate a direct award of a construction and ECI tender package to H Smith Limited. The use of the Exemption will be limited to the first phase of construction works which at present is forecast to cost approximately £600k (subject to design development).

The remaining construction works (phase 2) will be procured utilising an open tender or relevant construction procurement framework and will be aligned with the Council's Contract Procedure Rules.

17. A high-level cost plan has been developed for delivery of the NKC/Park House project and this also includes provisional (estimated) sums for associated construction and design activity for adaptations to 6KP and the Bury Town Hall. The cost plan will evolve as the design is developed. At present the total cost of project activity is estimated at £1,758,000 which covers the initial phase of works. Further phases of work will be subject to a separate report.

The project will be overseen by BGI officers and will report to the Council's Regeneration Board for project assurance/oversight.

18. Given the need to invest in this interim solution, and the inability to deliver the scheme at Spurr House on time, it is no longer proposed to proceed with the adaptations to Spurr House and this project is now closed. Instead, an options appraisal exercise will be commissioned through BGI, to consider the future accommodation needs of the Pupil Referral Unit, and how they might be met.
19. Managers within Children's Services are working with the services affected to support the plans to decant those services. Formal consultation with staff affected is underway. This will extend to encompass staff employed in the Pupil referral Unit.
20. The relocation of the Pupil Referral Unit is not subject to any statutory change as would be required by School Organisation Regulations, and as such does not require formal consultation in respect of its change of location. However, it is proposed that informal consultation take place with key stakeholders including pupils and their families.

Recommendation(s)

To approve the plans to develop the New Kershaw Centre to accommodate the needs of Spring Lane School

To approve expenditure of £1,758,000 from the Children's Services Capital Programme to meet initial costs of adaptations to the New Kershaw Centre, Park House and associated adaptations to facilitate transfer of Children's staff currently operating in NKC.

To note plans to relocate a number of Children's Services teams from the New Kershaw Centre, Park House and associated adaptations to facilitate transfer of Children's Services staff currently operating in NKC to the Town Hall and 6 Knowsley Place.

Reasons for recommendation(s)

The use of the New Kershaw Centre by Spring Lane School will enable vacant possession of the Spring Lane site to be provided to the DfE. This will negate the need for the payment of a financial penalty by the Council and enable construction of the new secondary school to proceed.

Alternative options considered and rejected

The Council looked at a number of options to provide an interim solution to accommodate Spring Lane School. This included use of other Council owned property, and the use of modular accommodation.

No other Council owned property could meet the needs of the school within the available timescale. Availability and cost of modular accommodations has been impacted by supply pressures nationally, linked to RAAC, meaning that use of modulars is no longer a viable option.

Report Author and Contact Details:

Name: Paul Cooke

Position: Strategic Lead (Education)

Department: Children's Services

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

Background

21. Vacant possession of the Spring Lane site is required by March 1st 2024 to enable work to begin on the construction of the new secondary school.
22. To meet this requirement, Spring Lane School will need to vacate their current building during February half term 2024. Any delay in vacating the Spring Lane site will result in a financial penalty payable by the Council to the Department for Education of £2.4m, and delay delivery of the new secondary school.
23. Whilst the Council has secured planning permission for the adaptation of the former adult care home, Spurr House, those adaptations cannot be completed in time to enable Spring Lane School to relocate directly from its current site, and hence an interim solution needs to be identified.
24. The local authority is working with the leadership team of Spring Lane school, and the Oak Leaning Partnership which is the proposed sponsor of Spring Lane School, on the development of plans to provide an interim solution to meet the schools needs when it vacates the Spring Lane site.
25. This has resulted in the identification of the New Kershaw Centre (NKC) as a viable proposition.
26. The NKC currently accommodates a number of Children's Services teams, including a number of social care services, a base for care leavers, and the youth service. It is expected that these will initially be accommodated utilising 6 Knowsley Place and the Town Hall.
27. It is anticipated that existing services will be relocated by the 2nd January 2024, at which point adaptations to the NKC building will be carried out.
28. Work to the NKC will be phased to enable immediate works to be completed enabling relocation of the School over February half-term 2024, with further works implemented thereafter on a phased basis.
29. Spring Lane School currently delivers its functions from four buildings: Spring Lane, Milltown House, Park House, and Whitefield Hub.
30. Milltown House has recently suffered some structural damage and is currently out of use, with pupils having been moved to the other three buildings. The interim plans for Spring Lane School when it vacates the Spring Lane site will therefore also need to consider how pupils across all four sites can be accommodated in the absence of Milltown House, and will necessitate works to two of the other Spring Lane School buildings, Park House and Whitefield Hub, in order to ensure the required pupil capacity continues to be available.
31. The leadership team of Spring Lane school are developing plans for how the different functions of the PRU can be accommodated whilst using the interim accommodation, given the continued closure of Milltown House.

32. Oak Learning Partnership, as well as the proposed sponsor of Spring Lane School, will also be the sponsor of the new SEMH Special Free School to be constructed in Redvales.
33. The local authority is working with the Oak Learning Partnership to develop a long-term estates strategy encompassing all of the current sites, and exploring how these might align with the new Special School.

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:

An Equality Impact Assessment has been completed and is attached at Appendix 1

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:

Environmental impacts and concerns will be considered as part of the pre-construction services and will be in-line with existing Council policies.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Significant risks in ensuring the decant of existing services from the New Kershaw Centre within a short timescale.	Appointment of Project Manager Establishment of project team
Significant risks in delivering the required adaptations to the New Kershaw Centre to enable relocation of Spring Lane School by February 2024.	Approval to proceed utilising procurement exemptions Project and risk plan prepared by programme manager
Financial risk in relation to adaptations to the NKC until detailed cost plans are produced.	
Financial risk on not achieving the relocation of Spring Lane School by 1 st March and the resultant financial penalty.	
Resultant impact on the delivery of the new secondary school if vacant possession of the Spring Lane site is not achieved by 1 st March 2024.	

Legal Implications:

The proposed direct award of part of the initial works to a local contractor in the light of the extremely tight timescales will require an exemption to be granted under the Council's Contract Procedure Rules. All further phases will be subject to open tendering or mini competitions under appropriate frameworks to ensure that the Council's statutory best value obligations properly met.

The proposals outlined do not trigger the School Organisation Code (The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013).

Once proposals are agreed, consultation with parents must be undertaken.

Financial Implications

This will be funded through DFE grant and the budget has been included within the capital programme.

The proposals seek to mitigate the risk of financial penalty payable to the DFE.

Appendices:

Please list any appended documents.

Background papers:

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

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

Term	Meaning



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Extension of contract for Childrens Safeguarding Equinox Project Team	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

Summary

A request is being made to Cabinet to seek approval for an extension of the Equinox Project Team, currently commissioned to support core statutory safeguarding services, to enable Bury Council to protect vulnerable children and young people from harm, in accordance of the principles outlined within the CA 1989.

Recommendation(s)

1. That members approve the extension of the Equinox Project Team until 31st March 2024

Reasons for recommendation(s)

2. If the project team is not extended this will significantly impact upon the council's ability to carry out its statutory functions in order to keep children and young people safe from harm. It would be better for the project team to be reduced in a gradual and managed way to reduce the impact of the service losing a full team of very experienced child protection social workers who are currently holding 140 cases. The sudden exit of the team would result in these cases having to be absorbed within the 4 Family Safeguarding Teams which are insufficiently staffed at present.

Alternative options considered and rejected

3. Other options have been considered such as exiting the project team more imminently and back filling these positions with agency social workers. Currently, the number of agency applications has reduced and there is insufficient availability to back fill the project team. It is also important to note that the project team have been in place since January 2022 and have gained vast experience and knowledge in relation to Bury and its children. The loss of these Social Workers would impact on the children and families opened to the service. It is also important to ensure good transition of families is in place. The project team will reduce from 6 to 4 social workers by the end of January, 4 to 2 SW's in February and the final 2 leaving by the end of March.

Report Author and Contact Details:

Name: Halley Griffin

Position: Acting Head of Service

Department: Children's Social Care, Family Safeguarding
E-mail: Halley.griffinbury.gov.uk

Background

4. In November 2021 Bury's Children Services were judged to be inadequate by Ofsted, across most areas of service delivery including safeguarding. This was due to significant failures identified across the services at a systemic and operational level. Since that time much progress has been made in order to rectify the areas of concern with many changes brought in, to improve services. Initially 5 project teams were implemented to ensure service delivery was able to keep children safe and ensure that their needs were met throughout the Borough. This came at a significant financial cost to Bury Council and it is positive that the use of project teams has now reduced to one team. However, we recognise the need to end the use of project teams.
5. Over the past two years there have been good work to stabilise the workforce, to improve effectiveness to fulfil the statutory duties of the Local Authority. These have included recruitment campaigns, more manageable caseloads for workers, increased management support, a high focus on learning and on staff retention. The Family Safeguarding Model has also been implemented, which is a model of practice which has been evidenced to improve outcomes for children and families, reduce the number of children needing to enter the care of the Local Authority and retain a highly motivated and committed workforce. Bury Council is still in the process of successfully implementing and embedding the model though it is expected that Bury will begin to see the full benefits of this model within the next 12 months.
6. Managed or Project teams were commissioned initially post ILACs inspection, when Ofsted judged Bury services to be inadequate, for social workers holding too high caseloads, in combination with other more strategic and systemic failures. Whilst excellent progress has been made in reducing the commissioned four project teams to a final one, it is disappointing that one project team remains. However, the remaining project team comprises a cohort of highly experienced social workers, currently handling some of the more complex cases open to the service and has been a source of stability in the service regarding maintaining practice standards. It is of no doubt however, that a more cost-efficient system of maintaining standards is now critical.
7. The proposed recommendation is the most cost effective way of exiting the project team without impacting on service delivery across the family safeguarding teams. It was hoped that the project team would no longer be required by this point in the implementation however there have been a number of factors as detailed above which were unforeseen. An integral part of the recruitment strategy has been in relation to recruiting internationally. There has been some success with this programme and 5 Social Workers are

now in post and employed by Bury council. There are another 18 international social workers that are due to join the workforce though unfortunately they have been delays with Social Work England registering these workers which has delayed their employment commencing. Social Work England have still not confirmed when this issue will be resolved however is likely to be early in the New year. It is recognised that when these Social Workers arrive they will need an in depth induction programme in order to adjust to UK Social Work practice before they can be safely allocated work. They should be in a position to case hold by the end of March.

8. The Family Safeguarding Service is currently composed of 4 Safeguarding Teams which should compromise of 1 Team Manager, 1 Advanced Practitioner and 5 additional social workers. In addition to the operational functioning is the project team which has been in place since January 2022. At this present time the 4 substantive teams all have permanent Team Managers though the makeup of the social work practitioners within these teams are made up of employed staff and agency social workers. Our configuration has been arrived at through extensive review of our services and data and recommended by the expert advisors and partners in this model (Family Safeguarding Centre) and the DfE. 5 teams are necessary to provide effective service delivery.
9. The initial size of the Project Team to be extended is 1 x FTE Team Manager and 6 x FTE Social Workers and the department will endeavour to reduce and replace the experience incrementally. Realistically, this should be a reduction of project team social workers through the next few months of the extension. This experience will be replaced with experienced social workers recruited to permanently, or through our agency framework. Based on the last 12 months recruitment, the accurate forecast is that the team will be replaced by on-framework agency staff which will be at a significant saving to the local authority. It is accepted this the market is volatile and challenging, given the national social work recruitment crisis, but there is optimism that these targets are realistic and can be achieved. It is further anticipated that should our international recruitments arrive as expected, this will further reduce the cost of replacing the final project team.
10. This extension will be through the awarding of a new Statement of Works through the Councils existing contract with Constellia. Constellia is a vendor neutral solution for the efficient procurement and sourcing of consultancy and professional services, and the overarching contract was awarded under the AEC framework agreement, under which Constellia were the sole supplier. Each commission under the contract results in a Statement of Works to the 3rd party to undertake the work. The contract is with Constellia, with them sub-contracting to the most appropriate party to deliver the required services. There is no limit on the value of any individual or aggregate value of Statement of Works that may be placed with Constellia.

11. The expected forecasting is as below, based on a worst-case scenario of replacing project team staff with experienced on-framework agency staff:

12. The costs of this extension are projected to be: £379,728

	Oct (£)	Nov (£)	Dec (£)	Jan (£)	Feb (£)	Mar (£)	Total (£)
Project Team	62,988	60,956	62,988	62,988	42,583	45,520	338,021
REED Agency Costs	-	-	-	-	13,902	27,804	41,706
Total	62,988	60,956	62,988	62,988	56,485	73,324	379,728

13. These costs can be offset by £188,259 in savings by the substantive posts in Safeguarding Team.

Action taken to increase permanent workforce

14. A key initiative has been the recruitment of a large cohort of qualified social workers from South Africa in early 2023. This successful exercise resulted on offers of employment being made to 23 individuals, with it being initially envisaged that almost all would have completed necessary processes to enable them to commence work before the end of summer 2023.

15. Unfortunately, due to significant delays with Social Work England in processing registrations, only 5 of the Social Workers have been able to commence employment to date, and there are no definitive timescales for the others to follow, although it is anticipated they will be in place early in 2024.

Permanent Recruitment

16. Further work is underway to drive permanent social work recruitment, with the establishment of a Workforce Board. This Board will be chaired by the Director of Social Care Practice and will include senior officers from HR and Communications, Engagement and Marketing. The Board will prioritise actions to reduce the use of agency social workers and improving the offer to new and existing social workers. A new social media campaign will go live in January 2024, to showcase the offer to social workers who choose to join Bury, using voices of existing workers in the service.

17. Agency staff will also continue to be recruited via Reed to back fill the project team as this team is gradually reduced. The recruitment of agency staff has slowed recently due to the introduction of the Greater Manchester pledge which is in place to reduce the movement of agency social workers across Greater Manchester. As envisaged, this has resulted in reduced agency applications and the time of year has also had an impact due to people not wanting to change jobs so close to Christmas. It is predicted that there will be an increase of agency applications in the New Year.

Links with the Corporate Priorities:

1. Improved quality of life - The outlined recommendations will ensure that children and families are provided with safeguarding services which ensure their safety and offer support to prevent families from reaching crisis. The Family Safeguarding Model's principles are based on supporting children to remain within their families where it is safe to do so. To work 'with' families and not 'do' to them. There is a high focus on building positive relationships with families to support them to resolve their own difficulties. In order to achieve this case loads need to remain at a manageable level to enable Social Workers and our adult practitioners to work intensively with families.
2. Improved early years development- A well-functioning safeguarding service ensures that children are meeting their development needs. Family Safeguarding works with parents through any difficulties they are facing which in turn impacts on their parenting capacity and children's development needs. The service also works closely with partner agencies to ensure that any support required is implemented within a timely manner. The Family Safeguarding Service is integral to understanding and assessing the needs of children and families to ensure that all children meet their developmental mile stones and access any additional support.
3. Improved educational attainment - There is a well-known link between children who are in need or who are in need of protection who are at increased risk of not achieving their full potential within an educational setting. This is often linked to the home environment and parenting difficulties which impact on a child's ability to attend school or concentrate fully when they are in school. Within Family safeguarding there is a high emphasis on the need for children to be fully engaged with education to improve their life chances. The service utilises trauma informed approaches as well using motivational interviewing techniques to work with individual family members.
4. Increased adult skill levels and employability. Family Safeguarding recognises that the importance of early years and the impact of adverse childhood experiences which can impact on young people successful transition into adulthood. The whole family approach of the Family Safeguarding, with support from Adult workers, should improve prospect for parents, as they become for stable.

Equality Impact and Considerations:

5. Bury Council's Equality and Impact policy and guidance has been considered and are adhered to within recruitment procedures.

Environmental Impact and Considerations:

6. Children's Service is alive to Bury Council carbon management programme and abides by any new measures that are brought in. All staff are trained within this area as part of their induction programme.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
<p>The loss of the project team would impact significantly on service delivery within Family Safeguarding. This would reduce the capacity of SW's within the 4 substantive teams from undertaking their statutory duties. Should case loads increase their will be increased risk of staff sickness and in retaining permanent staff. This will impact on the quality of social work practice that is delivered to children and families who may escalate further into crisis and increase need of children needed ing to be accommodated by the Local Authority and or made subject to care proceedings.</p>	<p>This risk can be mitigated by the project team remaining in place till the end of March. This will allow for plans to be outlined within this report to resolve some of the current staffing difficulties that the service is currently experiencing. This additional time will also allow for more agency staff to be recruited which are more cost effective than the project team and also for our international recruits to be in post having completed an in depth induction period.</p> <p>This will also support to sustain caseloads at a manageable level and in being able to retain staff that are in post.</p>

Legal Implications:

7. The Constellia neutral vendor framework has been used successfully by the Council in a number of areas. It is an appropriate procurement route here and is compliant with the Council's Contract Procedure Rules.
-

Financial Implications:

8. The net unbudgeted cost of extending the managed team for the duration of six months (Oct23-Mar24) is £191,469 which comprises the cost of the managed team £379,728 less establishment savings of £188,259. The importance of moving away from expensive managed teams and on-contract agency cannot be over emphasised. To put this into some kind of context – the cost of the managed team over one financial year is approximately £740,000; on-contract agency £610,000; recruitment to fill permanent positions £376,000. So, it becomes clear when analysing these figures that recruitment to established posts is the way forward and key to reducing costs across the Social Care and Safeguarding service.
-

Appendices:

None.

Background papers:

None.

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

Term	Meaning

This page is intentionally left blank



Classification: Open	Decision Type: Click to select.
--------------------------------	---

Report to:	Cabinet	Date: 13 December 2023
Subject:	Home to school and college transport policy – Proposal to consult on changes to the policy	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 The Council has a statutory duty by virtue of the Education Act 1996 to make necessary travel arrangements for all 'eligible children and young people'.
- 1.2 The Council must have a policy setting out how it will meet this duty. That policy must be co-produced with stakeholders, and be subject of consultation, prior to being adopted by the Council.
- 1.3 The policy was last subject to review in 2015, following the publication of the Children & Families Act 2014, which introduced significant reforms in respect of Special Educational Needs and Disabilities. The DfE has recently published updated guidance in respect of transport and the Bury policy needs to be reviewed and refreshed to reflect this guidance.
- 1.4 Following an investigation into current arrangements by the Council is amending it's policy to make clear that, where the Council decides transport is necessary to enable young adults with an EHC Plan to maintain their placement, they will not be charged, in line with the Council's statutory duty.
- 1.5 Therefore, alongside the review of the policy as it applies to children and young people of statutory school age (5-16), there is also a need to review the travel assistance policy for adult learners with Special Educational Needs and Disabilities between the age of 19 and 25 to ensure that it is statutorily compliant and clearly understood by services users.
- 1.6 In respect of travel assistance for post 16 students (16-19 year olds), the Council is required to publish a transport policy statement on an annual basis, sitting alongside the mainstream policy. This policy statement will also be subject to review.
- 1.7 The proposed timescale within which matters should be addressed following the investigation is by 1st May 2024.
- 1.8 A draft policy has been written that meets the Council's statutory obligations. This was signed-off by the Education & Skills leadership Team

at its meeting on the 20th November 2023. But, given the Council's commitment to co-production, the Council would want to engage its parent carer forum in genuine co-production before producing a draft for wider consultation.

- 1.9 The Council is engaged in an extensive transformation programme in relation to SEND, in part driven by the Council's involvement in Project Safety Valve, but in also responding to significant demand pressures and increasing parental expectations. The Transport policy is a key part of the Council's SEND Local Offer and it is essential if parental confidence in the transformation agenda is to be maintained, that we demonstrate an absolute commitment to co-production.
- 1.10 Whilst the Council can meet the timeline for implementation, it believes that to present a revised policy to Cabinet at this time undermines the principle of co-production, and that the Council needs to work with its parents, children and young people to further develop the draft policy.
- 1.11 In recognition that the Council has failed to meet previously agreed timescales for adopting a revised policy, the Council is currently reviewing its organisational structures in Children's Services to strengthen its governance arrangements.
- 1.12 It is proposed to work with Bury2gether, the parents forum to co-produce a policy that is statutorily compliant; responds to the revised guidance issued by the Department for Education; and that continues to meet the needs of eligible children and young people within the available resources. This will be done in January 2024.
- 1.13 The co-produced draft policy will then be subject to consultation with stakeholders during February, following which a further report setting out the outcomes of the consultation, and recommendations in respect of a new policy will be brought back to Cabinet in March 2024.
- 1.14 The new policy will be implemented with effect 1st May 2024. It is anticipated that any changes will apply to all new assessments for travel assistance after that date. Subject to the outcome of the consultation, and Cabinet approval, it is expected that families already in receipt of travel assistance under the current policy will be protected, and will continue to receive that assistance until their circumstances change.

Recommendation(s)

Cabinet is requested to -

Note the intention to co-produce a home to school transport policy for consideration for wider consultation and to receive a report in April 2024 with recommendations having regard to the outcome of the consultation.

Reasons for recommendation(s)

The proposed changes respond to revised guidance from the DfE in respect of home to school transport and also responds to complaints in respect of post 19 provision (adult learners).

Alternative options considered and rejected

The changes are required to ensure that the policy is reflects updated Government guidance and remains statutorily compliant.

Report Author and Contact Details:

Name: Paul Cooke

Position: Strategic Lead (Education)

Department: Children & Young People

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

2 Background

- 2.1 In accordance with the Education Act 1996 the Council has a statutory duty to make necessary travel arrangements for all 'eligible children and young people'.
- 2.2 This applies to Children with Special Educational Needs, disabilities or mobility difficulties. It largely relates to but is not exclusive to those children and young people with an Education, Health and Care Plan.
- 2.3 A child is eligible if they are of compulsory school age, attend their nearest suitable school and:
- They live more than the statutory walking distance from the school or
 - Could not reasonably be expected to walk to school because of their special educational needs, disability or mobility problem or
 - They would not be able to walk to school in reasonable safety even if they were accompanied by their parent.

Section 35B of the Education Act defines eligible children as those of compulsory school age, 5 to 16 years.

- 2.4 Section 509F and 508G of the Education Act places a statutory duty on the Council to consider Post 19 travel assistance. This applies to students aged 19 and over who commenced their programme of learning after their 19th birthday.

- 2.5 The DfE has recently published revised guidance to local authorities in respect of home to school transport. The Council's current policy, last adopted in 2015 needs to be reviewed to ensure it meets current expectations.

In addition, an investigation in to a complaint into the Council's application of its transport policy as it applied to a student aged over 19 attending full-time education, found that the Council's policy and process was not compliant.

2.6 Inclusion of post 19 (Adult Duty)

- 2.7 Section 509F and 508G of the Education Act places a statutory duty on the Council to consider Post 19 travel assistance. This applies to students aged 19 and over who commenced their programme of learning after their 19th birthday and continue to be in receipt of an EHC plan.

- 2.8 The Council must make arrangements for the provision of transport or travel assistance in respect of:

- Adults who are aged 19 or over, to facilitate their attendance at further or higher educational institutions (FE and HE, where they are maintained or assisted by the local authority) or institutions within the further education sector (FE).
- Relevant young adults (i.e. those with an Education Health and Care plan that can be maintained up to the age of 25) receiving education or training at institutions outside both the further and higher education sectors. For these young adults, support is only provided where the local authority has secured the provision of education or training at those institutions and the provision of boarding accommodation that is linked to that education or training.

- 2.9 The council must take account of all relevant circumstances, including the age of the adult, the nature of the route which the adult could reasonably be expected to take and their ability to travel independently.

- 2.10 It is not possible to forecast the level of support required for post 19 travel assistance, however based on the 2023/2024 academic year a total of 4 students are in receipt of post 19 travel assistance at a cost of £47,946.

2.11 Proposal

- 2.12 Officers will work with Parents and young people to consider the recently published DfE Local Authority guidance on home to school transport, and to then develop a fully co-produced local home to school transport policy, with the aim of implementing that revised policy on 1st May 2024. Bury2gether, and the parents they represent are already aware of the intention to review the policy.

- 2.13 A series of parent and young people co production events will be delivered in January 2024. These will take place at different time of the day to ensure that parents have opportunity to contribute.
- 2.14 Following these events, a draft policy will be produced and this will be subject to consultation with all stakeholders.
- 2.15 The draft policy will be presented to Cabinet at its meeting on the 17th March, together with a summary of the outcome of the consultation.
- 2.16 Staff training on the new policy will take place throughout April, together with testing of systems and processes to ensure that the new policy is implemented effectively.
- 2.17 The new policy will be implemented with effect from 1st May 2024.

Links with the Corporate Priorities:

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

- Improved quality of life
- Improved educational attainment
- Increased adult skill levels and employability

Equality Impact and Considerations:

At this stage, approval is sought to co-produce a policy which will then be subject to consultation before recommendations are brought back to Cabinet.

Environmental Impact and Considerations:

Environmental impact will be assessed alongside the drafting on the new policy to reflect the effect of any policy changes.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The key risks associated with the proposed change in policy are of legal challenge and reputational damage to the Council. There is potential for significant negative impact for some of our most vulnerable children and young people who currently receive travel assistance under the existing	In co-producing a draft policy with the parents forum, the Council can seek to respond to some of the concerns, and ensure that the policy, whilst remaining statutorily compliant, also continues to meet the needs of parents, children and young people.

policy as any changes to eligibility in the new policy may result in those families no longer being eligible	If any changes to eligibility are proposed, there is scope to ensure that any families in receipt of travel assistance under the current policy, continue to be eligible until their circumstances change. Those families would therefore not see an immediate withdrawal of travel assistance.
--	---

Legal Implications:

In accordance with s.509AA of the Education Act 1996, local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training.

Legal advice will be provided during the consultation and in finalising the policy pursuant to that consultation.

Financial Implications:

The budget for post-16 transport is significantly overspending. The budget for next financial year will address the historical underfunding of statutory provision. However, the ZBB approach cannot sustain funding levels sufficient to meet non-statutory provision.

Appendices:

Background papers:

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

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

Term	Meaning

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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Adult Social Care Performance Quarter One and Quarter Two Report 2023/24	
Report of	Deputy Leader and Cabinet Member for Health and Wellbeing	

Summary

1. This is the Adult Social Care Department Quarter 1 and 2 Report for 2023-24. The report outlines delivery of the Adult Social Care Strategic Plan, preparation for the new CQC Assessment regime for local authorities and provides an illustration and report on the department's performance framework.

Recommendation(s)

2. To note the report.

Reasons for recommendation(s)

3. N/A.

Alternative options considered and rejected.

4. N/A.

Report Author and Contact Details:

Name: Adrian Crook

Position: Director of Adult Social Services and Community Commissioning

Department: Health and Adult Care

E-mail: a.crook@bury.gov.uk

Background

5. This is the first Adult Social Care Department Performance Report, covering Quarters 1 and 2 of 2023-24.
-

Links with the Corporate Priorities:

The Adult Social Care Department is committed to delivering the Bury 'LETS' (Local, Enterprising, Together, Strengths) strategy for our citizens and our workforce.

Our mission is to work in the heart of our communities providing high-quality, person-centred advice and information to prevent, reduce and delay the need for reliance on local council support by connecting people with universal services in their local communities.

For those eligible to access social care services, we provide assessment and support planning and where required provide services close to home delivered by local care providers.

We aim to have effective and innovative services and are enterprising in the commissioning and delivery of care and support services.

We work together with our partners but most importantly together with our residents where our intervention emphasises building on individual's strengths and promoting independence.

We ensure that local people have choice and control over the care and support they receive, and that they are encouraged to consider creative and innovative ways to meet their needs. We also undertake our statutory duties to safeguard the most vulnerable members of our communities and minimise the risks of abuse and exploitation.

Equality Impact and Considerations:

6. In delivering their Care Act functions, local authorities should take action to achieve equity of experience and outcomes for all individuals, groups and communities in their areas; they are required to have regard to the Public Sector Equality Duty (Equalities Act 2010) in the way they do carry out their work. The Directorate intends to drive forward its approach to EDI, ensuring that equality monitoring information is routinely gathered, and consider how a realistic set of S/M/L-term objectives may help to focus effort and capacity.

Environmental Impact and Considerations:

7. N/A

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
N/A.	N/A.

Legal Implications:

8. There are no legal implications however this report provides Members with details of performance reporting alongside an update on preparation for the CQC assessment.

Financial Implications:

9. N/A.

Appendices:

Appendix - Data sources and what good looks like.

Background papers:

Adult Social Care Strategic Plan 2023-2026

Bury Adult Social Care Assurance Preparation Challenge, February 2023

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

Term	Meaning
CQC	Care Quality Commission

Adult Social Care Performance Report for Quarter One and Quarter Two, 2023/24

1.0 Executive Summary

- 1.1 This report provides a summary of the performance of the Adult Social Care Department during Quarters 1 and 2 of 2023-24. The report outlines delivery of the Adult Social Care Strategic Plan, preparation for the new CQC Assessment regime for local authorities and provides the first illustration and report on the department's performance framework.

The report illustrates the high demand on Adult Social Care being felt here in Bury but also across the whole of England, compounded by multiple years where additional funding has not kept pace with demand.

It shows that this demand is causing some pressure with keeping pace with people waiting to see a social worker and those in need of an annual review. Where this is the case it can be seen that Bury is performing on average when compared to Greater Manchester and the North West meaning this effect is being felt widely across our region, not just here in Bury.

Despite this pressure the department is delivering on its improvement plan by not only preparing for forthcoming CQC inspection but also in its priorities to improve services.

Where pressure is seen the department is utilising recent government funding to address these issues, these include reducing waiting lists and a forthcoming plan to reduce the number of overdue reviews. Progress is already being seen in the numbers waiting to see a social worker where over all numbers waiting have dropped to 171 which must be seen the context of 9200 people per year requesting our support compared to 6500 before the pandemic.

Our safeguarding processes evidence that we are keeping people safe but the outcome measures in safeguarding show room for improvement in ensuring the process is personalised. This is a key priority in our business plan and we expect to see considerable improvement in the next quarter.

The availability of services remains good and we are now supporting 400 more people than 18 months ago, there has been a considerable improvement in the number of people able to be supported in their own homes due to our strengths based approach, our work with hospital partners and the effectiveness of our intermediate care services.

The quality of the borough's care services, despite some struggles with a small number of care homes remains above the GM and England average.

Feedback from our users remains in line with the rest of England in the recently published Adult Social Care User survey and the number of complaints has dropped when compared to last year.

2.0 CQC Assessment of Local Authorities

- 2.1 From April 2023, the Care Quality Commission (CQC) gained a new duty to independently review and assess how local authorities are delivering their Care Act functions. All local authorities are to be assessed over two years. Local authorities will be rated as 'outstanding', 'good', 'requires improvement' or 'inadequate'. An intervention framework has been published by the Government.

CQC Themes and Quality Statements

Working with People: assessing needs, care planning and review, direct payments, charging, supporting people to live healthier lives, prevention, wellbeing, information and advice			Providing Support: shaping, commissioning, workforce capacity and capability, integration and partnership working	
Assessing Needs	Supporting people to live healthier lives	Equity in experiences and outcomes	Care provision, integration and continuity	Partnerships and communities
We maximise the effectiveness of people's care and treatment by assessing and reviewing their health, care, wellbeing and communication needs with them.	We support people to manage their health and wellbeing so they can maximise their independence, choice and control, live healthier lives, and where possible reduce their future needs for care and support.	We actively seek out and listen to information about people who are most likely to experience inequality in experience or outcomes. We tailor the care, support and treatment in response to this	We understand the diverse health and care needs of people and local communities, so care is joined-up, flexible and supports choice and continuity.	We understand our duty to collaborate and work in partnership, so our services work seamlessly for people. We share information and learning with partners and collaborate for improvement
Ensuring Safety: safeguarding enquiries, reviews, Safeguarding Adults Board, safe systems, pathways and continuity of care			Leadership: culture, strategic planning, learning, improvement, innovation, governance, management and sustainability	
Safe systems, pathways and transitions	Safeguarding		Governance	Learning, improvement and innovation
We work with people and our partners to establish and maintain safe systems of care, in which safety is managed, monitored and assured. We ensure continuity of care, including when people move between different services.	We work with people to understand what being safe means to them and work with them as well as our partners on the best way to achieve this. We concentrate on improving people's lives while protecting their right to live in safety, free from bullying, harassment, abuse, discrimination, avoidable harm and neglect, and we make sure we share concerns quickly and appropriately.		We have clear responsibilities, roles, systems of accountability and good governance to manage and deliver good quality, sustainable care, treatment and support. We act on the best information about risk, performance and outcomes, and we share this securely with others when appropriate.	We focus on continuous learning, innovation and improvement across our organisation and the local system. We encourage creative ways of delivering equality of experience, outcome and quality of life for people. We actively contribute to safe, effective practice and research

- 2.2 As part of its preparations, Bury Council hosted a Peer Challenge Day and Case File Review in February 2023 with a team from other local authorities, NW ADASS and the LGA. A Peer Challenge Report was shared which contained a number of findings and recommendations.

- 2.3 The report noted several strengths in Bury:

- Visible leadership and staff are proud to work for Bury.
- New Care Act Assessment documentation which supports practitioners to use a strengths-based approach is good.
- Services over which Adult Social Care has direct management control as part of the integrated care partnership arrangements are seen to be working well.
- Effective work with partners in the production of market sustainability plans.
- Finance governance is well-developed.
- Acknowledgement of Bury's well-managed response to the Edenfield Centre abuse allegations.

2.4 The report also identified that significant improvement may be required in some areas but planning and delivery is already underway. Areas for improvement included:

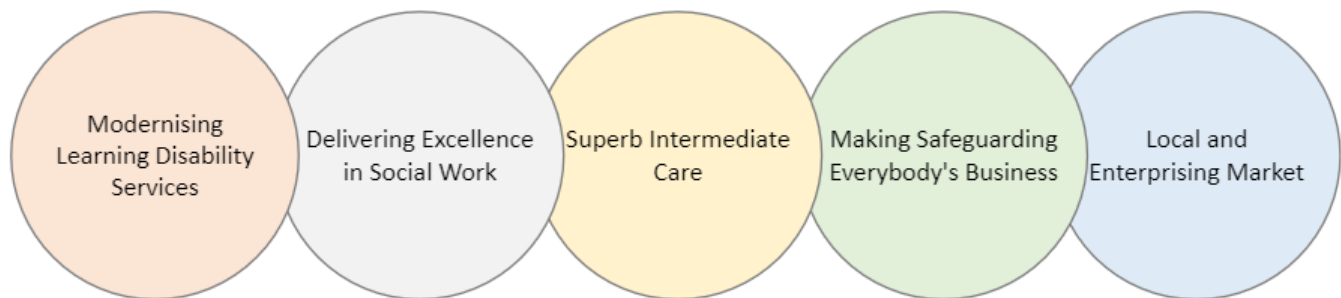
- Driving a department approach to equality, diversity and inclusion.
- Strengthening performance management and use of intelligence.
- Embedding the new strengths-based assessment approach.
- Re-designing the 14-25 transitions process (with Childrens).
- Reviewing the delivery of statutory local authority mental health functions.
- More regular reporting to Elected Members.

2.5 Since the Peer Challenge report:

- The Adult Social Care Strategic Plan was finalised in March and risk registers have been prepared for the Department and for service areas.
- A new policy portal [Bury Adult Social Care APPP](#) has been launched in May.
- This ASC performance report has been prepared for Cabinet to strengthen member engagement going forward.
- A monthly performance report for Social Work teams and a safeguarding dashboard have been developed, with Power BI to be introduced to allow easier manipulation of data.
- Strengthened assurance governance is being put in place for Performance and Improvement, Workforce and Quality, and Finance.
- Preparation of an Adult Social Care self-assessment is underway, and an evidence repository is being compiled.

3.0 The Adult Social Care Strategic Plan

- 3.1 Adult Social Care are committed to delivering the Bury 'LETS' (Local, Enterprising, Together, Strengths) strategy for our citizens and our workforce. Our mission is to work in the heart of our communities providing high-quality, person-centred advice and information to prevent, reduce and delay the need for reliance on local council support.
- 3.2 The Adult Social Care Strategic Plan 2023-26 sets out the Department's roles and responsibilities on behalf of Bury Council. It explains who we are, what we do, how we work as an equal partner in our integrated health and social care system and identifies our priorities for the next three years:



- 3.3 This three-year plan is released at a time of great challenge and pressure within the social care sector. The current population of Bury totals 193,851 with 25.7% of people identifying themselves as living with a long-term condition or disability (ONS, Census 2021). The growing proportion of our population aged 50 or over indicates that we are likely to see increasing demand for care and support in coming years as more people live longer but with potentially increased need due to ill health and disability. The Adult Social Care department is accountable for the expenditure of the largest portion of Bury Council's available funds and our duty to exercise financial responsibility will be at the forefront of the decisions we make over the next three years.
- 3.4 For those eligible to access social care services, we provide assessment and support planning with an emphasis on building on individuals strengths and promoting independence in line with our statutory responsibilities to all people over the age of 18 resident in the borough. We ensure that local people have choice and control over the care and support they receive, and that they are encouraged to consider creative and innovative ways to meet their needs. We also undertake our statutory duties to safeguard the most vulnerable members of our communities and minimise the risks of abuse and exploitation.
- 3.5 The 2023-26 Strategic Plan includes an annual delivery plan to deliver the service priorities, this is monitored on a quarterly basis. Highlights include (see overleaf):

3.5.1 Priority – Modernising Learning Disabilities

Successful disability confident event at Millgate (August), aimed at all disabled people. 14-25 Transitions Programme Board has been established, and a 14-25 Transitions policy has been drafted for consultation with system partners and practitioners. A Transitions clinic is in place and meeting fortnightly. The 'Towards Independence' project is renegotiating high-needs support packages and fees levels to improve support in line with strengths-based approach and achieve savings where possible. The project has realised savings of £113,175.93 for ASC (and £111,597 for Health) to date.

3.5.2 Priority – Delivering Excellence in Social Work

A system-wide evaluation of the new 'My Life, My Way' strengths-based care assessment is underway with the Principal Social Worker and Teams. A draft DESW Training Plan 2023/24 has been produced. A dashboard for training performance will sit alongside the plan to provide real time reporting on training uptake. Audit reporting has commenced, and a Workforce Board and Quality Board has been established to provide assurance.

3.5.3 Priority – Superb Intermediate Care

Review Intermediate Tier and assess requirements. A test of change is due to commence on bespoke IMC panel meetings to reduce the requirement for formal funded care, therefore, increasing more people leaving services independently. Providing more capacity by increasing efficiency across the IMC Tier is being closely managed by a new flow manager. Flow has improved and is expected to improve further in the next quarter. The Technology Enabled Care' (TEC) Project is working with operational teams to identify service users that will benefit from technology to be purchased to replace care elements in packages.

3.5.4 Priority – Making Safeguarding Everybody's Business

A safeguarding process has been drafted, awaiting being finalised and then shared with all staff. A Court of Protection (CoP) Deprivation of Liberty Safeguards triage tool has completed. A safeguarding dashboard is now in place to support teams around this and reduce the length of S.42 enquiries. Reviews of the MARM (single agency) and PIPOT processes have been completed.

3.5.5 Priority – A Local and Enterprising Care Market

Development of Adult Social Care Housing for those with additional needs. LD accommodation target met/exceeded- including schemes- St Marys Place, Willow Street, Kemp Heaton and GM projects. Mental Health accommodation on target- including schemes Blackburn Street, The Rock, Topping Mill. £1.7m of external capital money brought in for ASC accommodation needs. Development of Adult Social Care Housing for those with additional needs. The production of a Quality Strategy with review quality assurance framework, contract monitoring, and escalation process is in development. A Quality Assurance Audit tool, Quality Assurance Audit schedule, Risk Escalation Process, Draft Performance Management Tool and Risk Stratification Matrix and draft governance process have all been completed.

4.0 Highlight Report for Quarters 1 and 2, 2023

Obsessions	Performance Measures	Frequency	Polarity	Sparkline	Lastest Data	Direction of Travel	Rank (higher is better)	
							CIPFA (16) 21/22	NW (22) Q4 22/23
Reduce the number of people living in permanent nursing and residential care	Long-term support needs (65+) are met by admission to residential and nursing care homes (per 100,000 population)	A	L		584	✓	7	7
	Number of individuals (65+) in a Permanent Residential placements (per 10,000 population)	Q	L		173	✗		21
	Number of individuals (65+) in a Permanent Nursing placements (per 10,000 population)	Q	L		43	✓		11
Increase the number of people living well at home	Quality of life of people who use services (composite survey metric out of 20)	A	H		18.8	✗	1	15
	The proportion of people who use services who have control over their daily life	A	H		79%	✗	1	7
	Proportion of services users in receipt of long-term community based services	Q	H		72%	✓		14
Increase the number of people who have their safeguarding outcomes met	Proportion of people who have their safeguarding outcomes fully met	Q	H		39%	✗		21
	Proportion of people who use services who feel safe	A	H		66%	✗	1	18
Increase the number of people leaving intermediate care services independently	The proportion of people who received short-term services during the year where no further request was made for ongoing support	Q	H		81%	✓	12	11
	The proportion of older people (65+) who were still at home 91 days after discharge from hospital	A	H		87%	✗	5	
Increase the number of people with a learning disability and/or autism who have their own front door and in paid employment	Proportion of adults with a learning disability in paid employment	Q	H		2.6%	✗	7	7
	[Measure to be developed for recording people with their own front door]							
Increase the number of people accessing care and support information and advice that promotes people's wellbeing and independence.	The proportion of people and carers who use services who have found it easy to find information about services and/or support	A	H		64%	✗	3	18
	The proportion of people who use services, who reported that they had as much social contact as they would like	A	H		40%	✗	1	19

Annual Measures: updated Q4 22/23
Quarterly Measures: updated Q2 23/24

The Department has adopted an outcome-based accountability framework to monitor performance and drive improvement. Several outcomes have been chosen that will change if the objectives of our strategic plan are met, we call these our obsessions.

Reduce the number of people living in permanent residential care.

Reducing those that live in permanent residential or nursing care as a share of the numbers we support in total and increasing those that are living well at home demonstrates that the objectives set within our delivering superb intermediate care which provides rehabilitation and recovery to our older adults is working as more are able to be supported at home.

Improving personalisation, diverting people from unnecessary and care and support and maximising use of a person's strengths through the adoption of our new strength-based assessments as part our delivering excellence in social work programme will also increase the numbers able to live well at home and reduce those living in care homes.

Overall, this indicator is 584 per 100,000 of population. The indicator is measured annually over the financial year and the trend line shows a steady drop for a number of years. Bury performs overall on average and 7th out of 16 stat neighbours the last time this comparison was made.

Measuring residential home and nursing home use individually is available more frequently. This shows a reducing pattern of residential use at 173 per 100,000, however there was a small increase in quarter 2 when most recent data was available, and a small decrease in nursing home use. Care Home use increased dramatically after the pandemic as use of care home beds to facilitate hospital discharge continued, this led to a number of people entering care homes prematurely. Following the ending of funding, a refocus on recovery and personalisation as part of

our planning and our partnership with the NCA in the Discharge Front Runner Programme we are beginning to see these numbers drop again.

Increase the number living well at home.

The quality of life of people who use services should change if their experience of our care services improves as part of our development of a Care Quality Strategy. If people's experience of social work also improves as part of our work to deliver excellence in social work, they are also likely to report a higher quality of life when using services. This is an annual measure and is collected via the national adult social care survey. The most recent results have been published in October 2023 and are featured later in the report.

Safeguarding outcomes

Asking people what outcomes they want to achieve and whether they have them during a safeguarding intervention is a central component of making safeguarding personal.

The making safeguarding personal framework was developed to provide a means of promoting and measuring practice that supports an outcomes focus and person led approach to safeguarding adults. The framework aims to enable councils and SABs to better identify how practice is impacting on outcomes, indicate areas for improvement, enable benchmarking, and share best practice and learning.

This indicator shows some recent improvement but at only 39% shows us as the second worst performing local authority in the NW, for this reason this was chosen as a key priority in our plan, and we expect to see this indicator move rapidly as we implement these improvements.

Increase the number of people living intermediate care independently.

Intermediate Care is a range of services aimed at preventing, reducing and delaying the need for care, helping people recover after hospital or avoid being admitted.

Rarely do we find people keen to be dependent upon adult social care, so it is important we have services available that aim to prevent this. This is why continuing to improve these services are a key priority in our plan. This indicator is available quarterly and shows that 81% of the people who use our intermediate care services which although very high was ranked 12 out of 16 at the end of 21/22. The numbers using intermediate care services are shown later in the report.

People with learning disabilities or autism with their own front door and numbers in paid employment

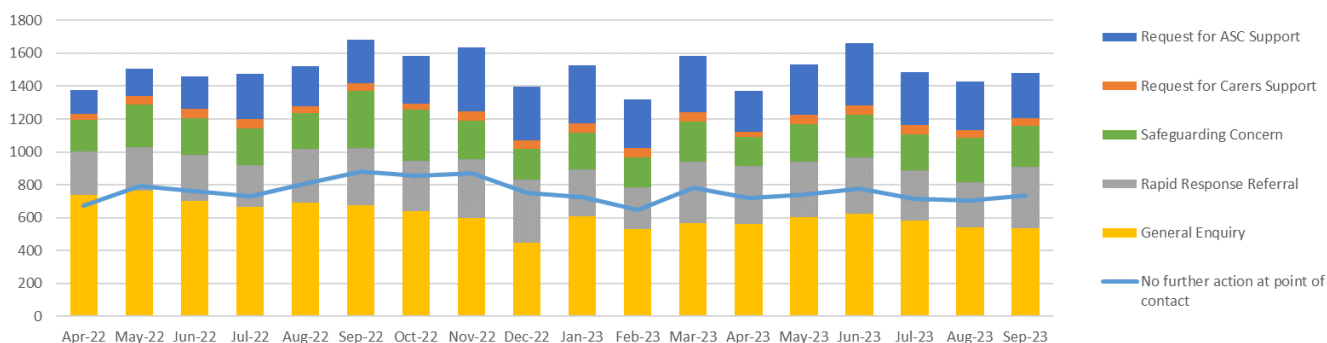
These 2 simple outcomes demonstrate if the borough is being successful in improving the inclusion of our resident adults living with learning disabilities. A key priority of our plan is to modernise our services and improve outcomes of those living with learning disabilities and the priorities chosen by our learning disability partnership board include good jobs and better homes.

This data is available quarterly and we currently score 2.6% which means 2.6% of the adults living with learning disabilities who receiving adult social care support are in paid employment, we are ranked 7 out of 22 in the Northwest.

4.1 Contacts

The primary means of public contact to request support, information and advice is through our care, connect and direct office (CAD). A higher proportion of contacts resolved by CAD means that people's enquiries are being dealt with straightaway and not passed on to other teams.

Number of Adult Social Care (ASC) Contact Forms recorded each month.



How does Bury Compare?

Contacts by Outcome | August 2023

	Safeguarding adults	Deprivation of liberty safeguards	Link to existing case	Progress to new case	Resolved at contact - equipment / adaptations / telecare to be provided	Resolved at contact - other	Unknown
Bolton	14.8%	7.0%	23.2%	27.0%	10.9%	17.0%	0.0%
Bury	5.9%	2.0%	10.4%	22.0%		50.2%	9.6%
Manchester	11.8%	9.3%	37.8%	16.7%	0.9%	23.4%	0.1%
Oldham	14.3%		1.3%	39.1%		45.2%	0.2%
Rochdale		9.1%	36.4%	18.2%		36.4%	
Salford	0.0%	0.3%	65.7%	0.0%		34.0%	
Stockport	12.8%	7.3%	23.0%	25.5%	4.0%	27.4%	
Tameside	16.7%		58.3%			25.0%	
Trafford	2.1%	9.9%	39.8%	14.6%		31.9%	1.7%
Wigan	16.1%	3.2%	12.9%	32.3%	9.7%	25.8%	

Contacts - commentary

This shows the number of contacts the department receive each month and what they were about. It also illustrates the number resolved by our contact centre.

The pattern of contact shows little variation of over the seasons and a consistent pattern of increasing demand for intervention, this is shown by grey, green, orange and blue portions increasing whilst the general enquiries are dropping.

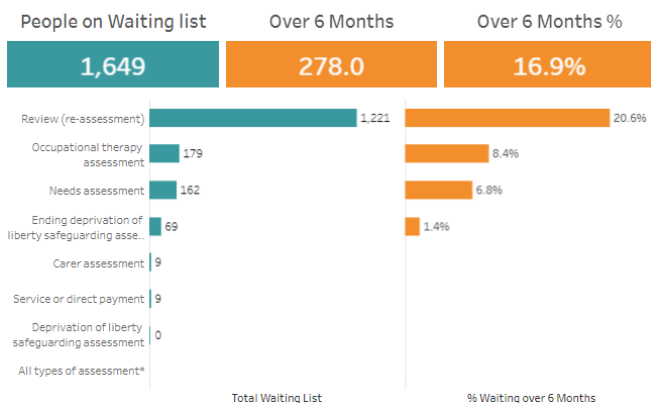
Current Bury is the top of Greater Manchester for resolving contacts in our contact centre.

4.2 Waiting Times for Assessments and Reviews

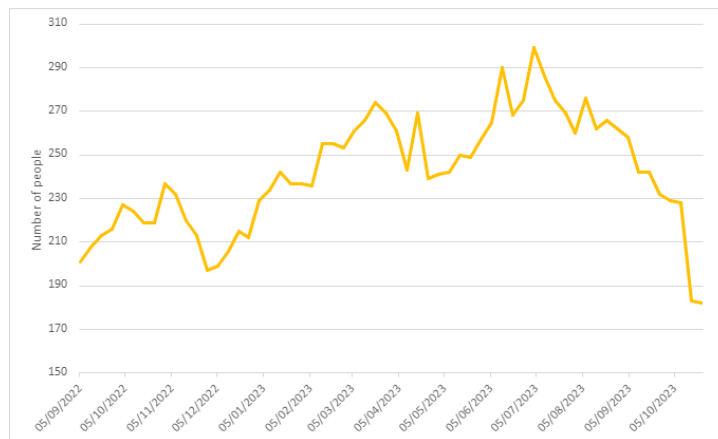
People awaiting an assessment or review of their needs by social workers, occupational therapists or deprivation of liberty safeguards assessors. Reduced waiting times lead to improved outcomes for people because they are receiving a timelier intervention.

Total number waiting for all interventions

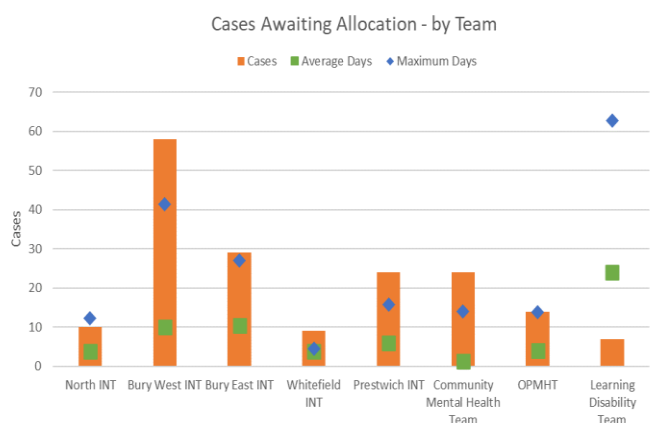
Waiting List Summary | as of September 2023



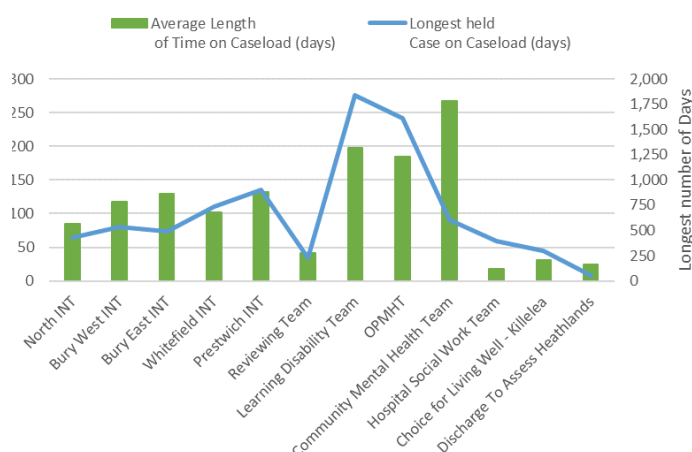
Needs & Carers Assessments: No. of Cases Waiting for Allocation.



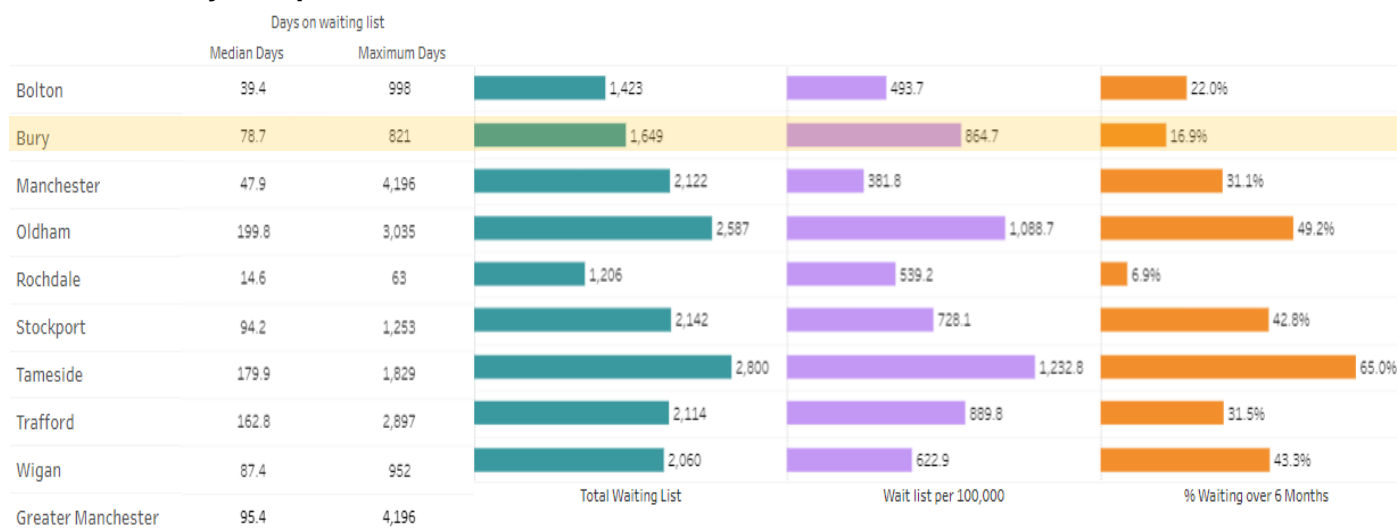
Number of cases awaiting allocation by team



Average and Longest Time on Caseload



How does Bury Compare?



Waiting list - commentary

This shows the number of people waiting for the different types of assessments provided by the department. Where people are waiting for a social worker to be allocated, we also show this by team.

These charts illustrate the level of demand here in Bury and across Greater Manchester and the pressure the system is under whilst it recovers from back logs since COVID, struggles to keep pace with population growth with limited increases in resources and workforce challenges.

Whilst our overall number waiting is slightly below the average for Greater Manchester, we have some teams particularly affected these being Bury West Integrated Neighbourhood Team and our Disability Services

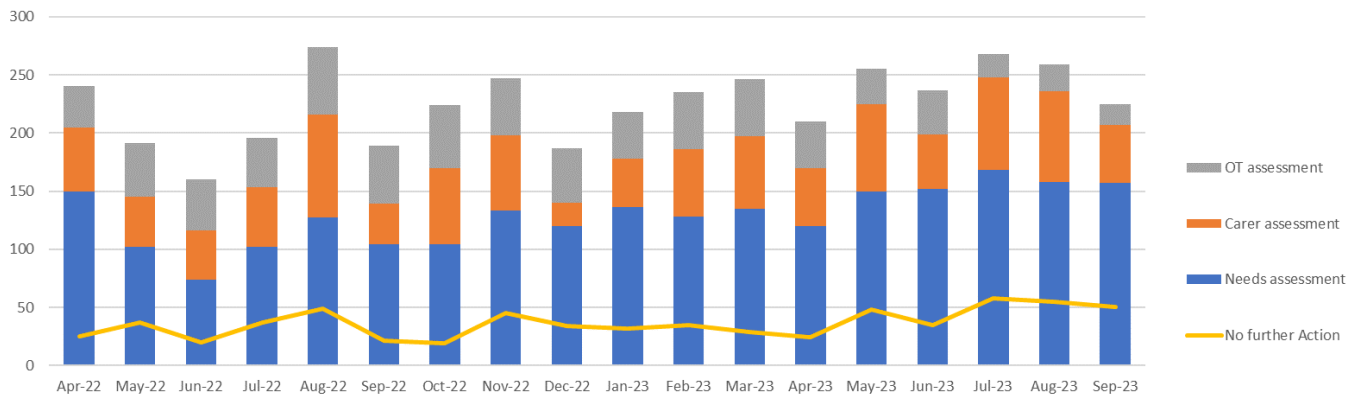
Most other teams are performing well and as can be seen the numbers waiting for assessment from a social worker is dropping.

A proposal utilising government grants is currently progressing through governance which will see investment in staff to address our challenges in those waiting for reviews, those waiting for assessment under the Care Act and those waiting for assessment by an OT.

4.3 Assessments

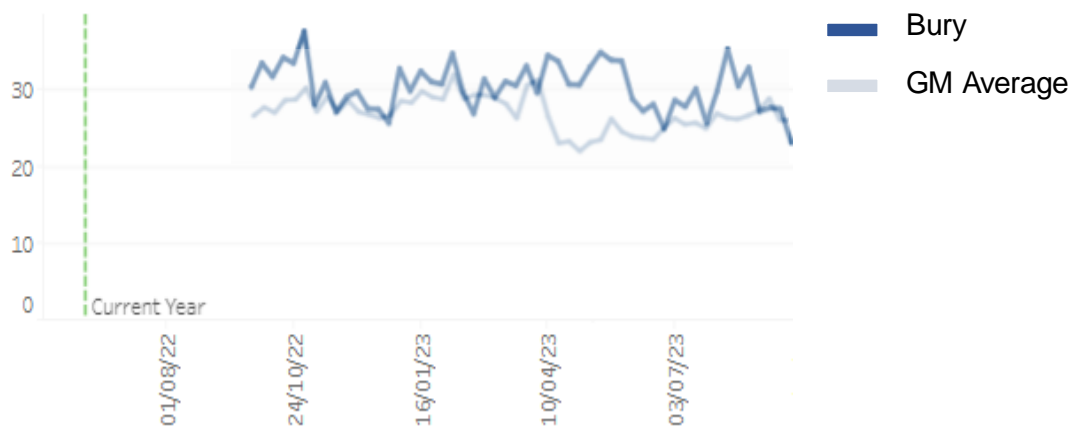
Local Authorities have a duty to carry out an assessment of anyone who appears to have needs for care and support, regardless of whether those needs are likely to be eligible. The focus of the assessment is on the person's needs, how they impact on their wellbeing, and the outcomes they want to achieve. Assessments where there was no further action are where there were no eligible needs identified or a person with eligible needs declined services. A lower number means that operation teams are able to focus their time on those people with identified needs.

Number of Adult Social Care (ASC) Assessments Completed each month.



How does Bury Compare?

Average number of Days between contact and Assessment



Updated: Aug 23

Assessments - commentary

This shows the number of assessments and the type of assessment we complete each month.

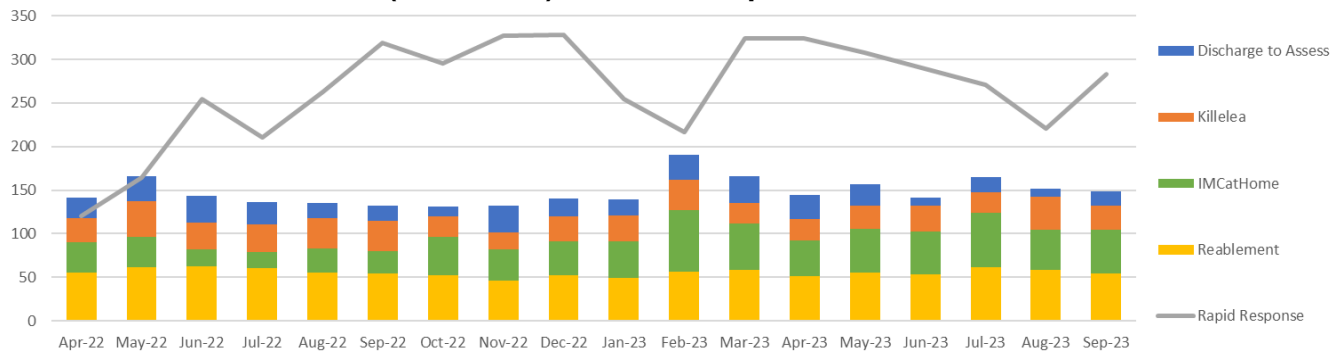
It illustrates a growing demand for needs assessments where we have seen an increase of nearly 50% growing from an average of 100 per month to 150 per month. This growth in demand is partly responsible for the increase in waiting lists.

Despite this extra demand the time taken to complete an assessment is improving and now matches the GM average.

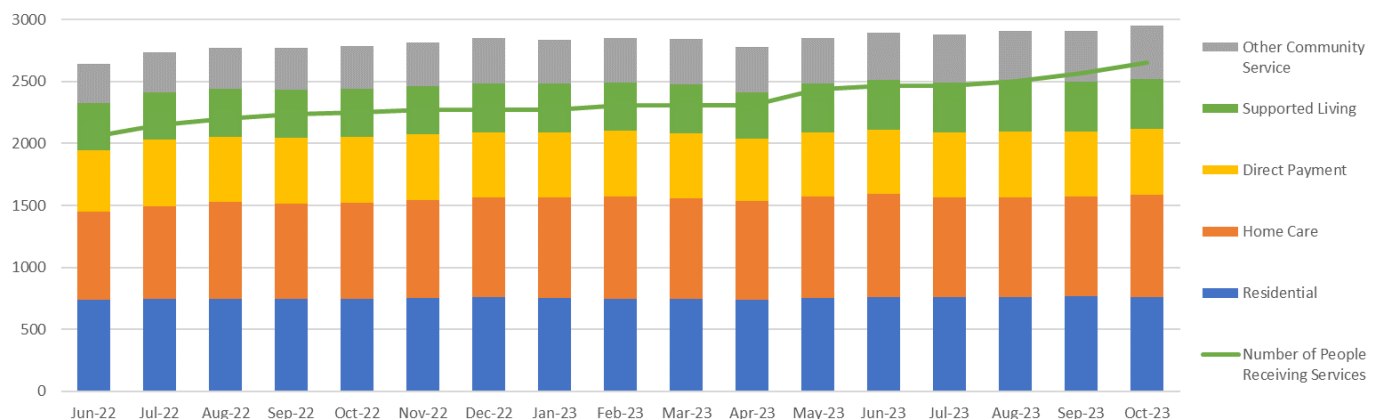
4.4 Services

Adult Social Care services may be short-term or long-term. Short-term care refers to support that is time-limited with the intention of regaining or maximising the independence of the individual so there is no need for ongoing support. Long-term care is provided for people with complex and ongoing needs either in the community or accommodation such as a nursing home. It is preferable to support people in their own homes for as long as it is safe to do so.

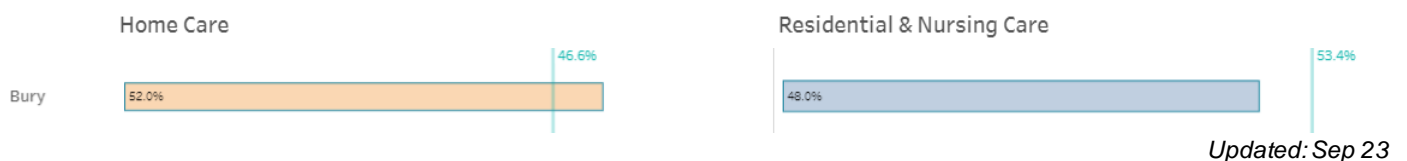
Number of Intermediate Care (short-term) services completed each month.



Number of Long-term Adult Social Care services open on the 1st of each month.

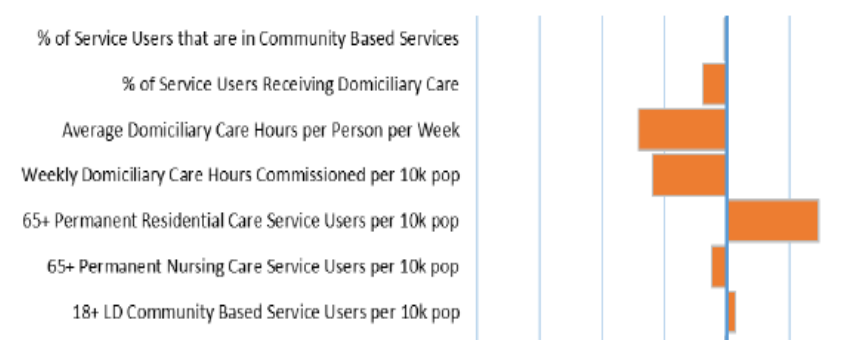


Proportion of Home Care vs Nursing and Residential Care Services compared against 2 years ago.

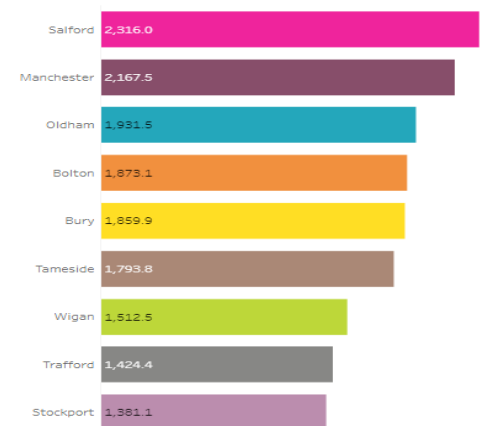


How does Bury Compare?

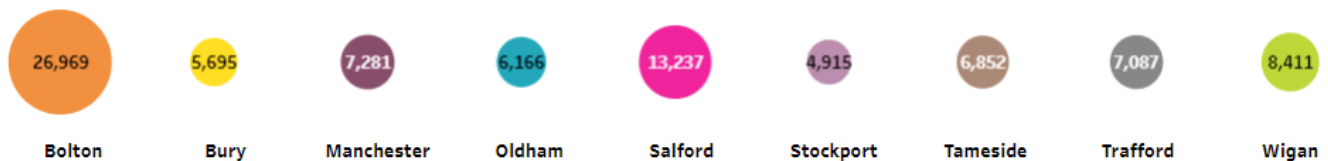
Analysing the Level of Provision Against the NW Average at Q4 2022/23



People receiving services per 100,000 population
August 2023 - Long term nursing care & Long term residential care



Service type by Local Authority per 100,000 population: August 2023



Services - commentary

This shows the number of people we support in our various service types.

The first chart shows the number of people supported in our intermediate care services. These services aim to prevent, reduce and delay the need for long term care and support so the busier they are the better.

The second chart shows the number we support with long term care services which has grown by nearly 400 or 18% in one year. However, this needs to be seen with the context of how many extra assessments have been completed which is considerably more. This shows our strength-based approach is helping keep people independent but despite this, additional services are still being provided albeit at a much lower rate of increase.

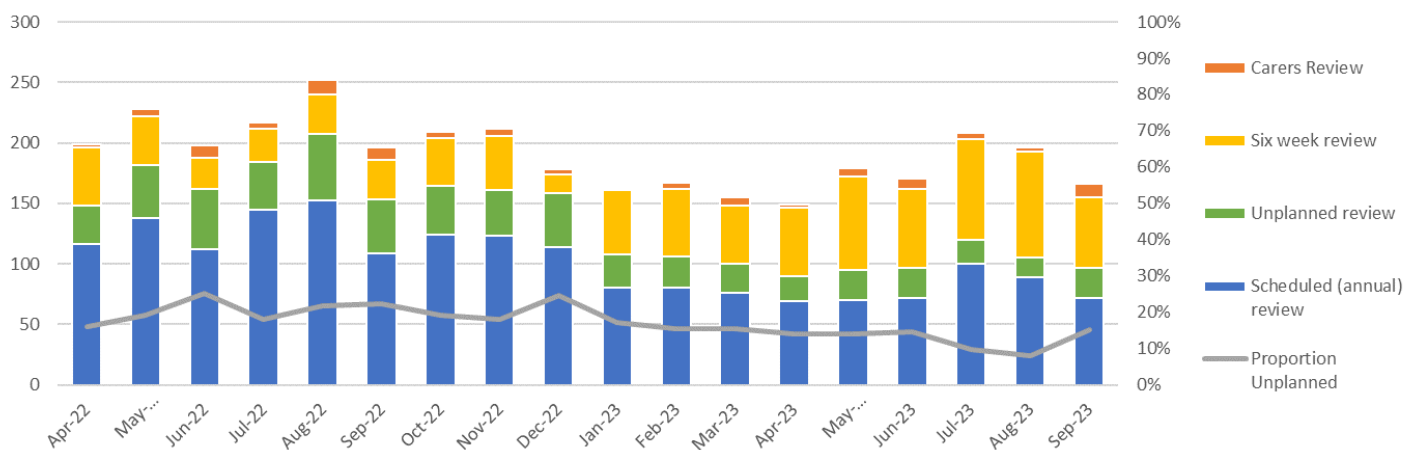
The third indicates the split between residential and home care and our position 2 years ago. We now support more at home showing we are being successful in supporting people at home which is where most people want to be supported.

The final 3 charts are comparisons with the Northwest and Greater Manchester. It shows good performance in managing demand with us now being in the middle for supporting people in care homes compared to the rest of Greater Manchester but still higher than average when compared to whole of the Northwest.

4.5 Reviews

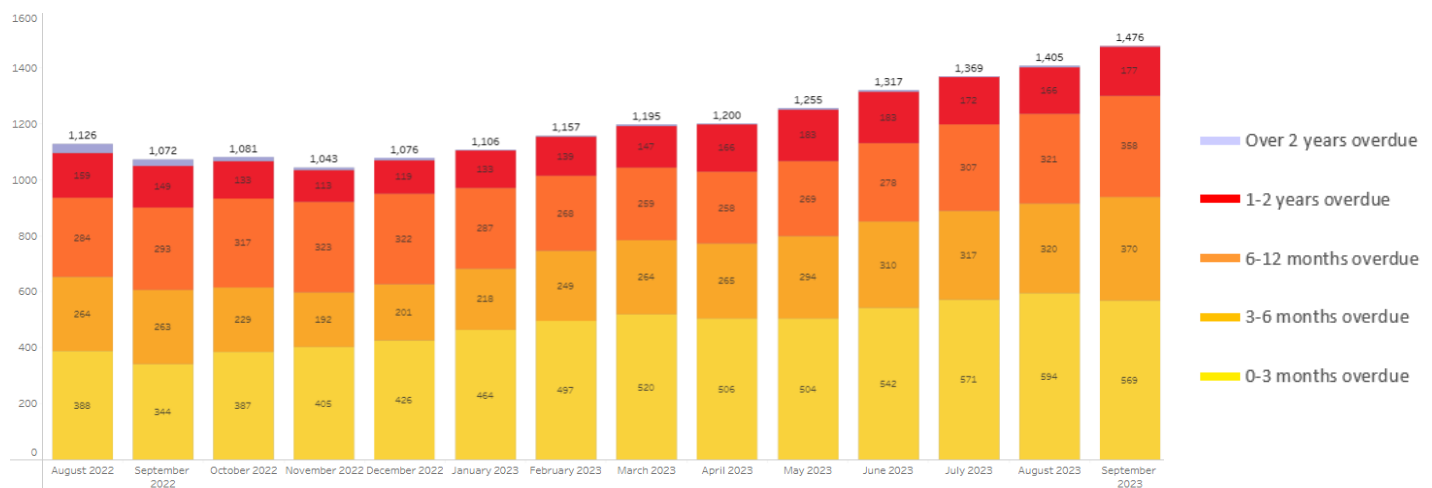
Adult Social Care reviews are a re-assessment of a person's support needs to make sure that they are getting the right support to meet their needs. Needs may change and new services and technology may give someone more independence and improve their wellbeing. A lower proportion of unplanned reviews means that people are supported through scheduled reviews of their support needs rather than when a significant event has occurred requiring a change in support. Support packages should be reviewed every 12 months.

Number of Adult Social Care Reviews Completed each month.



Note - the % axis references the grey line which is the proportion of unplanned reviews.

Number of Overdue Adult Social Care Reviews on the last day of each month



How does Bury Compare?

Metric	Bury	Northwest Average	Rank in Northwest (out of 22)
% of service users with a completed annual review	51.6%	55.1%	12 th
% of service users with a review 2 years overdue	0.5%	9.3%	2 nd

Last Updated: Q4 2022/23

Reviews - commentary

This shows the number of people who have had a review of their care and support and those who are overdue an annual review. All the 3000 people receiving long term services should receive an annual review each year and those new or in short term services should receive a review in the first 6 to 8 weeks.

A review is an opportunity to ensure someone's care and support is meeting their needs and personalised to them. It is also an opportunity to ensure care is not resulting in dependence and reduce care to increase independence. This also releases care back into the market to be used by others.

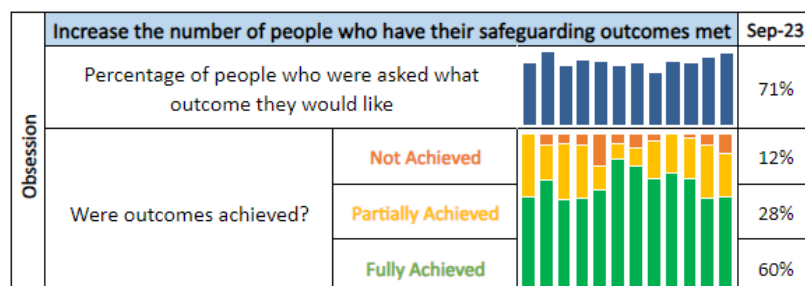
These 2 charts evidence the symptoms of a department experiencing high new demand. 6-to-8-week review numbers have increased as we review new people entering our system, but this is at the expense of the annual review where the numbers overdue increase.

Comparisons with the Northwest are included which shows us being 12 out of 22 for overall overdue reviews which demonstrate a whole system under pressure. We perform better on making sure people do not go 2 years without a review with our performance being 2nd highest in the Northwest.

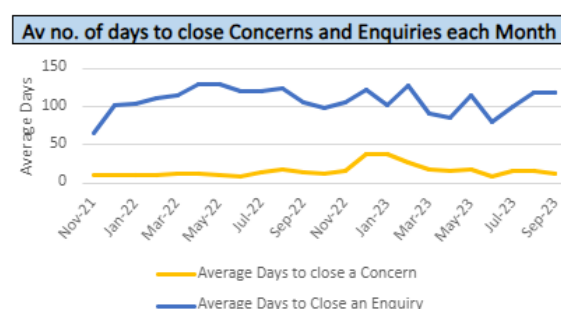
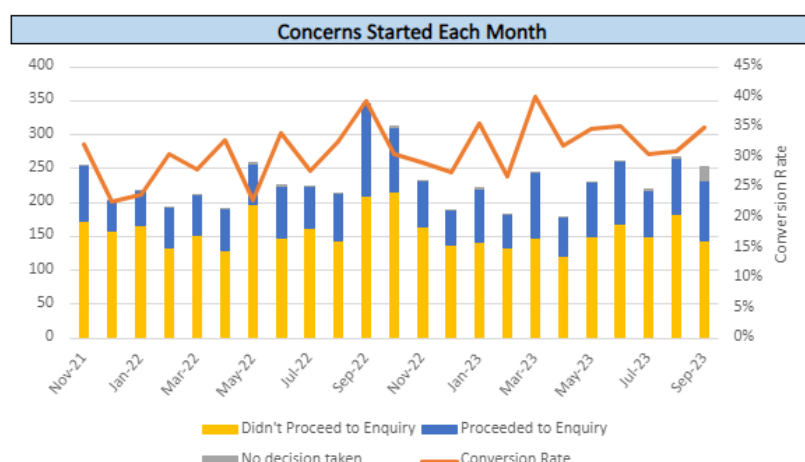
An investment proposal has been developed using the Market Sustainability and Improvement Fund to address this and is due to start implementation soon

4.6 Safeguarding

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.



Open Safeguarding Enquiries			
	Number	Av. Days	Max Days
ACS Safeguarding Team	165	67	277
Hospital Social Work Team	3	518	802
Learning Disability Team	4	91	224
OPMHT	17	48	141
Community Mental Health Team			
Strategic Adults Safeguarding Team	6	115	386
Discharge To Assess Heathlands			
Total	195	128	802



Active DoLS Requests			
	Urgent	Standard	Total
Waiting for Assessment	4	84	88
Processing	8	20	28
Total	12	104	116

How does Bury Compare?

Metric	Bury	Rank in Northwest (out of 22)
Conversion Rate	25%	11 th
Making Safeguarding Personal	54%	21 st
Making Safeguarding Personal - Outcomes		15 th

Last Updated: Q4 2022/23

Safeguarding - commentary

The data above shows some important trends and an improving picture for Adults Safeguarding in Bury. The measurements "How does Bury Compare?" was taken before the completion and rollout of the safeguarding dashboard and the data in the graphs above is taken directly from the safeguarding dashboard in October 2023.

A good conversation rate, according to our Head of Adult Safeguarding should sit between 30% - 40% which means around 3 – 4 safeguarding concerns are proceeding to an S.42 enquiry. If the rate is low (<20%) then Bury Council is probably receiving too many inappropriate safeguarding concerns; too high (>50%) then Bury Council is probably not receiving enough safeguarding concerns and abuse may be taking place but not being reported. The rationale for the 25% (which is lower than ideal) is due to an ongoing organisational safeguarding in which may safeguarding concerns have been linked to the organisational safeguarding rather

than investigated as individual S.42 enquiries. This is acceptable practice, and has been discussed with individuals, families and representatives. Currently out conversation rate sits at 36%.

Ensuring we are asking outcomes during the safeguarding process is our obsession and is key to the strategy of making safeguarding everyone's business. We have improved from the low rate of 54% to 71% through data analysis, improvement work and communications across the adult social care system. There is further work to do in this area, including some work on the recording system to support front line practitioners to record outcomes more effectively.

There is no statutory timeframe for S.42 enquiries under the Care Act 2014. However, our average time for completion of S.42 enquiries was far more than 100 days, which without rationale does raise questions around timely completion. Over the last 6 months we have worked with the staff to understand why this is and set up some Key Performance Indicators to support the staff in the expectations of the Senior Leadership Team. We have seen a good reduction in time to complete S.42 enquiries with most teams now averaging under 100 days apart from the Hospital Social Work Team (which is due to administration and is being rectified). These are positive first steps in an improvement plan for adult safeguarding.

4.7 Complaints and Compliments

Complaints

Period 2023/24	Number of complaints received	Decision			20 working day timescale	
		Upheld	Partially Upheld	Not Upheld	Within	Outside
Q1	15*	5	4	5	9	5
Q2	19	1	9	9	9	10

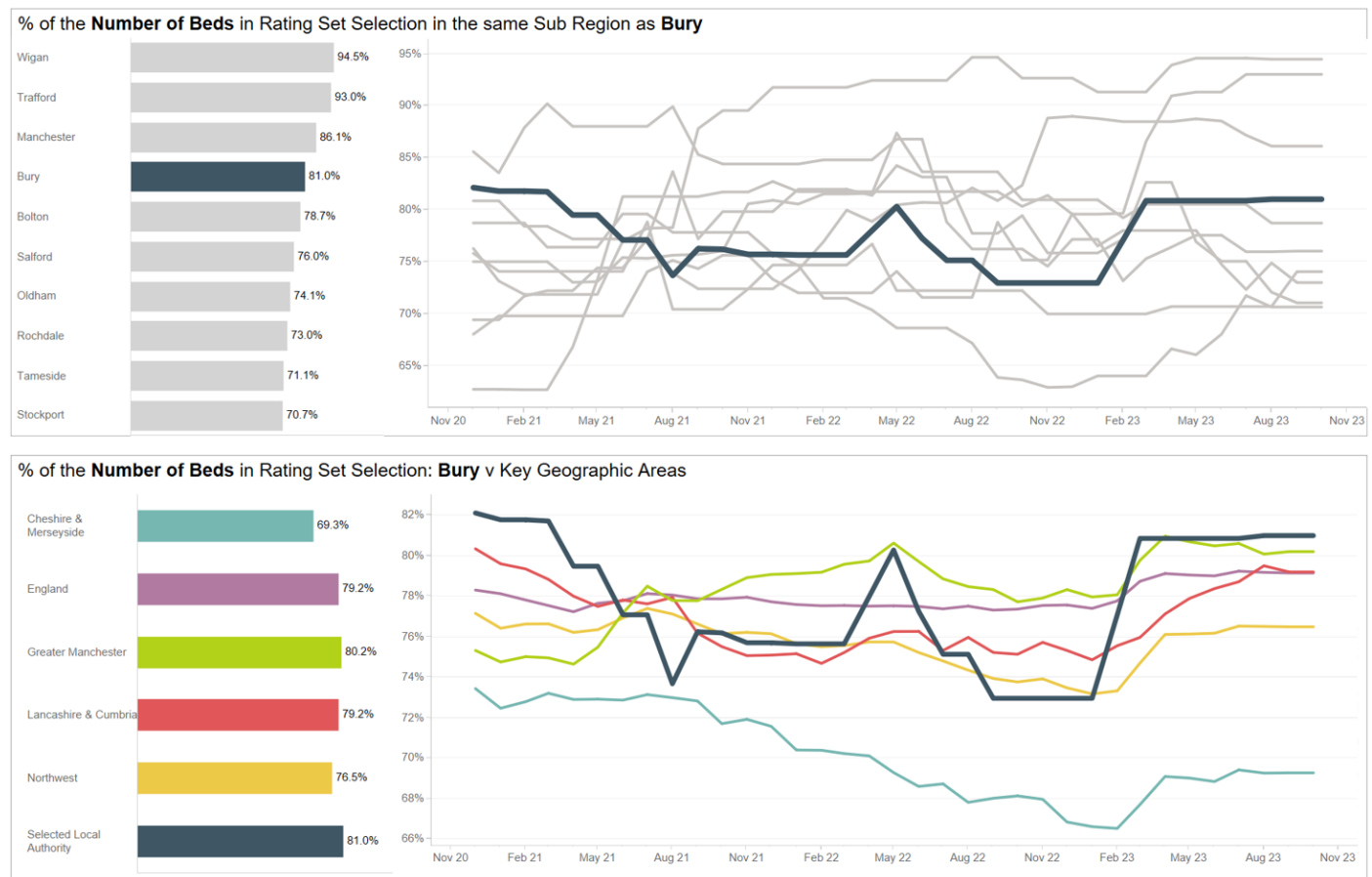
*1 complaint was withdrawn.

Compliments

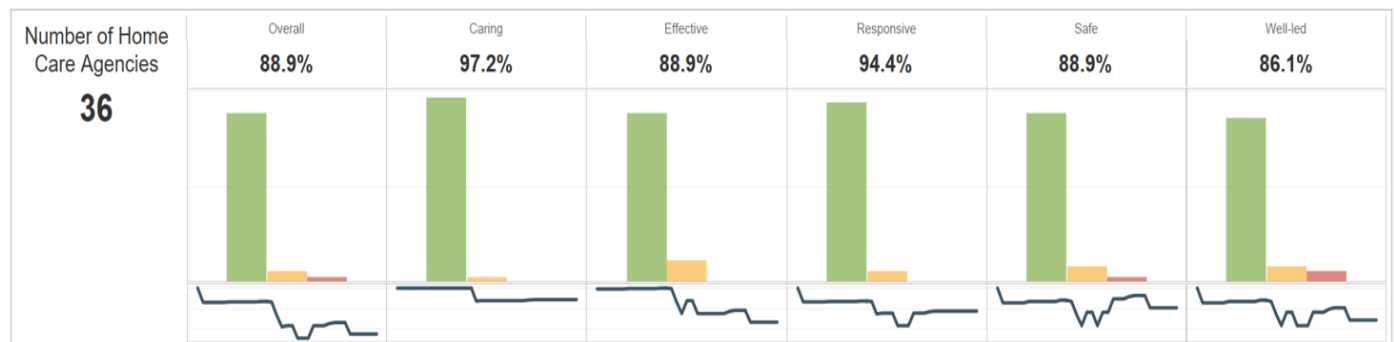
Period 2023/24	Source		
	Person receiving or had received services	Relative of person receiving or had received services	Other (incl. various survey responses)
Q1	7	20	148
Q2	16	12	183

4.8 State of the Care Market

Number of care home beds rated good or outstanding.



Quality Ratings of Bury's Home Care Agencies



Last Updated: Q4 2022/23

State of the Care Market - commentary

The top charts show the quality ratings of care homes in Bury compared to the rest of Greater Manchester showing the % of beds rated good or outstanding. The second chart shows Great Manchester compared to the other regions in England and the Northwest. The final chart shows the rating of home care agencies operating in Bury. For both charts the nearer to 100% the better.

Adult Social Care Providers in Bury have historically performed well compared to neighbouring authorities in achieving Good and Outstanding CQC ratings. In 2019 Bury was joint top of Greater Manchester Local Authorities in Good and Outstanding Care providers. Since the outbreak of the COVID pandemic, a noticeable drop in quality has been identified within care providers, with care homes especially being particularly affected. This resulted in a number of care homes being rated Inadequate by CQC, however, as

the data shows, the Local Authority have worked hard to support those homes back to compliance while proactively identifying other providers in need of improvement support. This has seen the overall quality picture in Bury improve greatly while the work being carried out on the Council's Quality Assurance and Improvement Framework will only enhance this further.

We continue to work with at risk providers and those with poor ratings from CQC and are currently focused on Burrswood Nursing Home which has received an Inadequate rating. A robust response by the Local Authority and Health colleagues, including funding additional resources into the home, has already resulted in improvements to the service being recognised.

The Local Authority has a clear and effective Provider Failure process which is being utilised with Burrswood but has also been required to support the closure of two Residential homes in the borough. Following the parent company of the two homes going into administration, the Local Authority worked quickly with residents, families, and the provider to facilitate moves to alternative accommodation. This was done successfully within 27 days of notice being given and is a testament to the teams involved in what was an incredibly difficult situation.

The Provider Failure process has also been used to support the turnaround of providers, with Nazareth House who were issued an Inadequate rating last year, a prime example. Through a formal improvement programme with support by the Local Authority commissioning team and Medicines Management, the home was re-rated Good with CQC noting that an improvement from 'Inadequate' to 'Good' has never before happened in the area.

4.9 Adult Social Care User Survey for England for 2022 to 2023

Published on 19th October 2023.



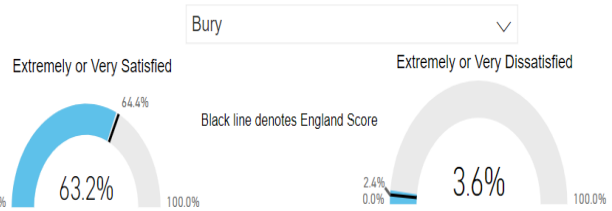
Key Findings

England

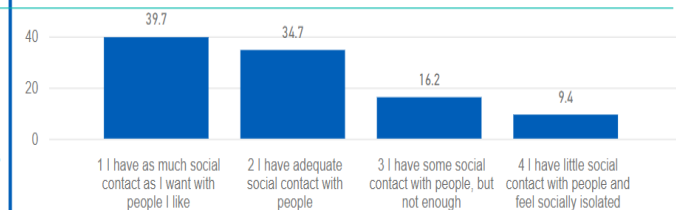
right (by scrolling through the councils) to see the comparative figures for the selected council.



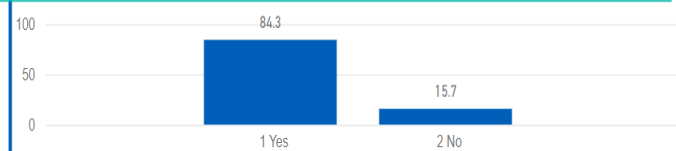
64.4% of service users were very or extremely satisfied with the care and support they received. 2.4% of service users were very or extremely dissatisfied with the care and support they received. The percentages were not statistically different to 2021-22.



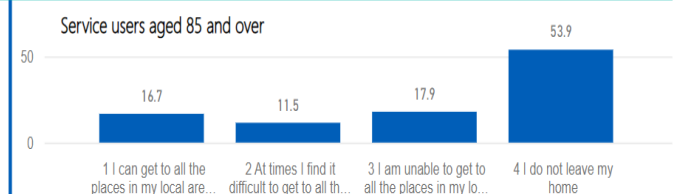
The percentage of service users that felt they have as much social contact as they want with people they like increased to 44.4% from 40.6% in 2021-22. The percentage of service users that reported they have little social contact and feel socially isolated decreased to 6.7% from 8.3% in 2021-22. The impact of COVID-19 should be considered when reviewing this data. The responses in 2022-23 are more in line with pre COVID-19 years.



The percentage of service users that felt care and support services help them in feeling safe increased to 87.1% from 85.6% in 2021-22.



Over half of service users aged 85 and over (52.8%), report that they do not leave the home.



NHS-E Adult Social Care Survey 22-23 - [Interactive Report](#)

Adult Social Crae Users Survey Commentary

The proportion of services users in Bury that are extremely or very satisfied with the care and support they receive, 63.2%, is comparable to the England average and has stayed the same since the previous survey in 21/22. 39.7% of service users have as much social contact as they would like, which is below the England average of 44.4% and has dropped 5 percentage points from last year.

This places us 5 out of 10 in Greater Manchester

Appendix - Data sources and what good looks like

Section	Chart	Data Source	What does good look like?
Contacts	Number of Adult Social Care (ASC) Contact Forms recorded each month.	Contact Records in LiquidLogic: Contact Type Contact Outcome	Six Steps to Managing Demand in Adult Social Care: ≈ 25% of contacts go on to receive a full social care assessment.
	GM Comparison		
Waiting Lists	Waiting List Summary	Professional Involvement in LiquidLogic: Awaiting allocation work trays Brokerage Work trays Overdue Review Tasks DoLS data from the database.	Lower is better
	Needs and Carers Assessments: No of Cases Waiting for Allocation		
	GM Regional Comparison		
Assessments	Number of Adult Social Care (ASC) Assessments Completed each month	Assessment forms in LiquidLogic	
	GM Regional Comparison	Av. number of days from the contact start date to the assessment end date	Lower is better
Services	Number of Intermediate Care (short-term) services completed each month	All IMC Service data from 4 data sources	
	Number of Long-term Adult Social Care services open on the 1 st of each month.	Service data from Controcc Grouped by Service Type Count of service types, not people	
	Proportion of Home Care vs Nursing and Residential Care Services compared against 2 years ago		Lower Residential & Nursing Care is better
	Northwest Regional Comparison		
Reviews	Number of Adult Social Care Reviews Completed each month	Review forms completed in LiquidLogic	Higher number of completed reviews. Lower proportion of Unplanned reviews.
	Number of Overdue Adult Social Care Reviews on the last day of each month	Review Tasks in LiquidLogic past the due date	Lower is better
	Regional Comparison	As above	
Safeguarding	Percentage of people who have their safeguarding outcomes met	Completed safeguarding enquiries: Making Safeguarding Personal questions	Higher is better
	Outcomes were achieved		
	Open Safeguarding Enquiries	Safeguarding enquiry forms on LiquidLogic and CMHT/EIT spreadsheets	Target: Enquiries closed in 56 days or less
	Concerns Started Each Month	Contact Forms on LiquidLogic: form type safeguarding concerns	
	Average number of days to close Concerns and Enquiries each month	As above	Targets: Concerns closed in 3 days or less. Enquiries closed in 56 days or less
	Regional Comparison	As above	Higher is better

This page is intentionally left blank



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Transfer of 11 – 13 Stock Street, Burrs Country Park, Bury to Housing Services	
Report of	Cabinet Member for Housing Services	

1.0 Summary

- 1.1 The purpose of this report is to seek formal approval to transfer 11 – 13 Stock Street, Bury from the Land & Property Team to Housing Services, for the provision of temporary accommodation in accordance with the recommendations in section 2 of this report.
- 1.2 11 -13 Stock Street is a 4-bedroom council owned property situated within Burrs Country Park in Bury, managed by the Council's Land & Property Team. The property was formerly a residential rented dwelling until the tenant passed away. Accordingly, it is no longer required by the Land & Property Team for the purpose for which it was held.
- 1.3 The property has been empty for approximately 10 months and requires substantial refurbishment in the region of £49,000. The Land & Property Team have agreed to transfer this asset by appropriation to Housing Services, subject to Cabinet approval.
- 1.4 it is proposed that refurbishment costs would be funded via accumulated commuted sums secured through section 106 planning agreements, which have specifically been identified for the acquisition and refurbishment of empty properties in the borough.
- 1.5 If this proposal is approved, the property will provide temporary accommodation for larger, low-income families who are statutory homeless and in priority need, until a more permanent solution can be found. The rent would be capped at the Local Housing Allowance (LHA) rate to ensure affordability. Rental income generated from the letting of this property would be paid into the Housing Revenue Account (HRA).

2.0 Recommendations:

That Cabinet:

- 2.1 Agree that this property is declared surplus from the Land & Property Team and transferred by appropriation to Housing Services (under Section 122 of the Local Government Act 1972), for the provision of temporary accommodation for larger families who are statutory homeless and in priority need.

- 2.2 Agree that refurbishment costs can be funded in their entirety via accumulated commuted sums which have specifically been identified for the acquisition and refurbishment of empty properties in the borough.
- 2.3 Agree that an affordable monthly rent of £797.81 can be charged for this property in line with LHA rates, to ensure affordability.
- 2.4 Delegate the finalised terms of the transfer to the Director of Law and Governance in conjunction with the Director of Place and Cabinet Member for Housing.

3.0 Reasons for recommendations:

- 3.1 The number of homeless households and those living in temporary accommodation is increasing, due to significant shortages within the housing stock, net inward migration and unaffordable rented accommodation in the private sector.
- 3.2. The Council is in urgent need of temporary family housing, to support larger households in priority need who are statutory homeless. At present, there are no 4-bedroom properties within the temporary housing stock and larger families who are homeless are having to be re-housed in smaller properties or, as a last resort, bed and breakfast accommodation until something more suitable is available, which can be particularly detrimental to the health and development of children.

4.0 Alternative options

- 4.1 *Option 2* - sell the property at auction and retain the proceeds of the sale in the Council's General Fund.
- 4.2 *Option 3* – sell the property at auction and ring-fence the proceeds of the sale to purchase an alternative 4-bedroom property in the borough, to accommodate families who are statutory homeless and in priority need.

Report Author and Contact Details:

Name: Roger Frith
Position: Head of Land & Property
Department: BGI
E-mail: r.frith@bury.gov.uk

Name: Jacqueline Summerscales
Position: Unit Manager – Housing Strategy, Policy & Performance
Department: BGI
E-mail: j.a.summerscales@bury.gov.uk

5.0 Background

- 5.1. There is a significant shortage of social housing in the borough, particularly larger three-and four-bedroom properties. Under current legislation, local

authorities have a statutory duty to provide suitable, temporary accommodation to homeless households in priority need.

- 5.2. At present, there are approximately 79 households on the Housing Waiting List with a 4-bed need. The average waiting time for a 4-bed property is 797 days. Since April 2020, only four, 4 bedroomed properties have been advertised for re-let.
- 5.3. Number 11 – 13 Stock Street is a good sized 4-bedroom property which is currently empty and in need of substantial refurbishment. The Land & Property Team have agreed to transfer it by appropriation to Housing Services, to increase provision for larger families that are statutory homeless, until a more permanent solution can be found.
- 5.4. This property did not form part of the Council's Accelerated Land Disposal Programme as it was occupied when the programme was approved.

6.0 Valuation

- 6.1. Ian S Parr Chartered Surveyors visited the property on the 1 November 2023, to undertake an independent valuation. The purpose of the valuation was to assess the current market value of the property in its present condition and market value following refurbishment, together with a fair market and affordable rent and auction estimate. The table below details their findings and assumptions:

	Scenario	Estimated Value
1.	Market value (present condition)	£250,000
2.	Market value (following refurbishment)	£325,000
3.	Estimated value for auction purposes	£220,000 to £250,000
4.	Full market rental value	£1,200 pcm
5.	Affordable rent (80% of the full market rent)	£960 pcm*.

*The affordable rent value is above the current LHA rate. Therefore, it is proposed that an affordable rent of £797.81 pcm is charged for this property to meet the LHA rate and ensure affordability.

7.0 Renovation and Refurbishment

- 7.1 Six Town Housing Repairs Direct have assessed the condition of the property and confirmed that the total cost of refurbishment required to improve the property to the Decent Homes Standard is approximately £49,000. This includes the installation of a new kitchen and bathroom, potential re-roof, installation of an appropriate damp proof course/works, re-plastering, replacement of all internal joinery including staircase, full central heating system, electrical re-wire and replacement windows. If this proposal is approved, officers will agree the most appropriate route for undertaking refurbishment works with the Procurement Team, to ensure best value is achieved.

- 7.2 It is proposed that these costs will be funded in their entirety via accumulated commuted sums.

Links with the Corporate Priorities:

This proposal contributes towards meeting the Council's priorities across a range of policy areas including increasing the supply of affordable housing and bringing empty properties back into use, in alliance with the Council's Empty Property Strategy, Bury Housing Strategy and the overarching Let's Do It Strategy.

Equality Impact and Considerations:

The transfer and refurbishment of this property will benefit larger, low-income families who are statutory homeless and in priority need, until a more permanent solution can be found. The rent will be capped at the local housing allowance rate to ensure affordability.

Environmental Impact and Considerations:

This is a derelict property and underutilised asset causing blight to neighbouring properties and the community. There is a risk of further deterioration both internally and externally which could, potentially, affect neighbouring properties and become a potential hazard to communities visiting Burrs Country Park.

The property would be refurbished to the Decent Homes Standard which is currently applicable to the social rented sector.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Insufficient monies to fund refurbishment costs.	It is proposed that these costs will be funded via accumulated commuted sums and will not affect the Council's revenue budget.
Income generation.	The letting of this property (capped at LHA rates) will generate approximately £797.81 in rental income pcm. This income will be paid into the Council's HRA.
Housing supply.	This proposal presents an opportunity to increase the housing stock. There are currently no 4-bedroom properties within the temporary housing stock for larger families in priority need.

Legal Implications:

Whether land is still or is no longer required for a particular purpose is a question for a local authority to determine under section 122 of the Local Government Act 1972. The Council in exercising its appropriation power to transfer the property for use as temporary accommodation must strike a proper balance between comparative local needs. Approval to use accumulated commuted sums to bring empty properties back into use was agreed by the Cabinet on the 30 June 2021.

Financial Implications:

At present, there is approximately £1.2 m of uncommitted commuted sums which have been identified for bringing empty properties back into use. Therefore, the release of approximately £49,000 for the refurbishment of this property would still leave a balance for future considerations.

The letting of this property will generate additional revenue to the HRA.

The cost of refurbishment works will not affect the Council's revenue budget.

Tenancies/licences for homeless people secured under section 193 of the Housing Act 1996 are exempt from the Right to Buy.

Appendices:

None.

Background papers:

None.

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

Term	Meaning
LHA	Local Housing Allowance rates are used to calculate Housing Benefit.
HRA	Housing Revenue Account.

Commuted Sums	Financial contributions from housing developers on residential sites. They are applicable as a replacement for non-provision of on-site affordable housing or, where these properties are sold at market value resulting in a commuted sum being paid to the Council (usually 25% of market value). They can also result from overage contributions within planning agreements.
---------------	---



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Procurement of Water Hygiene Monitoring Services for the Prevention of Legionella – Part A	
Report of	Cabinet Member for Corporate Affairs and HR	

1. Summary

The purpose of this report is to seek formal approval to use the ESPO supplier Framework 198_20 Water Hygiene Monitoring Services to renew the councils water hygiene monitoring services contract via a further competition exercise. The contract is for the period 01 July 2024 to 30 June 2027 with a possible extension option for a further 2 years.

This Water Hygiene Monitoring Contract is for the prevention of Legionella, this is to ensure compliance with the Health and Safety at Work etc Act 1974 (HSWA) and the Control of Substances Hazardous to Health Regulations 1999 (COSHH) concerning the risk from exposure to Legionella bacteria.

This contract provides prevention of Legionella compliance to all council-controlled properties, schools that buy into the service and buildings occupied by Persona and Six Town Housing. There are 209 properties with the current contract, comprising of: 57 Schools, 11 Persona Buildings, 20 Six Town Housing managed properties and 121 council-controlled buildings.

This contract is managed through Architectural Services and is a traded service which is recharged out to individual client departments, schools that buy into the service and ALMO's such as Persona and Six Town Housing.

2. Recommendation(s)

Cabinet is asked to:

- 2.1 Approve the use of the ESPO Framework Agreement to procure the councils Water Hygiene Monitoring Service contract for the period 01 July 2024 to 30 June 2027 with a possible extension for a further 2 years. The council will use the framework by conducting a further competition exercise.
- 2.2 To note that a report back will be made to Cabinet following the completion of the mini - competition process with an award recommendation.

3. Reasons for recommendation(s)

- 3.1 The proposed arrangements ensure that the Council has a fully compliant water hygiene monitoring service provider in place.
- 3.2 The framework offers the council access to a choice of pre-approved, industry compliant water hygiene monitoring service providers where all supplier staff have been fully DBS checked and approved.
- 3.3 All suppliers on the framework have been pre-checked for financial stability, track record, experience and technical and professional ability.
- 3.4 Framework is fully compliant with UK procurement regulations, the EU procurement directive and the councils contract procedure rules. Advice from the council's procurement team has been sought.
- 3.5 Framework offers the option of conducting a further competition exercise from all suppliers, this can be tailored to the council's specific requirements with the ability to tender for best value split between price and quality.
- 3.6 Social Value can and will be incorporated into the further competition exercise. This will form part of the quality assessment and will carry a 10% weighting in the award criteria.
- 3.7 The framework is free and available for use by any public body in the UK this includes Local Authority Establishments. ESPO is a public sector owned professional buying organisation (PBO), specialising in providing a wide range of goods and services to the public sector.

4. Alternative options considered and rejected

4.1 Carry out the water hygiene monitoring service in house.

This option is currently not feasible as the council does not have the labour capacity, suitably trained staff or the necessary IT infrastructure to carry out a service such as this. In order for this option to work the council would need to invest in additional resources both in staff, training, hardware and software requirements and was therefore determined as not a financially viable solution.

4.2 Carry out an open tender procurement exercise.

This option was considered and is possible, however this would involve significantly more time and costs in the procurement process as a whole and for no real benefit. The use of this framework is free and ensures that all suppliers have been evaluated and approved based on their capabilities, expertise, and compliance within required criteria along with pre-negotiated terms and conditions. Further competition exercise enables the council to tailor the service requirements to the council's specific needs. There are little or no benefits to going out to open tender over using this framework and as a result this option was dismissed.

5. Report Author and Contact Details:

Name: Wayne Jennings

Position: Project Manager (Compliance & Business Systems)

Department: Operations

E-mail: w.jennings@bury.gov.uk

6. Background

The Approved Code of Practice (ACOP) L8 gives advice on the requirements of the Health and Safety at Work Act 1974 and the Control of Substances Hazardous to Health Regulations 2002 (COSHH) and applies to the risks from exposure to Legionella bacteria. It states that duty holders and those with responsibilities for the control of premises must identify and assess sources of risk in hot and cold water systems and where appropriate prepare a written scheme for preventing and controlling the risk.

Water Hygiene Monitoring forms part of the written scheme of control and is a scheduled regime of water system checks, monitoring and service requirements to ensure the water within the system is being stored appropriately, that necessary servicing of equipment is being carried out to reduce the risk of Legionella and other waterborne bacteria from proliferating.

In order to help manage the authorities' responsibilities and obligations with regards to water hygiene for the prevention of Legionella, Bury council has historically procured a competent and accredited water hygiene monitoring contractor to carry out all water hygiene risk assessments and ongoing water hygiene monitoring for all Bury Council controlled sites, schools (who opt into the council's service), Persona and Six Town Housing controlled properties.

The current contract was procured using a previous ESPO framework for Water Hygiene Monitoring Services and successfully provided the council with a competent water hygiene contractor to carry out the required water hygiene monitoring actions. This current contract was awarded in July 2019 as a 3-year contract with an option to extend for a further 2 years. Following a satisfactory appraisal of the contract after the first 3 years, a decision to extend was agreed and the current contract will now expire on the 30 of June 2024.

7. Links with the Corporate Priorities:

The Let's Do It Strategy sets out the Council's corporate priorities. This contract will support delivery in two key areas:

- 7.1 **Improved Quality of Life:** By its very nature this contract helps to ensure health and safety compliant water systems to protect all council-controlled building users and visitors, school staff and children, by preventing dangerous diseases such as Legionellosis.
- 7.2 **2025 Vision and Aims** - Connecting buildings & people to maximise performance and operational efficiency by transforming our building infrastructure into an integrated, rationalised, decarbonised health and safety

compliant estate in support of Bury's 2030 'Lets-do-it' strategy. This contract works towards creating and maintaining a health and safety compliant estate by ensuring all buildings domestic hot and cold water systems are controlled appropriately to prevent conditions that promote the proliferation of harmful bacteria within water systems.

8. Equality Impact and Considerations:

The proposal does not bring about any changes that would impact on one protected characteristic over and above another, it does not result in increased/decrease access to services or provision for any particular group of the population or cause any disadvantage to a community of interest. The approach is to ensure value for money in procuring a water hygiene monitoring service for the council.

9. Environmental Impact and Considerations:

Contributes to ensuring a safe and compliant environment for all council-controlled building users and visitors, school staff and children, by preventing dangerous diseases such as Legionellosis.

10. Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Water Hygiene Monitoring Contract expires without being renewed resulting in potential risk from water systems not properly monitored or maintained. Risk of proliferation of Legionella bacteria within water systems.	December 2023 cabinet approval will enable the council to carry out a further competition exercise and evaluation process via the framework agreement in order to procure a new water hygiene monitoring contract in sufficient time for when the current contract expires.

11. Legal Implications:

The proposed procurement route utilising the ESPO framework is compliant with the Council's Contract Procedure Rules.

12. Financial Implications:

The costs of this contract are currently covered by the recharges to internal departments, schools, Six Town Housing and Persona.

13. Appendices:

None

14. Background papers:

None

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

Term	Meaning
ESPO	Eastern Shires Purchasing Organisation
ACOP	Approved Code of Practice
COSHH	Control of Substances Hazardous to Health
PBO	Public Buying Organisation
ALMO	Arms-Length Management Organisation

This page is intentionally left blank



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	Contract renewal for the supply and delivery of various liquid fuels	
Report of	Cabinet Member for Environment, Climate Change and Operations	

1. Summary

The purpose of this report is to seek formal approval to use the Yorkshire Purchasing Organisation (YPO 1173 Liquid Fuels framework for the period 16 October 2023 to 15 October 2025 with two options to extend for an additional 12 months. The maximum Framework period will therefore be 4 years, from 16 October 2023 to 15 October 2027 (subject to annual review, incorporating price negotiations and KPI performance).

The various liquid fuels listed are available for use by all Council owned vehicles which equates to 22 separate service users including waste and recycling, highways, grounds maintenance, security and response services, adult and children's transport and Six Town Housing. Bury Council is an associate member of YPO, a Public Buying Organisation established in 1974 to maximise the value from consolidating demand and procuring collaborative supply contracts on behalf of its members and associates.

2. Recommendation(s)

Cabinet is asked to:

- Approve the decision to use the new YPO Framework 1173 for 2 years with the option to extend for a further two twelve-month periods subject to satisfactory performance.
- Approve the use of YPO's sole appointed framework supplier, Standard Fuels, for the supply of various fuels (diesel, gas oil and AdBlue) through the framework duration.
- Approve the use of the YPO utility Framework Agreement to administer the purchase and supply and delivery of various liquid fuels for the period 16 October 2023 to 15 October 2027.
- Provide delegated authority to the Executive Director of Operations and Executive Director of Finance, in consultation with the portfolio lead for Environment, Climate Change and Operations to award the contract and facilitate the execution, implementation, and operation of the contract.

3. Reasons for recommendation(s)

The proposed arrangements will ensure that the Council has a compliant various liquid fuels contract in place.

4. Alternative options considered and rejected

Procure our own various liquid fuels by direct tender

This option is possible, but it would involve a standalone Public Contract Regulations (PCR) compliant tender to secure contracts directly with the selected utility provider(s) (or via a broker). This approach is unlikely to produce the best results due to the relatively small scale of the portfolio compared to that of most large purchasing organisations. In contrast, a Public Sector Buying Organisation such as YPO, can obtain more favourable wholesale prices through aggregating the demand of a large number of public sector organisations. In addition, a direct tender would require the Council to engage additional resources (skilled utility traders and additional staff for contract management) and provide greater risk of exposure to utility price fluctuations. It was therefore determined as unviable.

Procure through a Private Sector based provider.

The Council would be required to invite tenders for a private sector Third Party Intermediary (TPI) to procure various fuel supply, but it would need to be sure that it would be getting best value through a truly aggregated contract. Full price transparency of all costs, including TPI fees and any commission paid by suppliers to the TPI would be needed. By aggregating the Council's volumes, the TPI could access various fuels market on our behalf, but we may only receive prices based on the supplier's view of the market. A full Public Contract Regulations compliant tender process would be required to engage with such a provider with all the associated resource and time implications this would entail. TPIs may have issues regarding business continuity in the present economic climate and are unlikely to be able to aggregate the council's volume with other customers in a PCR compliant manner or to the same level or offer the same additional and social value as the YPO contract. Due to this level of complexity and lack of in-house resources to deliver this, this option was dismissed.

5. Report Author and Contact Details:

Name: Daniela Dixon

Position: Head of Waste Management and Transport

Department: Operations

E-mail: d.dixon@bury.gov.uk

6. Background

Bury Council along with other AGMA Councils use the YPO framework agreement for the supply of various liquid fuels used by the Council's Transport Fleet including:

- Diesel
- Gas Oil
- Ad Blue

The use of the YPO framework is considered to be the best procurement option for the Council as it allows us to take advantage of the considerable volumes and number of participants to obtain a better price for the above items and avoids the cost of undertaking our own procurement process under which we would not achieve the prices obtained through the framework.

Other Councils in Greater Manchester use this framework after it was identified by the former AGMA procurement hub as the one offering best value once their own previous contract arrangements had expired. It is therefore recommended that the Council should continue participating in the framework arrangement and as recommended use Standard Fuels as our supplier.

As their current contract expired on 21st November 2023 the YPO recently undertook a new procurement process to tender for liquid fuels for a 4-year contract on the basis of a two-year contract with the option to extend for a further two twelve-month periods. The new arrangement commenced on the 16th October 2023.

The various liquid fuels listed are available for use by all Council owned vehicles which equates to 22 separate service users including waste and recycling, highways, grounds maintenance, security and response services, adult and children's transport and Six Town Housing.

It is recommended that the Council participate in the new YPO framework 1173 subject to satisfactory performance of the Supplier.

7. Links with the Corporate Priorities:

The Let's Do It Strategy sets out the Council's corporate priorities:

Financial Sustainability

By procuring a compliant contract in line with Public Contract Regulations, the Council can be certain that economies of scale and budget certainty can be achieved, the contract will have a dedicated team looking at consumption efficiencies which will provide a reduction in cost and provide financial sustainability.

8. Equality Impact and Considerations:

The proposal does not bring about any changes that would impact on one protected characteristic over and above another, it doesn't result in increased/decrease access to services or provision for any particular group of the population or cause any disadvantage to a community of interest. The approach is to ensure value for money in water supply for the council and thus strive to mitigate Council costs, which would benefit all residents.

9. Environmental Impact and Considerations:

The Council are currently in the process of replacing all council's vehicles with more fuel-efficient vehicles, including electric, euro 6 diesel engines lowering CO2 emissions across the borough of Bury.

10. Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
No contract in place resulting in inflated utility prices	December Cabinet approval will enable the Council to confirm to YPO that we wish to be part of the various fuel contract. This will provide the opportunity for Bury Council to secure more favourable prices through greater volumes of demand.

11. Legal Implications:

The procurement route followed here using the YPO framework is compliant with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. Both apply due to the high value of the proposed contract.

12. Financial Implications:

There is sufficient budget to fund this contract.

13. Appendices:

Appendix 1 – YPO framework 1173 – Supply and Delivery of various fuels

14. Background papers:

None.

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

Term	Meaning
YPO	Yorkshire Purchasing Organisation
AGMA	Public Sector Buying Organisation
PCR	Public Contract Regulations 2015
GMCA	GMCA Greater Manchester Combined Authority
TPI	Third Party Intermediary

This page is intentionally left blank

Liquid Fuels and Associated Products

Framework Agreement



About YPO

YPO provides procurement solutions for public sector organisations to set up or renew contracts for a wide range of services.

Established in 1974 by a group of 13 local authorities, we're the UK's largest public sector buying organisation and we're still 100% publicly-owned today. We work closely with our suppliers and collaborate with other public sector buying organisations to achieve efficiencies and value for money, returning all our profits back into the heart of the public sector. Our team of qualified procurement professionals can offer advice, guidance and expertise on procurement, as well as regular engagement and communication to make sure your objectives are achieved.



This is an interactive PDF

You can click on the items listed above, and they will take you to the relevant page. You can also click on **Contents** in the top right of every page and it will bring you back to this contents page.

Overview

Start date

24 October 2023

Expiry date

23 October 2027

Extension(s) (if applicable)

2 + 1 + 1

Contracting authority (CA) call-off period:

CAs can specify a contract period, based on the term that will best suit their requirements. YPO generally recommend a call-off period of no longer than 5 years.

Contract award notice ref. no:

2023/S 000-031363

Potential maximum value

£200m

Rebate

Lots 1-25 - 0.25pence per litre

Lot 26 - 1%

Lot 27 – 0.25 pence per litre

Geographical Location(s)

National

Specification, overview and lot structure

YPO have appointed Suppliers onto the new 1173 framework agreement for Liquid Fuels and Associated Products. This includes :-

- **Liquid Fuels**

Gas Oil

Kerosene

Medium Fuel Oil

Ultra-Low Sulphur Diesel

Ultra-Low Sulphur Petrol

Biodiesel (inc. for use as bio heating oil)

High Octane (super) unleaded petrol

Adblue or Diesel Exhaust Fluid equivalent

Gas Oil Equivalent

Marine Oil -

HVO (hydrotreated vegetable oil)

Lubricants – such as (but not limited to)

Engine Oils, Screen Wash, Hydraulic Oils,

Anti Freeze, Gear & Transmissions Oils

- **Fuel Tanks**

- **Fuel Cards**

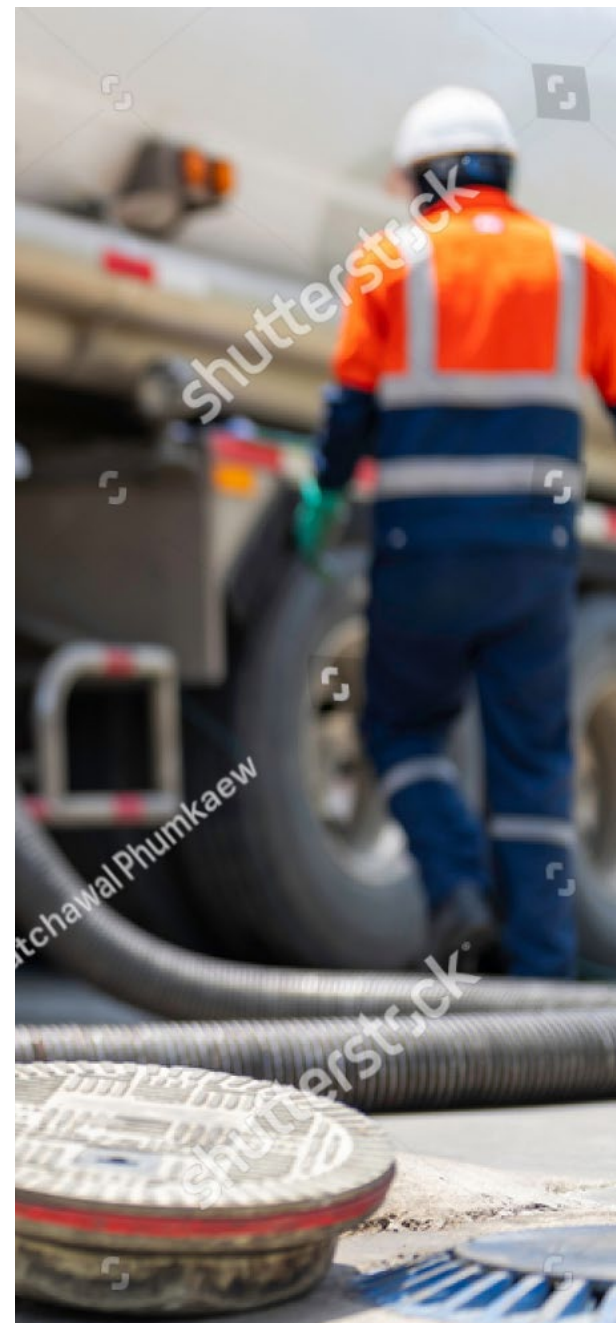
Lot 1 – 24 are customer collaborative Lots which are only accessible by that customer. They have the option to direct award or reopen competition within that Lot via a further competition.

Lot 25 is for Liquid Fuels – new business. This is available to all customers and is accessible by running a Further Competition.

Lot 26 is for Fuel Tanks and is only accessible by running a Further Competition.

Lot 27 is for Fuel Cards and is only accessible by running a Further Competition.

The framework can be accessed by all public sector bodies included: Local Authorities, NHS, Housing Associations, Education Establishments, Blue Light and many more. For a full list of eligible customers, please see the permissible users list.



Structure of the framework

Customer Collaborative Lots

Lot 1 - AGMA – Liquid Fuels

Lot 2 - Barnsley Council – Liquid Fuels

Lot 3 - Bradford Council – Liquid Fuels

Lot 4 - Calderdale Council – Liquid Fuels

Lot 5 - Cheshire East – Liquid Fuels

Lot 6 - Erewash – Liquid Fuels

Lot 7 - Hull Council – Liquid Fuels

Lot 8 - Humberside Police – Liquid Fuels

Lot 9 - Kirklees – Liquid Fuels

Lot 10 - Knowsley – Liquid Fuels

Lot 11 - Lancashire Constabulary – Liquid Fuels

Lot 12 - Leeds Council – Liquid Fuels

Lot 13 - Sefton – Liquid Fuels

Lot 14 - Nexus – Liquid Fuels

Lot 15 - South Yorkshire Police – Liquid Fuels

Lot 16 - St Helens – Liquid Fuels

Lot 17 - Stoke – Liquid Fuels

Lot 18 - Wakefield Council – Liquid Fuels

Lot 19 - West Lancashire – Liquid Fuels

Lot 20 - West Yorkshire Fire – Liquid Fuels

Lot 21 - West Yorkshire Police – Liquid Fuels

Lot 22 - Wyre – Liquid Fuels

Lot 23 - City of York Council – Liquid Fuels

Lot 24 - YPO – Liquid Fuels

Further Competition Lots – open to all customers

Lot 25 - Liquid Fuels (New Business)

Lot 26 - Fuel Tanks

Lot 27 - Fuel Cards



How to use the framework

Frameworks can be considered as a procurement tool that helps to connect suppliers with public sector organisations.

YPO's Frameworks are usually established by following what is known as the 'open' procedure (a tender process). Currently, this means that suppliers from around the world can bid for a place on Frameworks and have the opportunity to work with public sector organisations.

Frameworks provide access to a pre-approved list of suppliers, meaning the public sector organisation does not need to run its own open procurement procedure and can offer its opportunity to a smaller number of suppliers.

Frameworks are managed by the Framework 'owner' so public sector organisations can be sure that the suppliers on the Framework are undergoing regular due diligence checks.

CAs will be able to procure via direct award on customer collaborative Lots only. Further competitions can be run on all lots on the framework.

Suppliers were assessed on their capacity and capability as a Liquid Fuel, Fuel Tank and Fuel Card Supplier through an evaluation focused upon price, quality, delivery and customer service, and social value and sustainability.

The aim of this YPO framework is to give CAs the ability to assess Suppliers' capabilities to meet against their requirements, through utilising national and regional Suppliers.

CAs will have the ability to carry out a further competition through their own internal process or via the YPO's tendering portal.

A further competition gives contracting authorities the ability to create a specification, method statements (questions) and pricing that is relevant to their own organisation.

The aim of this YPO framework is to give CAs the ability to assess Suppliers' capabilities to meet against their requirements, through utilising national and regional Suppliers.



Carrying out your further competition

CAs will be able to evaluate Suppliers on Quality, Cost, Delivery and Customer Service, Social Value and Sustainability in their further competition. The CA will be responsible for the further competition process, with assistance from YPO on documentation review if required.

CAs will be able to see the following documentation to support the creation of their further competition:

- Supplier overview
- Supplier contact sheet

CAs can carry out a further competition based on the below criteria:

Criteria for further competition	Percentage weightings
Cost	70%
Quality, Delivery and Customer Service	30%
Social Value and Sustainability	10%

This will allow for authorities to carry out further competitions with weightings, set out as above, the total percentage must add up to 100%.

CAs can carry out a further competition on all Suppliers, for the relevant lot and can use the sub criteria as set out above. Please note you can vary your weightings +/- 10% for each of the criteria as set out in the ITT documentation, any variations above this threshold is at

the sole risk of the CA.

CAs will need to create a further competition either via their own internal processes or via the YPO portal.

YPO can help CAs by providing further competition templates, pricing schedules and evaluation criteria to undertake a further competition. Please contact fleet at YPO; fleet@ypo.co.uk to access these.

CAs can use their own template documents if they prefer. The further competition should meet the criteria provided in this document.

There are no set questions for CAs to include in their further competition, we would suggest that these are related back to your specification. Once you have created your further competition document you are required to publish the documents to all Suppliers that meet your sub-criteria. This document can be published via your own internal processes or by following the guidance on the YPO website.

There are no minimum or maximum timescales that a further competition should be published within, however YPO would suggest that the timescales are relevant to the detail of the specification and documents you publish. Please ensure that Suppliers have sufficient time to respond to your further competition template.

Once the deadline has ended, the response documents should be evaluated in accordance with the criteria in the further competition.

Evaluation must be fair and transparent, and the methodologies used to evaluate must be provided to

the suppliers/providers within the further competition documentation.

Clarification responses, evaluation of further competition submissions, drafting of award letters and contracts and applicable Contract Award Notices are elements of the process that will need to be completed by the CAs.

CAs must inform YPO of the outcome of any further competition they undertake themselves. This includes completing the award template and returning to fleet@ypo.co.uk.

When running a further competition, CAs should award based on the most economically advantageous tender and must provide suppliers/providers with the methodology behind.

A 10-day standstill period is then voluntary under the YPO framework. YPO would suggest carrying out a standstill period for a long term or high value call-off contract.

Review the call off terms and conditions provided by YPO and ensure you add any supplementary information/ amendments within the order form any bespoke terms and conditions within your order (please note these must be agreeable by both parties being the customer and Supplier prior to commencement of the call off agreement.)

Suppliers

All awarded supplier lists are available on the YPO website, if you would like individual lot break downs, please contact fleet@ypo.co.uk

As part of the tender process YPO asked each Supplier to give an overview of their organisation, this should support CAs to understand the Suppliers in more detail where they have shared information about their capability and experience.

Terms and conditions

YPO has agreed a set of framework terms and conditions; these are between YPO and the Supplier. These framework terms and conditions cannot be amended by the contracting authority or the Supplier.

To supplement the framework terms and conditions, YPO has created call-off terms and conditions for contracting authorities to put in place with the Supplier.

The call-off terms and conditions can be utilised to ensure that they fit your requirements and if both parties agree, they can be amended to support the delivery of the service.

Once the call-off terms and conditions are agreed you will need to specify these within the order form under the “amendment to terms and conditions”

section. The order form then forms the legally binding contract between you the customer and the Supplier.

Contact information

For further information or to discuss individual requirements, please use the contact details below:

Name	Michelle Wood
Job title	Category Buyer
Category	Fleet
Telephone	07
Email	michelle.wood@ypo.co.uk

Name	Kate Clayton
Job title	Assistant Buyer
Category	Fleet
Telephone	07827 368203
Email	kate.clayton@ypo.co.uk

Name	Joanna Szeszol
Job title	Further Competition Coordinator
Category	Fleet
Telephone	07776 775084
Email	joanna.szeszol@ypo.co.uk



Stages 1 to 4

Stage 1 Initial Customer Enquiry	<ul style="list-style-type: none">• Customer contacts YPO for information• YPO will send customer a copy of the User Guide, NDA and Access Agreement• Customer completes and returns NDA and Access Agreement
Stage 2 NDA/Access Agreement Returned to YPO	<ul style="list-style-type: none">• Following receipt of signed NDA/Access Agreement YPO may send the customer a Further Competition Template, and Framework Agreement Scope• YPO may provide the customer with a unique reference code for the further competition, which will be referenced on all documentation• Customer completes the documents and sends to YPO• If the customer decides to undertake their own further competition YPO must be informed via e-mail
Stage 3 Further Competition	<ul style="list-style-type: none">• YPO can issue further competition documents to all suppliers/providers on the framework agreement if required by the customer• YPO will manage any clarifications that are received from potential suppliers/providers (customers will need to provide clarification responses)• At the submission closing date YPO will provide customers with access to all submissions• Customers can then evaluate (offline) the submissions and prepare acceptance and rejection letters
Stage 4 Contract Award	<ul style="list-style-type: none">• YPO will issue the award decision documentation (acceptance and rejection letters) via e-portal• Optional 10-day standstill period: customers are advised to implement a voluntary standstill period of 10 days• A Contract Award Notice following any award via the framework agreement must be published within 30 days



This page is intentionally left blank



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

Report to:	Cabinet	Date: 13 December 2023
Subject:	The Local Authority Biodiversity Duty: First considerations requirement	
Report of	Cabinet Member for Environment, Climate Change and Operations	

1. Summary

- 1.1 The 'biodiversity duty' requires public authorities who operate in England to consider what they can do to conserve and enhance biodiversity.
- 1.2 This report outlines the Local Authority biodiversity duty and, as part of meeting that duty, presents Bury's draft Biodiversity Strategy which sets out the Council's intended approach to the conservation and enhancement of biodiversity in Bury.
- 1.3 In particular, the report sets out:
 - The new legal and procedural requirements for the Council to meet our biodiversity duty;
 - The requirement to complete our first consideration of what action to take for biodiversity by the 1st January 2024;
 - The scope and content of a draft Biodiversity Strategy which forms our first consideration of the current state of biodiversity in Bury and the potential actions that we could take to conserve and enhance biodiversity in the Borough;
 - A proposal to consult residents and stakeholders on the draft Biodiversity Strategy;
 - Work taking place to identify potential Council-owned receptor sites for off-site Biodiversity Net Gain; and
 - The potential next steps.

2. Recommendation(s)

- 2.1 That Members:
 - Note the requirement to meet a new 'biodiversity duty' introduced by the Environment Act 2021.

- Approve the publication of the draft Biodiversity Strategy for public consultation for a period of 6 weeks.
- Note that a final version of the Biodiversity Strategy will be presented to Cabinet for adoption, taking into account any responses to the consultation.
- Note the ongoing work on identifying receptor sites including Old Kays, Brandlesholme, Chesham, Hollins Mount, Springwater Park, Outwood and Philips Park.
- Note the further requirement for the Council to produce a report no later than 1 January 2026 detailing the biodiversity net gain resulting, or expected to result, from development granted planning permission in the Borough.

3. Reasons for recommendation(s)

- 3.1 The Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021, gives public bodies the duty to conserve and enhance biodiversity and requires public bodies to complete a first consideration of what action to take for Biodiversity by 1 January 2024.

4. Alternative options considered and rejected

- 4.1 Not to publish a draft Biodiversity Strategy for consultation. However, the Council is still required to complete the first consideration of the Biodiversity Duty by 1 January 2024. The Council could consider how it can meet its biodiversity duty without consulting on the Strategy, or without a Strategy at all. This option has been considered and rejected as the Council, the community and its partners would be unclear on their priorities and how to deliver them.

Report Author and Contact Details:

Name: Chris Wilkinson

Position: Unit Manager: Planning, Projects and Environment

Department: Business, Growth and Infrastructure

E-mail: c.m.wilkinson@bury.gov.uk

5. Background

- 5.1 The Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021, gives public bodies the duty to conserve and enhance biodiversity. This means that, as a public authority, Bury Council must:
- Consider what we can do to conserve and enhance biodiversity;
 - Agree objectives and policies based on consideration of the duty; and
 - Act to deliver our policies and achieve our objectives.
- 5.2 In doing so, we must consider how other strategies, such as the Greater Manchester Local Nature Recovery Strategy (LNRS) which is currently being prepared, will affect how the authority complies with the biodiversity duty.
- 5.3 The Council is obliged to complete the first consideration of what action to take for biodiversity by 1 January 2024. Policies and objectives should be agreed as soon as possible after this, and actions should be reconsidered within 5 years of the previous consideration.
- 5.4 The Environment Act also introduces the requirement for development to achieve a minimum of 10% net gain in biodiversity from January 2024. As a local authority we will need to report on what is done to achieve biodiversity net gain on and off development sites and agree areas that are appropriate for the net gain to take place. This will take the form of a Biodiversity Report, with the first reporting period ending no later than 1 January 2026.
- 5.5 The action we take for biodiversity will contribute to the achievement of national goals and targets on biodiversity that are set out in the government's Environmental Improvement Plan (January 2023) which are as follows:
- Halt the decline in species abundance and protect 30% of UK land by 2030; and
 - By 2024, increase species abundance by at least 10% from 2030, surpassing 2022 levels, restore or create at least 500,000 ha of a range of wildlife rich habitats, reduce the risk of species extinction and restore 75% of terrestrial and freshwater habitats to favourable condition.

6. The legal requirements

- 6.1 The legal requirements are set out in the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021.
- 6.2 These require a public authority which has any functions exercisable in relation to England to consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.
- 6.3 After that consideration the authority must (unless it concludes there is no new action it can properly take):

- a) determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and
 - b) take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.
- 6.4 The first consideration must be completed by the authority within the period of one year beginning with the day on which section 102 of the Environment Act 2021 comes into force (1 January 2024). Any subsequent consideration must be completed no more than five years after the completion of the authority's previous consideration. Where determined appropriate to do so, any new or revised policies and specific objectives should be made as soon as practicable following the consideration.
- 6.5 In complying with the duty, authorities must have regard to:
- any relevant Local Nature Recovery Strategy; and
 - any relevant species conservation strategies or protected sites strategies prepared by Natural England.

7. The Biodiversity Strategy

- 7.1 As a response to this new duty, a draft Biodiversity Strategy has been prepared (see Appendix A). This draft Strategy will embrace the first consideration of what the Council can do to meet its biodiversity duty.
- 7.2 The attached draft Biodiversity Strategy outlines the current state of biodiversity in the Borough and the actions we can take including:
- Managing land to improve biodiversity including enhancing protected sites, making spaces for wildlife and improving how we manage buildings;
 - Educating, advising and raising awareness;
 - Reviewing internal policies and procedures;
 - Preparing for biodiversity net gain; and
 - Reporting on biodiversity policies and actions.

Consultation

- 7.3 It is proposed that the draft Biodiversity Strategy is published for public consultation in order to encourage awareness of biodiversity and receive feedback on what actions are the most important to the community when conserving and enhancing biodiversity - and identify any additional considerations that the Council should consider when finalising the Strategy.
- 7.4 The Council plans to undertake a 6-week consultation which is proposed to commence on Monday 8th January 2024.
- 7.5 It is proposed that the Council web site will be used as the main point of contact for the formal consultation. Feedback will be encouraged via an online questionnaire and an email address will be established to enable people to find out more information or request hard copy documents.

- 7.6 The consultation will seek to understand the priorities of the community and promote the enhancement of biodiversity as something that they can get involved in.
- 7.7 As stated above, the draft Biodiversity Strategy will satisfy the requirement for the Council to have undertaken its first consideration of what action to take for biodiversity by 1 January 2024 and, following consultation, the approved Strategy will establish new or revised policies and specific objectives that are required to be in place as soon as practicable following the first consideration.

8. Biodiversity Net Gain

- 8.1 One of the main elements of the Council's biodiversity duty is delivering Biodiversity Net Gain (BNG) through new development. The Strategy describes how this will work, but it should be noted the Council also has a role as landowner because it has land that could potentially receive and benefit from BNG delivered away from a development site. If the Council doesn't offer sites, then other landowners, perhaps in other Boroughs, will.
- 8.2 Separate from the work on the Biodiversity Strategy, an assessment of the need and supply generated by future development has been undertaken to assess the potential of Council-owned sites to deliver BNG. This work has identified 7 council-owned sites which are in the process of having costed management plans prepared to identify how many 'biodiversity units' they could deliver and at what cost.
- 8.3 The 7 sites that have currently been identified as potential Net Gain receptor sites are:
- Old Kays, Tottington;
 - Brandlesholme;
 - Chesham;
 - Hollins Mount;
 - Springwater Park;
 - Outwood; and
 - Philips Park.
- 8.4 Appendix B includes a plan of the potential Council-owned receptor sites.
- 8.5 Should they prove to be feasible as receptor sites they will need to be advertised as such, in which case it is proposed that they should be advertised as potential receptor sites for external investment via the GM Biodiversity Net Gain sites directory.
- 8.6 If the programme of receptor sites proves successful, the identification of further sites could follow.

9. Next steps

- 9.1 If Members approve the publication of the draft Biodiversity Strategy for consultation, the consultation would be undertaken for a period of 6 weeks. A summary of the responses would then be reported back to Cabinet, alongside post-consultation revisions and updates prior to adoption of the Strategy.
- 9.2 The Council will then use the strategy to shape future action and revise or adopt policies which are appropriate to further the biodiversity objective.
- 9.3 Reconsideration of what we can do to conserve and enhance biodiversity will be required within 5 years.
- 9.4 The authority will also publish its first Biodiversity Report for the reporting period ending before 1 January 2026 which will outline and help everyone understand how we are collectively meeting shared goals to conserve and enhance biodiversity, allow us to showcase the action we are taking to improve biodiversity in Bury, and show other authorities and the general public what they can do for nature recovery and shared good practice. This will include details of the biodiversity net gains resulting or expected to result from biodiversity gain plans we have approved. This will be updated every 5 years.

Links with the Corporate Priorities:

As part of 'Section 4 – Vision for the Borough in 2030' in the Let's Do It Strategy there is a commitment to Carbon Neutrality by 2038 and the support of green and blue infrastructure as part of Local Neighbourhoods, which is closely related to conserving and enhancing biodiversity.

Equality Impact and Considerations:

An Equality Impact Assessment has been carried out and is attached at Appendix C. It has been concluded that there will be a neutral effect on all groups of people with protected equality characteristics.

Environmental Impact and Considerations:

The items outlined in this report demonstrate how the Council is going to meet its biodiversity duty and undertake a first consideration of what the borough can do to conserve and enhance biodiversity by 1 January 2024. It is envisaged that this will have a significantly positive impact on the Council's carbon emissions and environmental impact.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
That the requirement to complete our first consideration of what action to take for biodiversity by 1 January 2024 is not met.	By producing and publishing a draft Biodiversity Strategy we will demonstrate that we have undertaken our first consideration and therefore have met our duty.
That the community is not engaged in the delivery of the actions required to further the biodiversity objective.	<p>By consulting on the document we hope that everyone will understand the need to support biodiversity and the role they can play in helping to further the biodiversity objective.</p> <p>The consultation will seek to understand the priorities of the community and promote the enhancement of biodiversity as something that they can get involved in.</p>

Legal Implications

The proposed strategy will ensure the Council complies with the duty set out in section 102 of the Environment Act 2021. The legal implications are set out within the body of this report at paragraph 6.

Financial Implications:

The cost of the Biodiversity Strategy and consultation is being met through the DEFRA Biodiversity Net Gain new burdens grant for 2023-24.

The draft Strategy brings together relevant actions from existing programmes. Any new actions proposed as a result of consultation on the draft strategy will be considered before adoption of the final strategy.

Appendices:

Appendix A - Draft Biodiversity Strategy

Appendix B – Potential Biodiversity Net Gain Receptor Sites

Appendix C – Equality Impact Assessment

Background papers:

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

The DEFRA requirement for ‘first considerations’ in implementing the biodiversity duty:

- [Complying with the biodiversity duty](#)
- [Reporting your biodiversity duty actions](#)

DEFRA Guidance on Biodiversity Net Gain:

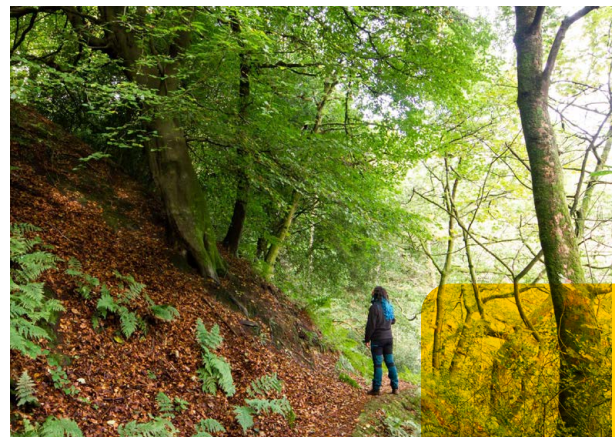
- [Understanding Biodiversity Net Gain](#)
- [Biodiversity net gain guidance – what you need to know - Land use: policies and framework \(blog.gov.uk\)](#)

GMCA Guidance on Biodiversity Net Gain:

- [The GMCA webpages on Biodiversity Net Gain](#)
- [Guidance for Greater Manchester](#)

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

Term	Meaning
Biodiversity	The variety of plant and animal life in the world or in a particular habitat.
Biodiversity Duty	The general duty to conserve and enhance biodiversity that a public authority has and must consider when exercising its functions
Biodiversity Net Gain	Biodiversity net gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand.
LNRS	Local Nature Recovery Strategy



Bury Biodiversity Strategy

2023 - DRAFT

Foreword

We know the natural environment is important for our physical and mental health, for reducing flood risk, for improving air quality and many other reasons. It affects our quality of life and that of the wildlife we share it with.

Our natural environment faces many challenges, but also some opportunities. We've been through an industrial revolution yet the canals and reservoirs which served it are now some of our most important wildlife sites. We have increasing problems with invasive species such as giant hogweed, but the possibility of the return of species such as otter and beaver. Diseases such as ash die-back are a real threat but, working with local organisations such as the Wildlife Trust and City of Trees, we are planting more new trees than ever.

This is the Council's first ever Biodiversity Strategy. We want it to make a difference. Much work has been done through the Council's Community Climate Action Fund and the GM Green Spaces Fund but much remains to be done. All land and property owners or managers can help and your actions, offers and suggestions are welcome.

Cllr Alan Quinn
Cabinet Member Environment, Climate Change
and Operations



Contents

1. Introduction	1
Why biodiversity matters	1
National context	2
Greater Manchester context	2
Our Biodiversity Duty	3
2. The current state of Biodiversity in Bury	4
Sites of Special Scientific Interest (SSSIs)	6
Site of Biological Importance (SBIs)	6
Local Nature Reserves	7
Wildlife links and corridors	7
3. What can we do to conserve and enhance biodiversity in Bury?	9
Managing land for biodiversity	9
Advice and awareness	10
Council policies and procedures	10
New development	11
Preparing for biodiversity net gain	11
4. Objectives, Policies and Actions	13
5. Reporting and Monitoring	16
6. Appendices	17
(i) Legislation, guidance and policy	17

1. Introduction



The benefits of biodiversity are clear; a healthy natural environment is fundamental to the air that we breathe, the food that we eat and the water that we drink

Why biodiversity matters

- 1.1 Bury's natural or semi-natural environment is one of its key assets and a reason that people choose to live and invest here. From the wild moorland of the West Pennine Moors in the north to the extensive parks and public open spaces of the Irwell Valley in the south, the borough's natural environment helps define the character of its settlements, provides habitats for other species and provides relief for residents from air, noise and light pollution.
- 1.2 The Borough's natural environment is also where most of its biodiversity can be found. Biodiversity is the variety of life on earth. There is a complex interdependency between all the life-forms, of which the human race is just one.
- 1.3 The UK boasts more than 70,000 known species of animals, plants, fungi and microorganisms, but most assessments indicate that the abundance of its wildlife is declining¹. The State of Nature² report, published in September 2023 suggests there has been a 19% decline in the average abundance of species in the UK since the 1970s and 16% of species are now threatened with extinction. Growing pressure from urban development, agricultural intensification, introduced diseases, invasive non-native species, pollution and climate change threatens to further exacerbate the decline of the UK's nature over the coming decades.
- 1.4 The benefits of biodiversity and nature are clear; a healthy natural environment is fundamental to the air that we breathe, the food that we eat and the water that we drink. It is increasingly accepted that connection to nature positively affects our physical health and mental wellbeing. Biodiverse and natural areas also have a strong connection to the sense of place in neighbourhoods across Bury. Trees and other green infrastructure more widely can have a positive impact on air quality by removing pollutants from the air. The way in which green spaces are managed can also reduce the impact of flooding; for example, reducing the extent of impermeable surfaces in residents' gardens will both reduce flood risk and support the recovery of nature.

¹ <https://geospatialcommission.blog.gov.uk/2021/05/25/70000-species-in-the-uk-who-records-them-and-where-are-they-all-the-importance-of-knowing-what-species-are-where/>
² https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf

National context

- 1.5 Scientific evidence clearly shows an alarming acceleration of biodiversity loss globally and has led to calls to address this before the damage becomes irreversible. Species diversity and abundance in the UK continues to decline and the UK failed to meet most of the Convention on Biological Diversity's 2020 Aichi targets for biodiversity.
- 1.6 In 2018, the government produced a 25 Year Environment Plan³. In 2023 it produced an update, committing the government to:
 - halt the decline in species abundance (through the launch of a Species Survival Fund and the creation, restoration and extension of 70 areas for wildlife through National Nature Reserves and Landscape recovery projects).
 - protect 30% of UK land and sea for nature (through the Nature Recovery Network).
- 1.7 By 2042 the government has committed to:
 - halt the decline in species abundance by 2030, and then increase abundance by at least 10% to exceed 2022 levels by 2042.
 - restore or create at least 500,000 ha of a range of wildlife rich habitats.
 - reduce the risk of species extinction.
 - restore 75% of terrestrial and freshwater protected sites to 'favourable condition'.

Greater Manchester context

- 1.8 The Greater Manchester Five-Year Environment Plan (2019-2024)⁴ identifies 5 priorities for the natural environment: Managing land sustainably, managing our water sustainably, achieving a net gain in biodiversity from new development, increasing investment in our natural environment and increasing our engagement with our natural environment. Greater Manchester Combined Authority has also produced Biodiversity Net Gain Guidance for Greater Manchester⁵ and published an Off-site Net Gain Scoping Study⁶ in 2021.

³ 25 Year Environment Plan (2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf
⁴ https://www.greatermanchester-ca.gov.uk/media/1986/5-year-plan-branded_3.pdf
⁵ https://www.greatermanchester-ca.gov.uk/media/4244/gmca-bng-guidance-update_250221-final-edited.pdf
⁶ <https://www.greatermanchester-ca.gov.uk/media/5546/bng-offsite-scoping-study-december-2021.docx.pdf>



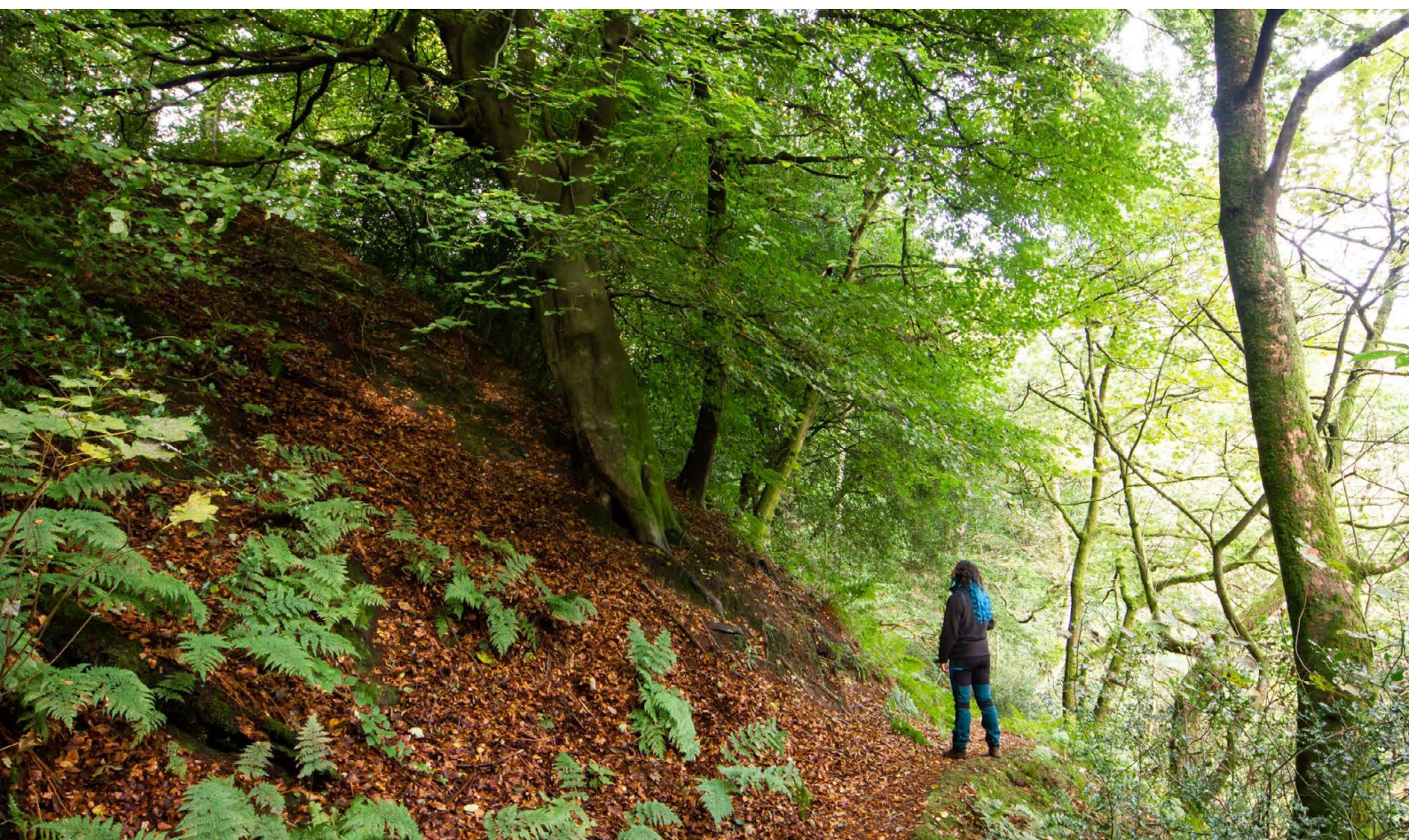


This biodiversity strategy provides a consideration of the current state of biodiversity in Bury

- 1.9 In March 2022, the Greater Manchester Combined Authority (of which Bury Council is a member) declared a “biodiversity emergency” and set out a series of projects and initiatives across the city-region which seek to recover and restore biodiversity, reverse habitat loss and explore what more can be done.
- 1.10 In doing so, Greater Manchester launched a new Green Spaces Fund (run through the Greater Manchester Environment Fund) for community groups wanting to create new spaces or improve existing ones in their local area.

Our Biodiversity Duty

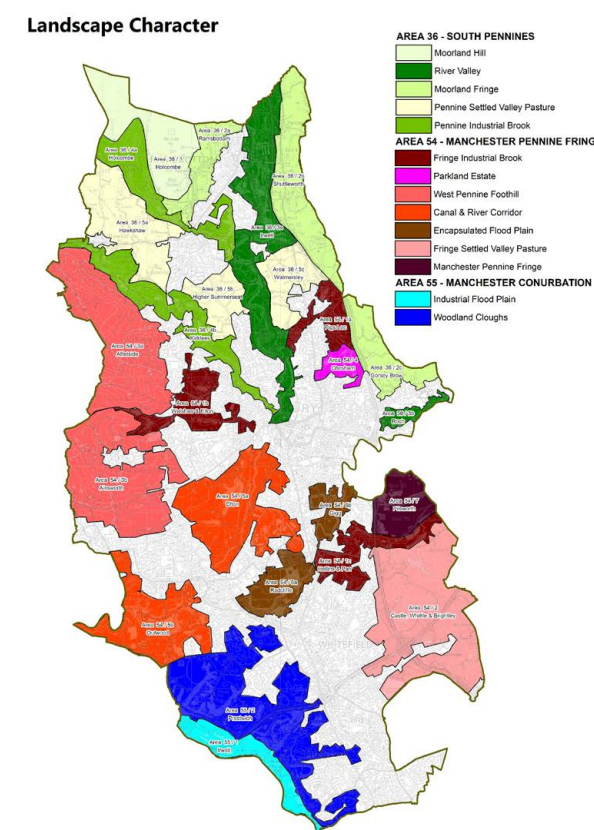
- 1.11 The Natural Environment and Rural Communities Act 2006, as amended by the 2021 Environment Act, gives public bodies the duty to conserve and enhance biodiversity.
- 1.12 By way of response, this biodiversity strategy provides a consideration of the current state of biodiversity in Bury, the key issues, and what we can do to conserve and enhance biodiversity. It outlines our objectives to conserve and enhance biodiversity in Bury and suggests future actions and policy directions.



Woodland in Philips Park. Photo by Gui Castro

2. The current state of Biodiversity in Bury

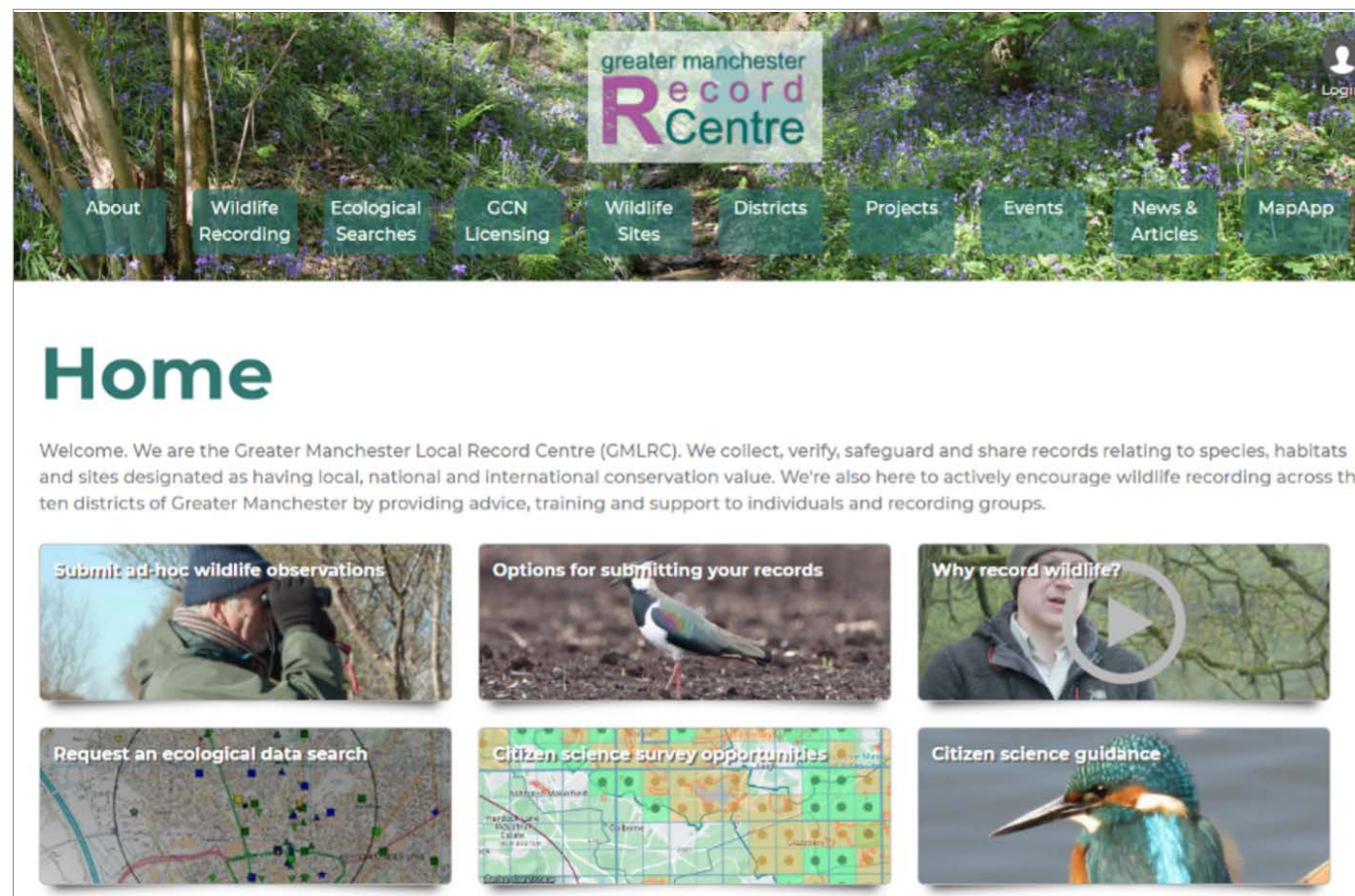
- 2.1 The Borough has a wide range of landscapes and habitats. The land is undulating but incised and drained by the valleys of the Rivers Irwell and Roch. The Borough’s highest point is in the north, on the plateau of Holcombe Moor, reaching 418 metres above sea level on Bull Hill.
- 2.2 The River Irwell flows south through the borough, before turning west at its confluence with the River Roch, then south again at its confluence with the Croal. These river valleys not only provide an important habitat for wildlife, but also act as a corridor through which species can move, extending potential territories and increasing population viability.
- 2.3 Terrestrial habitats include important areas of moorland (upland heath and blanket bog), as well as broad-leaved clough woodland, such as Ringley Woods, much of which is ancient. Over 15% of the borough is semi-improved neutral grassland, with significant areas of unimproved acid and neutral grassland.
- 2.4 Bury has one of the highest concentrations of ponds in Greater Manchester together with a number of important lodges and reservoirs. The Manchester, Bolton and Bury Canal also runs through the Borough.
- 2.5 The Greater Manchester Local Record Centre (GMLRC)⁷, managed by the Greater Manchester Ecology Unit (GMEU), is responsible for local ecological data in Bury and the rest of Greater Manchester. It collects, verifies, safeguards and shares records relating to species, habitats and sites designated as having local, national and international conservation value.



© Crown copyright and database right 2011. Ordnance Survey 100023063.

The Borough's landscape character areas (source: Bury Council Landscape Practice 2009)

⁷ <https://gmlrc.org/>



GM Records Centre website



Brown Hare at Simister. Photo by Stuart Wilson

- 2.6 We know that some species have experienced significant decline in Bury, such as hares, lapwing, martins and swifts. On the other hand, some species have expanded, such as roe deer, fox, badger and some butterfly. And important habitats remain.
- 2.7 Bury's ponds and lodges support a diverse range of aquatic flora and fauna, including five species of amphibian, numerous damselflies and dragonflies, and many species of breeding and wintering wetland birds. They also provide important foraging areas for bats with nine species recorded in the borough.
- 2.8 Otter signs have recently been found on the River Irwell, and it is hoped this beautiful mammal will recolonise some of its former haunts over the coming years.
- 2.9 Parts of Bury remain a stronghold for farmland birds such as Skylark, Tree Sparrow, Grey Partridge and Barn Owl which live alongside Brown Hare, Rabbit and Fox.
- 2.10 Bury has an increasing problem with invasive species. Himalayan Balsam is now widespread, Japanese Knotweed is common and Giant Hogweed is a danger in many waterside locations.

In the animal world the arrival of Canada geese, grey squirrel, mink and signal crayfish have affected indigenous communities. Then there are diseases to contend with, such as ash die-back, chestnut canker and acute oak decline.

- 2.11 The biodiversity interest of the Borough is recognised in various site designations which receive some protection from policies in the Unitary Development Plan. Bury has:
 - 2 Sites of Special Scientific Interest
 - 49 Sites of Biological Importance
 - 13 ancient woodlands
 - 7 local nature reserves
 - 6 protected species (badger, otter, barn owl, kingfisher, great crested newt, black necked grebe) plus several bat species and winter visitors.
 - c112 km of wildlife links and corridors
- 2.12 Other features of wildlife interest that do not fall into the above categories gain some protection from Development Plan Policy EN6/3. All the policies are set out in Appendix (i).

Sites of Special Scientific Interest (SSSIs)

- 2.13 SSSIs are of national importance for their wildlife, geology or landform and are designated by Natural England. Bury has two SSSIs. One is a small part of the West Pennine Moors SSSI and the other is at Ash Clough on the Bury/Bolton boundary.
- 2.14 West Pennine Moors is designated for the quality of its mosaic of upland and upland fringe habitats and is notable for its skylark and curlew populations. Ash Clough is a river cliff important for the geology exposed.

Site of Biological Importance (SBIs)

- 2.15 Bury currently has 49 Sites of Biological Importance, sometimes referred to as 'local sites', which are Bury's best sites for flora and fauna. They are surveyed and designated on behalf of Bury and the other districts of Greater Manchester by the Greater Manchester Ecology Unit. They are a category of site described nationally as 'sites of local biodiversity interest' and are protected by Unitary Development Plan Policies EN6/1 and EN6/2.

Local Nature Reserves

- 2.16 Nature reserves are designated by Local Authorities under the 1949 National Parks and Access to the Countryside Act as places for people to enjoy and learn about nature. In December 1997 Bury Council adopted a target, recommended by English Nature, of having one hectare of local nature reserve per 1000 people.



Redisher. Photo by James Hall

Bury currently has 49 SBIs which are the best sites for flora and fauna

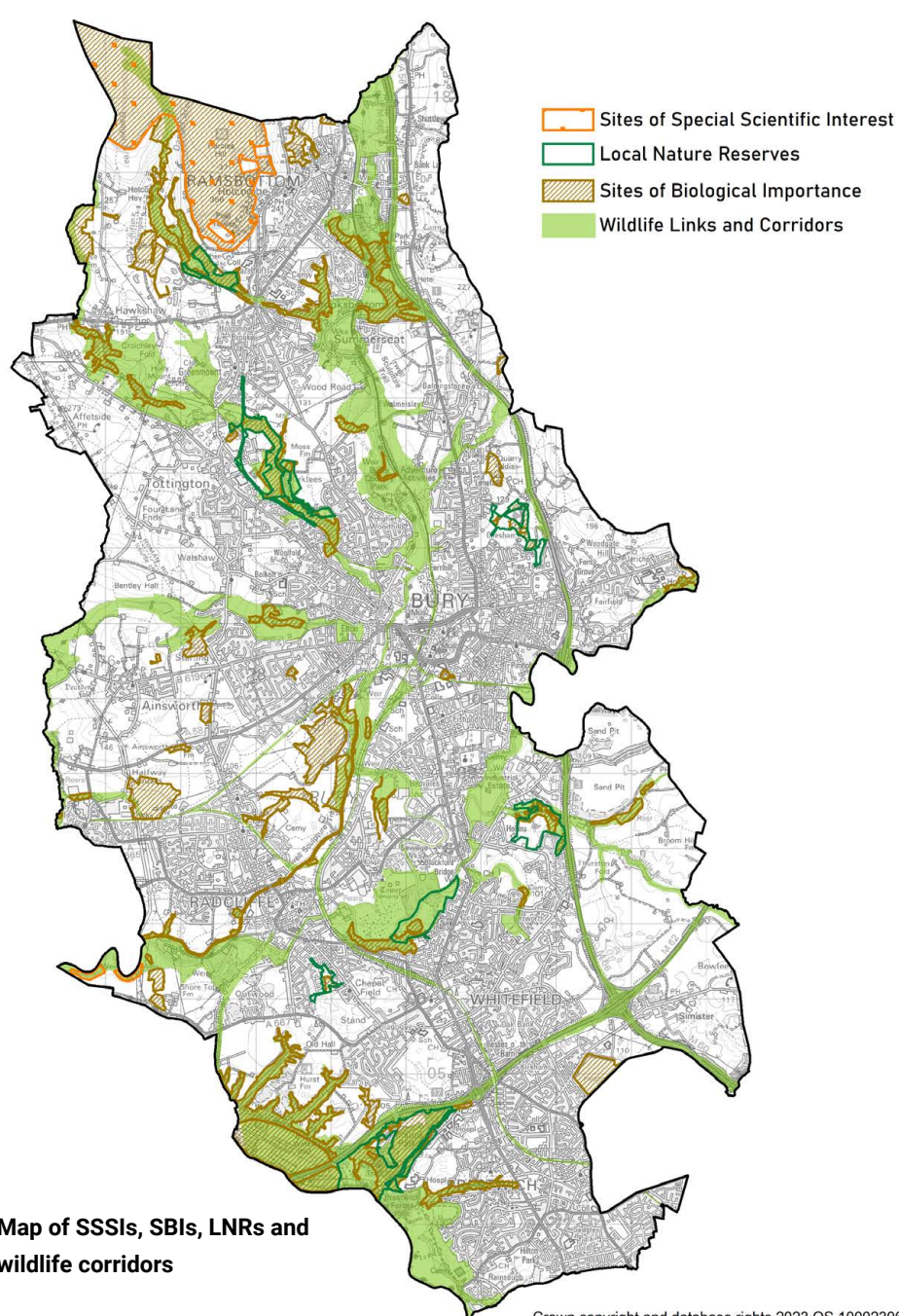
3. What can we do to conserve and enhance biodiversity in Bury?

2.17 Bury currently has seven declared local nature reserves, which are protected by Unitary Development Plan EN6/2 at the following sites:

- Philips Park
- Chesham Woods
- Hollins Vale
- Redisher Woods
- Kirklees Valley
- Chapelfield
- Springwater Park

Wildlife links and corridors

2.18 Bury's UDP identifies c112 km of wildlife links and corridors which join together the designated sites, making them more valuable than they would be as isolated sites, since they permit dispersal and extend the territory available to species.



3.1 Without action, pressure from urban development, intensive land management practices, human disturbance, introduced diseases, invasive non-native species and climate change can be expected to further exacerbate the decline of the UK's biodiversity over the coming decades. Nevertheless, there are several things we can do in Bury as individuals, local community groups, businesses and the Council that can help conserve and enhance biodiversity.

Managing land for biodiversity

3.2 Bury Council is a major landholder in the Borough, so the way it manages its land – and its buildings - has a significant effect on local biodiversity. The land could have a variety of existing uses, from play areas to highway verges. Its 14 green flag-certified parks have management and maintenance plans that include proposals to increase biodiversity.

3.3 In recent years, the Council has taken a number of actions to manage its land in a way that benefits biodiversity:

- Using steam instead of chemicals to control weeds in green spaces.
- Ceasing to use glyphosate in schools and play areas except for the treatment of invasive or harmful species.
- Reducing highway spraying using glyphosate.
- Reducing grass cutting and identifying trial sites for wildflower seeding/re-wilding.
- Developing site management partnerships with 3rd sector organisations such as the Wildlife Trust (at Philips Park) and City of Trees (at Outwood).
- Supporting and working with local community groups and Bury Volunteer Rangers to improve the management of sites.
- Working with City of Trees to increase woodland in the Borough such as at Broad Oak, Redbank, Springwater, plus a number of schools and privately-owned sites.
- Working with the Environment Agency to plant trees and develop habitats as part of the Radcliffe and Redvales flood defence scheme.
- Working with a Community Interest Company to develop proposals and seek external funding for environmental projects. In the last year 4 local groups have been successful in attracting funding for their proposals from the Greater Manchester Greenspaces Fund.



Cutting back rhododendron. Photo by James Hall



Bury currently has six declared local nature reserves



Astley Tiny Fungi. Photo by James Hall

3.4 In the future, the Council could do more still for biodiversity by:

- Using its land as receptor sites for biodiversity net gain
- Further changing maintenance or grazing regimes
- Support residents, community groups and partners taking action for biodiversity on Council land.
- Enhance native planting and semi-natural green spaces.

3.5 Sites which have been recognised as having existing biodiversity value merit special attention. Some of these sites are owned by the Council and others are in private ownership. We need to work with all landowners to encourage biodiversity-aware land management.

Advice and awareness

3.6 Although most people are well disposed towards the natural environment, people aren't always aware of the biodiversity that exists, how it functions and how it can be harmed. Some will welcome the opportunity or encouragement to get actively involved in improving biodiversity.

3.7 The Council works with local businesses, encouraging them to develop their environmental policies and practices.

3.8 The Council has supported and encouraged playschemes and forest schools on land it owns to encourage awareness of the natural environment. It works with Friends groups, Volunteer Rangers and with organisations such as the Wildlife Trust and City of Trees to organise activities and events. The Council intends to continue such work and expand it in the future.

Council policies and procedures

3.9 Biodiversity is a corporate issue. Many Council services will already be aware of this and taking action, but we must take all opportunities to improve policies and practices. Examples include:

- Parks – continuing to review management and maintenance plans for ways to benefit biodiversity.
- Property – reviewing tenancies and licences to encourage biodiversity-aware land management practices.
- Transport – air and noise pollution affect biodiversity so measures to reduce pollution and encourage low-carbon travel are beneficial.
- Waste – litter and leachate can be harmful to biodiversity so Council management is important.
- water – the quality of water in rivers and streams, and the morphology of watercourses has a bearing on what life they will sustain.
- Procurement – the source of materials and use of local companies will have an impact on pollution.
- Lighting – artificial light can have a negative impact on some species.



Kingfishers. Photo by Stuart Wilson

New development

3.10 New development will have an impact on biodiversity. The Council's UDP policies protect SSSIs, SBIs, LNRs and wildlife corridors from development requiring planning permission. If a proposal is judged to be harmful to the extent that the adverse impacts would outweigh the benefits of the proposal, it can be refused planning permission or mitigation can be required.

More frequently, the Council works with developers to reduce the impact of development, for example by including greenspace, or taking positive measures to accommodate wildlife, such as providing nesting places for swifts and swallows or roosts for bats.

Preparing for biodiversity net gain

3.11 The 2021 Environment Act places a new duty on Local Planning Authorities to require a 10% increase in biodiversity value from new development requiring planning permission.

3.12 The Draft Places for Everyone Plan includes a policy requiring Biodiversity Net Gain.

3.13 Biodiversity Net Gain is due to become mandatory in January 2024 and we, with partners such as the Greater Manchester Ecology Unit, will begin monitoring and reporting on what is done to achieve biodiversity net gain, be it on or off development sites. The first report will be published before 2026.

3.14 The Greater Manchester Ecology Unit has undertaken a Needs and Supply Assessment for each GM district. The assessment estimates the potential off-site BNG need resulting from development in the borough, and the potential supply of BNG units on Council-owned land. We have used this to identify a number of council-owned potential sites across the Borough for biodiversity net gain and will utilise this evidence to inform the emerging Local Plan.

3.15 The Council has commissioned the Greater Manchester Environment Trust (GMET) to prepare costed habitat improvement and management plans for seven of these Council-owned potential BNG sites: at Old Kays, Brandlesholme, Chesham Woods, Hollins, Springwater Park, Outwood and Philips Park. The GMET is a partnership between the Greater Manchester Combined Authority and the Wildlife Trust for Lancs, Greater Manchester and North Merseyside, which exists to bring together public, private and third sector bodies, communities and funders to address environmental issues.

3.16 The Greater Manchester Ecology Unit provides ecological advice to Bury Council on planning applications that are required to provide biodiversity net gain. It is recruiting an officer to monitor and verify the provision of net gain over the mandated minimum 30-year period.

3.17 Relevant Councillors and Officers will receive training on this new duty.



**The 2021
Environment
Act places a
new duty on
Local Planning
Authorities**

4.Objectives, Policies and Actions

- 4.1 This Strategy aims to:
- improve our understanding and awareness of biodiversity

• consider biodiversity in all Council decision making

• bring about the recovery of nature in the Borough, in line with national and city-region objectives and targets.
- 4.2 Delivering these objectives will require policies and actions. We propose to carry through the policies for biodiversity contained in the Unitary Development Plan (see Appendix for detail) and update them for inclusion in the forthcoming Local Plan.
- 4.3 Proposed actions are set out below:

Table 1 Objective 1: Improve our understanding and awareness of Biodiversity

Action	Lead	Measure	Target date
Encourage public reporting of species to GM Records Centre	Bury Council/ Wildlife Groups/ GMLRC	Number of reports	2024
Update the Register of SBIs	GMEU/ Bury Council	Annual review adopted for planning purposes by the Council	2020 review adopted by end 2023
Update Council webpages on biodiversity	Bury Council	Updated webpages	2024
Support local communities in acquiring and spreading understanding	Bury Council/ GMCA/ GMET/ Wildlife Trust	Number of groups and sessions	Ongoing

Table 2 Objective 2: Consider biodiversity in all Council decision making

Action	Lead	Measure	Target date
Implement mandatory BNG requirement	Bury Council	Delivery of Biodiversity Net Gain, use of guidance, directory and register	January 2024
Contribute to production of a GM Local Nature Recovery Strategy	GMCA / Bury Council	Production and adoption	2024
Adoption of the Places for Everyone Joint Development Plan	Bury Council	Use of PfE policies in planning decisions	2023-2024
Update local planning policies for biodiversity through the Bury Local Plan	Bury Council	New Local Plan policies that reflect / reference / integrate the Biodiversity Strategy and LNRS	2026
Implement updated planning policies through the development management process	Bury Council	Use of Local Plan policies in planning decisions	2026
Adopt biodiversity recovery as a corporate objective	Bury Council	Environmental assessment section in cabinet reports	2024
Establish monitoring system for delivery of net gain agreements on offset sites in Bury defined	DEFRA, Greater Manchester Ecology Unit	Monitoring framework established for Biodiversity Net Gain sites	2024



Holcombe Moor. Photo by David Wiggins

Table 3 Objective 3: Bring about the recovery of nature in the Borough

Action	Lead	Measure	Target date
Encourage biodiversity-aware land management of all Council land	Bury Council	Changes in land management practices	ongoing
Identify public and privately-owned potential receptor sites for BNG	GMEU/ Bury Council	Completion of land audits	First 7 by June 2024
Encourage all landowners to accommodate BNG or Defra's Environmental Land Management Scheme	NFU/ DEFRA/ Bury Council/	Number of schemes	ongoing
Identify and produce management plans for Council-owned, potential BNG receptor sites	Greater Manchester Environment Trust	Production of first 7 plans and inclusion on the GM directory of receptor sites	2024
Deliver BNG on Council-owned sites		Number of sites on GM directory	2024
Seek external funding for priority sites, habitats and corridors	Bury Council/ partners/ community groups	Number of sites and lengths of corridor improved.	ongoing
Encourage householders and other property owners to encourage biodiversity.	Bury Council/ Wildlife Trust/ Property owners	The presence and abundance of key species.	ongoing
Support 'naturalisation' of watercourses to permit fish passage	Landowners/ Bury Council	Number of weirs removed or fish passes constructed	2030
Protect peatland by reducing use of peat	Bury Council	Amount of peat used	2028
Protect designated sites from invasive species	Landowners/ Bury Council	Number of designated sites with invasive species present	2026

Following the mandatory introduction of biodiversity net gain in November 2023 and the adoption of Bury Biodiversity Strategy, we will also produce, no later than 1 January 2026, a report on how the Council is meeting its biodiversity duty.

5.Reporting and Monitoring

- 5.1 Our biodiversity strategy actions will be monitored annually.
- 5.2 Following the mandatory introduction of biodiversity net gain in November 2023 and the adoption of Bury Biodiversity Strategy, we will also produce, no later than 1 January 2026, a report on how the Council is meeting its biodiversity duty. This report will be updated at least every 5 years.
- 5.3 This report will summarise the actions we have taken, the progress underway, and how we have met our biodiversity net gain obligations over the reporting period.



Barn Owl at Radcliffe. Photo by Stuart Wilson

6. Appendices



Photo by James Hall



Bluebells in Nuttall Park. Photo by Sophie Bleasdale

Legislation, guidance and policy

6.1 There are a number of acts of parliament, regulations and guidance that cover biodiversity. The 1981 Wildlife and Countryside Act was a key piece of legislation, but the duty of care for biodiversity by public bodies was significantly strengthened by the 2021 Environment Act.

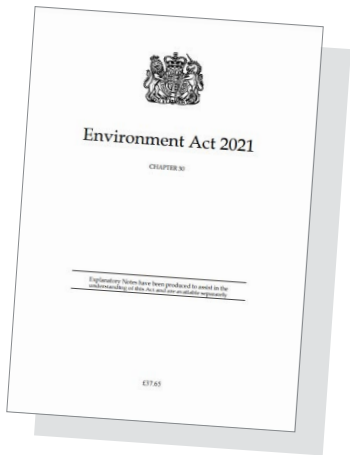
The Environment Act 2021

6.2 The Environment Act (2021) strengthens the duty on Local Authorities to conserve and enhance biodiversity⁸ and requires us to consider what we can do in Bury in order to conserve and enhance biodiversity.

6.3 There are two main biodiversity components of the Environment Act, the first being the National Nature Recovery Network which will identify and reconnect wildlife-rich places. This aims to:

- Enhance sites designated for nature conservation and other wildlife-rich places - newly created and restored wildlife-rich habitats, corridors and stepping stones will help wildlife populations to grow and move.
- Improve the landscape's resilience to climate change, providing natural solutions to reduce carbon and manage flood risk, and sustaining vital ecosystems such as improved soil, clean water and clean air.
- Reinforce the natural and cultural diversity of our landscapes, and protect our historic natural environment.
- Enable us to enjoy and connect with nature where we live, work and play - benefitting our health and wellbeing.

6.4 The second major element of the Environment Act is Biodiversity Net Gain. From January 2024 the Act will require all qualifying development to achieve a minimum of ten percent net gain in biodiversity. This requirement will be applicable to all developments except small sites⁹ in January 2024. Small sites will be expected to provide a ten percent gain in Biodiversity from April 2024.



⁸ Section 102 <https://www.legislation.gov.uk/ukpga/2021/30/section/102#section-102-2>

⁹ Small sites are defined for the purpose of the Biodiversity Net Gain exemption as:

(i) for residential: where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares
(ii) For non-residential: where the floor space to be created is less than 1,000 square metres OR where the site area is less than one hectare

- 6.5 This will provide a legal requirement that any impact on biodiversity caused by development initiatives, where it cannot be avoided, will not only be compensated but will have to demonstrate a 10% biodiversity net gain.
- 6.6 The net gain approach, however, does not override the mitigation hierarchy of avoid, mitigate, compensate. In other words development proposals cannot merely jump to the compensation phase; they must first seek to avoid any harm to biodiversity. Neither does it override the protection for designated sites, protected or priority species and irreplaceable or priority habitats.

National Planning Policy Framework (NPPF)

6.7 The National Planning Policy Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity. It also states that policies and decisions should minimise impacts on and provide net gains for biodiversity¹⁰.

Places for Everyone (PFE)

- 6.8 Once adopted, the Greater Manchester 'Places for Everyone' Joint DPD will form an integral part of Bury's wider development plan. The Plan will be a key tool in meeting Greater Manchester's ambition to become carbon neutral by 2038 and will work in tandem with the Five-Year Environment Plan 2019-2024 produced by the Greater Manchester Combined Authority (GMCA).
- 6.9 The Places for Everyone (PFE) joint development plan document¹¹ has an overall aim of achieving a major net enhancement of biodiversity value across Greater Manchester. In order to achieve this each new development will deliver a "net gain in biodiversity".
- 6.10 Draft Policy JP-G9, as proposed to be modified in October 2023, states the following:

¹⁰ NPPF Paragraph 174. a) & d) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

¹¹ <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/>



The Plan will be a key tool in meeting Greater Manchester's ambition to become carbon neutral by 2038

Policy JP-G 9

A Net Enhancement of Biodiversity and Geodiversity

Through local planning and associated activities a net enhancement of biodiversity resources will be sought, including, where relevant, by:

1. Increasing the quality, quantity, extent and diversity of habitats, particularly priority habitats identified in national or local biodiversity action plans and those that support priority species;
2. Improving connections between habitats, to protect and enhance the provision of corridors, ecological networks (including Nature Recovery Networks) and stepping stones that enable the movement of species, especially as the climate changes;
3. Enhancing the management of existing habitats, including through habitat restoration, avoiding habitat fragmentation and combating invasive species;
4. Protecting sites designated for their nature conservation and/or geological importance, with the highest level of protection given to international and then national designations;
5. Facilitating greater access to nature, particularly within urban areas;
6. Supporting the development and implementation of the Great Manchester Wetlands Nature Recovery Network; and
7. Safeguarding, restoring and sustainably managing our most valuable soil resources, tackling soil degradation/erosion and recovering soil fertility, particularly to ensure protection of peat-based soils and safeguard 'best and most versatile' agricultural land.

Development will be expected to:

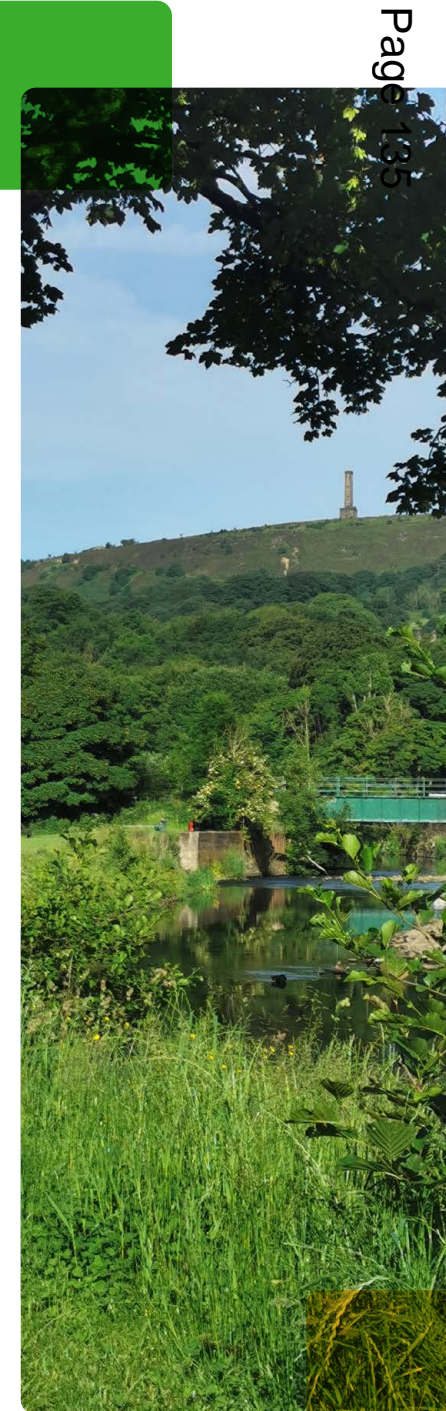
- a) Follow the mitigation hierarchy of:
 - i. Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then
 - ii. Adequately mitigating any harm to biodiversity, then
 - iii. Adequately compensating for any remaining harm to biodiversity
- b) Avoid fragmenting or severing connectivity between habitats;
- c) Achieve a measurable net gain in biodiversity of no less than 10%
- d) Make appropriate provision for long-term management of habitats and geological features connected to the development;
- e) Development proposals should be informed by the findings and recommendations of the appropriate biodiversity/ecological assessment(s) in the PfE evidence base and/or any updated or appropriate biodiversity/ecological assessments submitted as part of the planning application process.

Greater Manchester Local Nature Recovery Strategy (LNRS)

- 6.11 In August 2020, the government announced that five local authorities would test how the recovery of England's landscapes and wildlife can be driven locally. To do this, "Local Nature Recovery Strategy" (LNRS) pilot studies were set up in each of the five areas to help map the most valuable sites and habitats for wildlife in their area and identify where nature can be restored.
- 6.12 Greater Manchester was one of these pilots. The Greater Manchester LNRS¹² pilot ran from autumn 2020 to summer 2021. It brought together stakeholders across the city-region to set out local priorities for restoring and linking up habitats to tackle the biodiversity emergency and agree the best places to do that and, at the same time, deliver wider benefits for people and the environment.
- 6.13 As a member of the Greater Manchester Combined Authority, we have been involved in the preparation of the Pilot LNRS for Greater Manchester (2021). The pilot report and the prototype strategy produced as part of the pilot does not have a formal status like documents such as the Greater Manchester 5 Year Environment Plan. This pilot can be used to inform the risks and opportunities that development may have on a specific area and to help mitigate habitat loss or enhance habitat.
- 6.14 A formal local nature recovery strategy (LNRS) for Greater Manchester will be prepared by GMCA. This will be a locally led strategy for nature and environmental improvement required by the Environment Act 2021. The strategy will provide an overview of how certain habitats fit into the wider network or mosaic of the city-region.
- 6.15 We will continue to support the production and delivery of the first formal LNRS for Greater Manchester. The LNRS will be a key document to help us understand how we can improve habitats on land we own and manage and we will utilise this as a key evidence base document for the production of local planning policies.
- 6.16 Over the coming months, we will be involved in the early stages of the LNRS' production, which will include evidence gathering, stakeholder engagement, and workshops to agree core nature recovery areas, opportunity areas, and mapping methods. It is expected that a draft LNRS for Greater Manchester will be published for public consultation in Summer 2024.
- 6.17 The LNRS will:
 - agree priorities for nature's recovery;
 - map the most valuable existing areas for nature; and
 - map specific proposals for creating or improving habitat for nature and wider environmental goals.

Peel Tower from Nuttall Park.
Photo by Sophie Bleasdale

¹² https://gmgreencity.com/resource_library/local-nature-recovery-strategy/





We are currently in the process of preparing a new Local Plan that will guide future development in the borough

Bury Development Plan

- 6.18 We are currently in the process of preparing a new Local Plan that will guide future development in the borough.
- 6.19 Together, the Places for Everyone (PfE) joint development plan and the Local Plan will form the main elements of Bury's overall development plan and, once adopted, these documents will both be used as the basis for determining future development proposals for the next 20 years or so.
- 6.20 Whereas PfE will deal with strategic planning matters that are of significance across the Joint Plan area (such as identifying future levels of housing and employment growth), Bury's Local Plan will contain a range of locally-specific planning policies and identify local sites where development should be built as well as areas where development should be restricted or controlled.
- 6.21 Until a new Local Plan is adopted, the Unitary Development Plan (UDP) provides some important protection for sites with designation for biodiversity value. It includes the following policies:

EN6/1 - Sites of Nature Conservation Interest (Sites of Special Scientific Interest, National Nature Reserves and Grade A Sites of Biological Importance) Planning permission will not be granted for development in or in the vicinity of a designated or proposed site of national or county/regional importance (Site of Special Scientific Interest or National Nature Reserve or Site of Biological Importance which has been identified as of national or county/regional importance i.e. Grade A) which would destroy or adversely affect, either directly or indirectly, the nature conservation interest of the site, unless it can be demonstrated that other material considerations outweigh the special interest of the site.

EN6/2 - Sites of Nature Conservation Interest (Local Nature Reserves and Grade B and C Sites of Biological Importance) Planning permission will not be granted for development which would damage either directly or indirectly, the nature conversation interests of sites of particular ecological significance (Local Nature Reserves or Grade B and C Sites of Biological Importance) unless conditions can be imposed that would acceptably mitigate those impacts.

EN6/3 – Features of Ecological Value The effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.

EN6/4 - Wildlife Links and Corridors The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate.

Species Conservation Strategies and Protected Sites Strategies

- 6.22 Under s109 of the Environment Act 2021, Natural England can publish species conservation strategies to safeguard the future of the species that are at greatest risk. The strategies will find ways to comply with existing legal obligations to protect species at risk and to improve their conservation status.
- 6.23 Protected site strategies (Environment Act 2021 s110) take a new approach to protecting and restoring species and habitats in protected sites. Protected site strategies will provide ways to overcome pressures arising from plans or projects in the strategy area.

Bury Climate Action Strategy and Plan

- 6.24 The Bury Climate Action Strategy (2021)¹³ makes it clear that for Bury to meet its carbon-neutral target, green and blue spaces need to be enhanced and improved for sustainable use and biodiversity.
- 6.25 The action plan (2021)¹⁴ sets out actions for the natural environment that the council can participate and lead on including but not limited to:
- Working toward planting 3 million trees within 5 years in Greater Manchester – work is ongoing with Cities of Trees to increase tree-planting within the Borough
 - Enhancing natural capital – many green spaces are now not actively managed and are left to grow naturally to promote biodiversity and reduce maintenance related emissions
 - Managing Council owned land and road verges to increase biodiversity and draw down carbon pollution including reductions in pesticide use and increased wildflower planting
 - Work with schools to better use green spaces and promote biodiversity
 - Keeping up to date with carbon offsetting opportunities and consider the practicality and reliability of using these means to meet our target – the Greater Manchester Environment Fund has been established as a way of managing funding for biodiversity and carbon offsetting projects
- 6.26 It also suggests actions that individuals can take such as:
- Utilising your garden to encourage wildflowers and biodiversity
 - Consider joining one of the local community groups within your local park to help us maintain them to a high standard
 - Check out local projects that are ongoing and get involved with them
 - Adopting environmentally friendly ways to get rid of weeds and stop using weedkiller

¹³ [bury-climate-action-strategy](#)

¹⁴ [bury-climate-action-plan](#)



River Irwell at Burrs. Photo by Sophie Bleasdale



Swans on nest. Photo by Barry Aldous

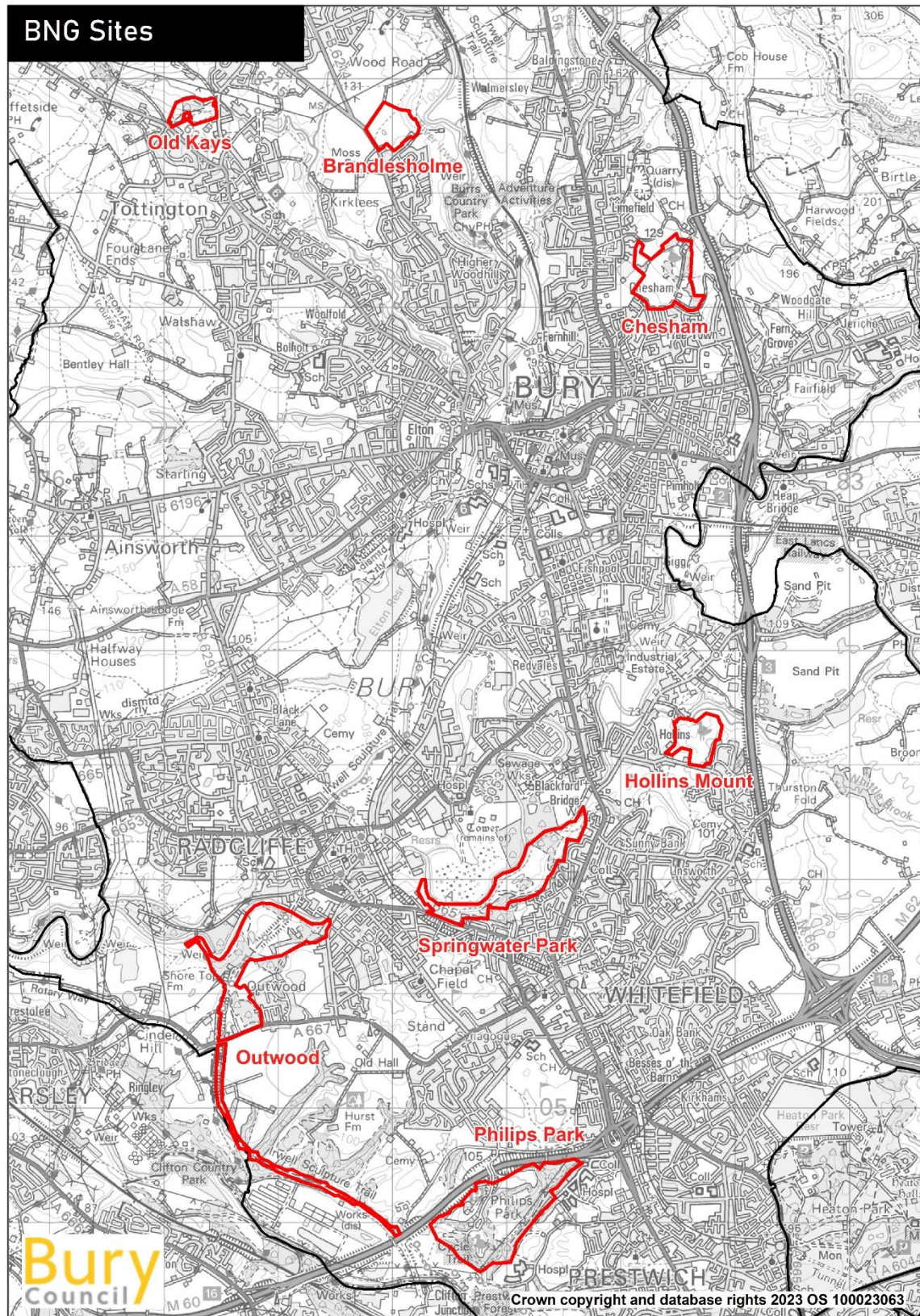


Bury
Council

The logo for Bury Council is centered on a large green square. Below and to the left of this square is a smaller yellow square. The background of the page is a photograph of a forest path covered in bluebells, with a solid blue band at the bottom.

This page is intentionally left blank

Appendix B – Potential Biodiversity Net Gain Receptor Sites



This page is intentionally left blank

EQUALITY ANALYSIS

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

For support with completing this Equality Analysis please contact corporate.core@bury.gov.uk / 0161 253 6592

SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY	
Refer to Equality Analysis guidance page 4	
1.1 Name of policy/ project/ decision	The Local Authority Biodiversity Duty: First considerations requirement
1.2 Lead for policy/ project/ decision	Cris Logue
1.3 Committee/Board signing off policy/ project/ decision	Cabinet
1.4 Author of Equality Analysis	Name: <i>Sophie Bleasdale</i> Role: <i>Planning Officer</i> Contact details: <i>s.bleasdale@bury.gov.uk</i>
1.5 Date EA completed	<i>06/09/2023</i>
1.6 Quality Assurance	Name: <i>Chris Wilkinson</i> Role: <i>Unit Manager – Planning Projects and Environment</i> Contact details: <i>c.m.wilkinson@bury.gov.uk</i> Comments:
1.7 Date QA completed	<i>01/12/2023</i>
1.8 Departmental recording	Reference: Date:
1.9 Next review date	

SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT	
Refer to Equality Analysis guidance page 5	
2.1 Detail of policy/ decision being sought	In response to the government's requirement that Local Authorities make a 'first consideration' of their biodiversity duty by 1 st January 2024, it is proposed that the Council publishes a draft Biodiversity Strategy. The scope of the Strategy is the current state of biodiversity in Bury and the potential actions that we could take to conserve and enhance it. The strategy will clarify to the Council, the community and its partners, the priorities for Bury and how we can deliver them. Given the interrelationships involved, the Biodiversity Strategy needs to be a corporate document as well as engaging the wider community. Without action, pressure from urban development, intensive land management practices, human

	disturbance, introduced diseases, invasive non-native species and climate change can be expected to further exacerbate the decline of the UK's biodiversity over the coming decades.
2.2 What are the intended outcomes of this?	<p>The Biodiversity Strategy seeks to achieve the following outcomes:</p> <ul style="list-style-type: none"> • Meet our biodiversity duty by undertaking a first consideration of what we can do in Bury to conserve and enhance biodiversity; • Set out current state of biodiversity in Bury; • Explore potential actions that we could take to conserve and enhance biodiversity in the borough; and • Clarify to the Council, the community and its partners, the biodiversity objectives for Bury and how we can deliver them.

SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS		
Refer to Equality Analysis guidance pages 5-8 and 11		
Please outline the relevance of the activity/ policy to the Public Sector Equality Duty		
General Public Sector Equality Duties	Relevance (Yes/No)	Rationale behind relevance decision
3.1 To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010	No	The aim of the Bury Biodiversity strategy is to satisfy our biodiversity duty. The Bury Biodiversity Strategy will not be able to eliminate unlawful discrimination, harassment and other conduct.
3.2 To advance equality of opportunity between people who share a protected characteristic and those who do not.	Yes	The Bury Biodiversity Strategy will encourage people to consider what they can do to conserve biodiversity. Empowering and engaging the community in biodiversity conservation and encouraging them to think about what action they can take to protect and enhance biodiversity, and get involved, could help to advance equality of opportunities to experience nature and get involved in biodiversity conservation.
3.3 To foster good relations between people who share a protected characteristic and those who do not	No	The aim of the Bury Biodiversity strategy is to satisfy our biodiversity duty. The Bury Biodiversity Strategy will not foster relations itself.
3.4 Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.		
<p>None of the 15 articles stated in the Human Rights Act 1998 are expected to be negatively affected by the Bury Biodiversity Strategy. In fact, the Strategy produces positive affects in relation to the HRA 1998, including:</p> <ul style="list-style-type: none"> • Improving awareness of the need to conserve and enhance biodiversity, and the issues faced in the borough; and • By encouraging more thoughtfulness around our enjoyment of the environment, interaction with nature and the key role that biodiversity plays in our food sources, air quality, health, and sense of place. 		

SECTION 4 – EQUALITIES DATA			
Refer to Equality Analysis guidance page 8			
Protected characteristic	Outcome sought	Base data	Data gaps (to include in Section 8 log)
4.1 Age	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	Bury has a slightly higher proportion of those over 65 and slightly less between 16 – 64. The neighbourhoods of Bury North, Whitefield and Bury West have higher proportions of over 40 age groups than overall Bury figures. Bury East has higher proportions of the under 40s.	
4.2 Disability	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	All neighbourhoods except Bury North have significant areas with high concentrations of Bury residents living with long term conditions or disability.	
4.3 Gender	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	Bury's demographics are similar to GM-wide; gender is split more or less evenly between male and females. Female life expectancy is consistently above male life expectancy	
4.4 Pregnancy or Maternity	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit	Bury's demographics are similar to GM-wide; it is estimated that 2.46% of the female population had a live birth. This is slightly higher than the England average of 2.21%.	

	from the outcomes set out in section 2.2		
4.5 Race	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	Bury's BAME population is around 10.8%. Bury East neighbourhood has by far the highest percentage of BAME residents at 23%. Prestwich is next highest with 14%	
4.6 Religion and belief	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	The majority of Bury's residents are Christian at 52%; 30% recorded no religion; 17% are Muslim and 13% are Jewish	
4.7 Sexual Orientation	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	LGB estimates for Bury are 3.1% which is slightly less than the GM average of 3.6%	
4.8 Marriage or Civil Partnership	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	In England, marriage rates have fallen to 21.2 per 1,000 (2017). Less than a quarter were religious ceremonies and there were. 2.8% of these marriages were between same-sex couples	Data is not available at Bury or GM scale
4.9 Gender Reassignment	Outcomes of this Biodiversity Strategy are not against any	Data is not available at Bury or GM scale	Data is not available at Bury or GM scale

	particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2		
4.10 Carers	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	It is estimated that 20,000 people in Bury are carers, supporting their friends and family. 88% of adults with a learning disability live in their own home or with their family.	
4.11 Looked After Children and Care Leavers	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	362 children cared for by Bury Local Authority (19/20)	
4.12 Armed Forces personnel including veterans	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit from the outcomes set out in section 2.2	Data is not available at Bury or GM scale	Data is not available at Bury or GM scale
4.13 Socio-economically vulnerable	Outcomes of this Biodiversity Strategy are not against any particular characteristics and all characteristics are expected to be unaffected or benefit	2% of residents in Bury currently live-in fuel poverty. Wards vary greatly in terms of deprivation with some areas suffering considerably more than others.	

	from the outcomes set out in section 2.2		
--	--	--	--

SECTION 5 – STAKEHOLDERS AND ENGAGEMENT

Refer to Equality Analysis guidance page 8 and 9

	Internal Stakeholders	External Stakeholders
5.1 Identify stakeholders	Workforce, Executive Team, Elected Members, internal service users	Residents, external service users, neighbouring Councils, GMCA, local businesses, the wider community and volunteers
5.2 Engagement undertaken	Multiple departments engaged with (including environmental health, climate action, asset management, parks and recreation and strategic projects) regarding different sections of the Strategy. Public consultation on the Strategy has been proposed following Cabinet approval to consult. Final Strategy will then be updated and taken to Cabinet for adoption.	Full 6-week public consultation to take place in January-February 2024. Engagement will consist of a combination of a digital questionnaire and social media posts.
5.3 Outcomes of engagement	Comments and data provided by departments have been considered and incorporated in the Strategy. Changes to actions have included alterations to actions to make improve tangibility, accuracy and effectiveness as well as suggestions of actions that were not previously considered. Strategy is yet to be presented to Cabinet. There will be further opportunity for comments during consultation.	Feedback on consultation will be given once the consultation is concluded. The strategy will be updated following the consultation and presented back to Cabinet for adoption.
5.4 Outstanding actions following engagement (include in Section 8 log)	To follow up on decision made.	As above. Once the consultation has taken place, further updates to the Strategy will be considered ahead of adoption.

SECTION 6 – CONCLUSION OF IMPACT

Refer to Equality Analysis guidance page 9

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

Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
6.1 Age	Neutral	
6.2 Disability	Neutral	
6.3 Gender	Neutral	

6.4 Pregnancy or Maternity	Neutral	
6.5 Race	Neutral	
6.6 Religion and belief	Neutral	
6.7 Sexual Orientation	Neutral	
6.8 Marriage or Civil Partnership	Neutral	
6.9 Gender Reassignment	Neutral	
6.10 Carers	Neutral	
6.11 Looked After Children and Care Leavers	Neutral	
6.12 Armed Forces personnel including veterans	Neutral	
6.13 Socio-economically vulnerable	Neutral	
6.14 Overall impact - What will the likely overall effect of your activity be on equality, including consideration on intersectionality?	Neutral. Potential impacts will be considered during the Consultation. Mitigative measures will be sought out where possible and actively encouraged where feasible.	

SECTION 7 – ACTION LOG

Refer to Equality Analysis guidance page 10

Action Identified	Lead	Due Date	Comments and Sign off (when complete)
7.1 Actions to address gaps identified in section 4			
No current action required 1/12/23			
7.2 Actions to address gaps identified in section 5			
No current action required 1/12/23			
7.3 Mitigations to address negative impacts identified in section 6			
No current action required 1/12/23			
7.4 Opportunities to further inclusion (equality, diversity and human rights) including to advance opportunities and engagements across protected characteristics			
Consider responses from consultation and amend strategy where there are opportunities to advance opportunities for protected characteristics.	CW	December 2023	

SECTION 8 - REVIEW

Refer to Equality Analysis guidance page 10

Review Milestone	Lead	Due Date	Comments (and sign off when complete)
Biodiversity Strategy consultation ends	CW	Spring 2024	
Comments and changes incorporated into biodiversity strategy	CW	TBC	
Biodiversity Strategy re-submission to Cabinet	CW	TBC	
Biodiversity Strategy Review	CW	TBC	

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

SECTION 9 – QUALITY ASSURANCE

Refer to Equality Analysis guidance page x

Consideration	Yes/ No	Rationale and details of further actions required
Have all section been completed fully?	Yes	
Has the duty to eliminate unlawful discrimination, harassment, victimization and other conducted prohibited by the PSED and Equalities Act been considered and acted upon?	Yes	
Has the duty to advance equality of opportunity between people who share a protected characteristic and those who do not been considered and acted upon	Yes	
Has the duty to foster good relations between people who share a protected characteristic and those who do not, been consider and acted upon	Yes	
Has the action log fully detailed any required activity to address gaps in data, insight and/or engagement in relation to inclusion impact?	Yes	

Have clear and robust reviewing arrangements been set out?	Yes	
Are there any further comments to be made in relation to this EA	No	

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE GREATER MANCHESTER COMBINED
AUTHORITY HELD ON FRIDAY 27TH OCTOBER 2023 AT BURY TOWN HALL**

PRESENT

Mayor of Greater Manchester	Andy Burnham (in the Chair)
Deputy Mayor (Police, Crime & Fire)	Kate Green
Bury	Councillor Eamonn O'Brien
Oldham	Councillor Arooj Shah
Manchester	Councillor Joanna Midgley
Rochdale	Councillor Neil Emmott
Salford	City Mayor Paul Dennett
Stockport	Councillor Mark Hunter
Tameside	Councillor Ged Cooney
Trafford	Councillor Tom Ross
Wigan	Councillor Nazia Rehman

ALSO IN ATTENDANCE:

Bolton	Councillor Mrs Linda Thomas
Bolton	Councillor Nadim Muslim (Chair of Overview & Scrutiny Committee)
Rochdale	Councillor Janet Emsley (Chair of Police, Fire & Crime Panel)
GM Race Equality Panel	Elizabeth Cameron

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
GMCA Exec Director of Policy & Strategy	Simon Nokes

GMCA Director of Governance & Scrutiny	Julie Connor
Bolton	Rachel Tanner
Bury	Lynne Ridsdale
Manchester	Mark Duncan
Oldham	Harry Catherall
Rochdale	Steve Rumbelow
Salford	Maggie Kufeldt
Stockport	Caroline Simpson
Tameside	Sandra Stewart
Trafford	Sarah Saleh
Wigan	Sonia Halliwell
Office of the GM Mayor	Kevin Lee
GMCA	Sylvia Welsh
GMCA	Lee Teasdale

GMCA 183/23 APOLOGIES

That apologies be received and noted from Councillor Nicholas Peel (Bolton), Councillor Bev Craig (Manchester), Councillor David Molyneux (Wigan), Sue Johnson (Bolton), Tom Stannard (Salford), Sara Todd (Trafford) and Alison McKenzie-Folan (Wigan).

GMCA 184/23 CHAIRS ANNOUNCEMENTS AND URGENT BUSINESS

The Mayor of Greater Manchester, Andy Burnham, advised that the GMCA & TfGM Chief Executive Eamonn Boylan had announced his intention to retire following the May 2024 Mayoral Elections. The Mayor reflected on how vital the support of Eamonn had been to him throughout his six years as Mayor, particularly throughout the Bee Network process. It was advised that discussions had been taking place

through the Resources Committee to agree the recruitment process for a new Chief Executive and the GMCA would be further updated on this in due course.

An update was provided on the HS2 situation following the announcement by Government over the decision to scrap the Manchester to Birmingham arm of the HS2 network. It was felt that the decision-making process for this had not been conducted in an appropriate way, and that this was particularly disappointing after officers within Greater Manchester had worked on the plans around this for a full decade in good faith.

There were opportunities arising from what had now been announced, for example £12bn within the plan for a proposed new line between Greater Manchester and the Liverpool City Region. The HS2 Phase 2b plans in relation to Greater Manchester had also been safeguarded until the summer of 2024 to allow time for Greater Manchester/TfGM to work with the Liverpool Combined Authority to work on a plan for improving rail connectivity in both regions. It was hoped that this would include discussions for both a new station at the Airport and an underground station at Manchester Piccadilly.

In reference to the Phase 2 part of the plan (Crewe to Birmingham) the Government had signalled plans to dispose of the reserved land within a matter of weeks. This timetable would not allow sufficient time for the concessions that the West Midlands Mayor had agreed for consideration of the alternatives to HS2 in increasing rail capacity between Birmingham and Manchester. A letter had now been sent to the Secretary of State for Transport asking for an alignment of the timetable for the consideration of these issues in which the land would be protected for at least another nine month period. The GMCA would be updated in due course on whether the proposal had been accepted.

Reference was made to the ongoing tragic events unfolding in the Middle East and the stress and anxiety that many residents of Greater Manchester would be going through in relation to this. The Mayor advised that he had attended the vigil held by the Jewish Community following the initial attacks and would this afternoon be meeting with representatives from the Muslim Community for a listening event. It was vital to

engage with all communities in the sub region, all communities would be treated with equal respect.

All present expressed their condolences and best wishes to the family and friends of Sir Bobby Charlton following his sad passing, and his incredible contribution to the promotion of Greater Manchester on the football world stage was acknowledged.

RESOLVED -/

1. That the announcement that Eamonn Boylan would be retiring as the Chief Executive of Greater Manchester Combined Authority & Transport for Greater Manchester following the May 2024 Mayoral Elections be acknowledged.
2. That the latest rail network development updates be received following the decision of the Government to cancel the Manchester to Birmingham arm of HS2.
3. That it be noted that the Combined Authority will be kept informed of the outcomes following the letter sent to the Department for Transport requesting that protections of the land purchased for HS2 be extended into 2024 to ensure full consideration of the options available.
4. That it be noted that following the ongoing tragic events in the Middle East, the Mayor has met with the Greater Manchester Jewish Community and the Mayor and Leaders will today be meeting with the Greater Manchester Muslim Community.
5. That Members express their condolences and best wishes to the family and friends of Sir Bobby Charlton following his sad passing, and that his incredible contribution to the promotion of Greater Manchester on the world stage be acknowledged.

GMCA 185/23 DECLARATIONS OF INTEREST

RESOLVED -/

That Mayor Andy Burnham declared an interest in Item 17 (Electric Vehicle Charging Tariff) and would vacate the Chair and leave the meeting for consideration of this item.

GMCA 186/23 MINUTES OF THE GMCA MEETING HELD ON 29 SEPTEMBER 2023

RESOLVED /-

That the minutes of the GMCA meeting held on 29 September 2023 be approved as a correct record.

GMCA 187/23 MINUTES OF THE GMCA RESOURCES COMMITTEE MEETING HELD ON 29 SEPTEMBER 2023

RESOLVED /-

That the minutes of the GMCA Resources Committee meeting held on 29 September 2023 be approved as a correct record.

GMCA 188/23 MINUTES OF THE GMCA OVERVIEW AND SCRUTINY COMMITTEE MEETINGS HELD ON 27 SEPTEMBER 2023

RESOLVED /-

That the minutes of the GMCA Overview & Scrutiny Committee meeting held on 27 September 2023 be noted.

GMCA 189/23 MINUTES OF THE BEE NETWORK COMMITTEE HELD ON 28 SEPTEMBER 2023

RESOLVED /-

That the minutes of the Bee Network Committee held on 28 September 2023 be noted.

**GMCA 190/23 MINUTES OF THE GREATER MANCHESTER WASTE &
RECYCLING COMMITTEE HELD ON 11 OCTOBER 2023**

RESOLVED -/

That the minutes of the Greater Manchester Waste & Recycling Committee meeting held on 11 October 2023 be noted.

GMCA 191/23 GREATER MANCHESTER EQUALITY STRATEGY

The Mayor of Greater Manchester, Andy Burnham, opened the item by thanking Elizabeth Cameron for her leadership over the past year as the first chair of the Greater Manchester Race Equality Panel. He also congratulated her strong work and leadership in raising the profile of equality issues before inviting Councillor Arooj Shah, Portfolio Lead for Equalities and Communities, to introduce the item which outlined the next steps required to achieve meaningful change for our racially diverse communities.

Councillor Shah stated that the purpose of the Strategy was to bring the issues highlighted within it out into the open, the Panel had been given an important level of freedom by the Mayor to truly broach the subject and ask sometimes uncomfortable questions about structural inequality. The Strategy would not be easy to implement and would face challenges, but there was a full commitment to breaking down as many barriers as possible. It was important to remember that the members of the Race Equality Panel were volunteers, and it was not their responsibility to implement the five key themes within the Strategy, this responsibility fell upon local political and organisational leads and it was vital all endorsed and bought into the Strategy in full.

Councillor Nadim Muslim was then invited, as the Chair of GMCA Overview & Scrutiny, to advise of the comments made by that Committee. Councillor Muslim welcomed the fact that Strategy was now being brought to the Committee providing the opportunity to feed into them at an earlier stage. The Committee had broadly

welcomed the Strategy's approach to tackling the issues found cross the region, and whilst the task would be significant, the Strategy had clear areas for prioritisation.

The outgoing Chair of the Race Equality Panel Elizabeth Cameron was then invited to comment. She commented that the commitment of the GMCA in actively pushing this agenda forward was strongly welcomed and provided the Panel members with the energy to spur them on in the development of the Strategy – and it was hoped that this would form a lasting legacy. The themes within the Strategy were fully supported and it was time now to bring the 'experts' in to ensure that the resources and contacts are made available to build upon the work of the Panel.

RESOLVED /-

1. That the contents of the report be noted.
2. That it be noted that the GMCA would consider its role in supporting delivery of the themes and actions within the proposed framework and development of a Race Equality Strategy.
3. That the key themes and actions, as set out in the report, including the appointment of a political and organisational lead from each local authority to drive forward individual action and collective development of a Greater Manchester Race Equality Strategy be endorsed.
4. That the points raised through the GMCA Overview & Scrutiny Committee be received and noted.
5. That the comments made by The Chair of the GM Race Equality Panel be received and noted.
6. That the GMCA record it thanks to Elizabeth Cameron for chairing the first year of the GM Race Equality Panel.

**GMCA 192/23 IMPLEMENTATION OF GREATER MANCHESTER
VOLUNTARY, COMMUNITY, FAITH AND SOCIAL
ENTERPRISE (VCFSE) ACCORD AND A FAIR FUNDING
PROTOCOL**

Councillor Arooj Shah, Portfolio Lead for Communities and Equalities introduced a report seeking GMCA approval of the Fair Funding Protocol.

The GMCA had previously approved a new tripartite Accord agreement with the Voluntary, Community, Faith and Social Enterprise (VCFSE) sector and NHS Greater Manchester, to act as a framework for collaboration involving VCFSE leaders and organisations in the delivery of the Greater Manchester Strategy (GMS) and the thematic strategies and delivery plans that would exist to deliver the GMS vision. The Accord had been endorsed through the Executive structures of all ten of the Greater Manchester local authorities. In March 2022, a five-year Implementation Plan for the Accord was published, and the report provided an update on the work that was currently taking place across Greater Manchester.

It was clear that a huge amount of progress has been made already, with VCFSE sector representatives “at the table” in the places where important decisions were made across the NHS, Health and Social Care and GMCA partnerships. The sector was playing a strong role across all the commitments and thematic areas of the GMS, and improvements have been made in the sector’s workforce, in communication, in partnerships and in service delivery.

The Accord included a commitment that the GMCA would work with its partners to build a financially resilient VCFSE sector. However, the sustainability and resilience of front-line community groups and organisations had been hit hard by both the current economic situation and the withdrawal of Covid emergency funding, thereby reducing their capacity to help. It was proposed therefore that GMCA commit to a Fair Funding Protocol in relation to new grants and contracts for activities and services that the VCFSE sector carried out across Greater Manchester which were funded directly from the GMCA’s budget.

RESOLVED /-

1. That the progress update be noted.
2. That the Fair Funding Protocol for activities and services that the VCFSE sector carries out across Greater Manchester, which were funded directly from the GMCA's budget, be approved.

GMCA 193/23 HOMELESSNESS UPDATE 2023

City Mayor Paul Dennett, Portfolio Lead for homelessness, presented a report updating the GMCA on the current pressures being faced and activity taking place to combat homelessness and rough sleeping in Greater Manchester. Current activity highlighted included:

- The development and implementation of the Homelessness Prevention Strategy continued apace.
- Work was taking place with government to ensure that the Housing First pilot had a long-term legacy.
- Development would take place for 300 new units of 'move on' accommodation through the Rough Sleeping Accommodation Programme run in tandem with the development of an ethical lettings' agency model.
- Reference was made to the accelerated asylum decision-making implemented by the Home Office to clear the current backlog. In the long-term such a process was support, however, at the present time this would create significant pressures for local authorities and the VCFSE sector against a backdrop of other ongoing issues. It was estimated that 500 families and 2000 single person households in the region would receive a positive decision and require temporary accommodation before the end of the year. There was also concern around those who received a negative decision who would be at risk of exploitation and destitution during any appeals process.
- The report looked to the future in terms of developing a strategic approach to delivering asylum & migration. There was a need to continue to lobby

government for at least £2.6m until March 2025 to mobilise emergency funds following the ceasing of the Home Office Refugee Transitions Outcome Fund (RTOF) in March 2024.

RESOLVED /-

1. That the current and forthcoming pressures on Rough Sleeping and Statutory homelessness services, and the activity undertaken to mitigate these, be noted.
2. That the funding risk and uncertainty for all homelessness programmes beyond 31 March 2025 be noted.
3. That the ongoing work to define a vision for homelessness beyond 2025 be noted.
4. That a request be made to the Home Office for further support to be made available and that a stable alternative to the temporary Home Office Refugee Transitions Outcome Fund (RTOF), which was due to end in March 2024, be developed.

**GMCA 194/23 GREATER MANCHESTER STRATEGY PROGRESS REPORT –
AUTUMN 2023**

The Mayor of Greater Manchester, Andy Burnham, presented a report that provided a progress report on the Greater Manchester Strategy (GMS) for review, comment and approval.

Councillor Nadim Muslim was invited to provide feedback from the recent consideration of the GSM by the Overview & Scrutiny Committee. Concerns raised included issues around means testing in terms of training availability; barriers to work for qualified asylum seekers; issues around dependence on private vehicles; and employment pathways for residents of all ages.

RESOLVED /-

1. That the draft progress report, noting the development in the approach to progress reporting, with a greater emphasis on whole system metrics and actions, be approved.
2. That the whole system actions included in the report and the next steps from progressing these actions through a round of thematic, sectoral and place-based engagement on the findings be approved.
3. That the impact assessment summary noted, and that it also be noted that the process adopted for the development of this progress report, has not gathered sufficient detail to assess specific impacts arising from delivery of programmes and policies supporting the GMS ambitions.
4. That it be noted that the assessment completed takes an overview approach, considering the strategic intent of the GMS and collective ability to, over time, achieve that strategic intent.
5. That the comments raised through the GMCA Overview & Scrutiny Committee in relation to the five key areas within the GMS be received and noted.

GMCA 195/23 GMCA REVENUE UPDATE QUARTER 2 2023/24

Steve Wilson (GMCA Treasurer) presented a report informing members of the Greater Manchester Combined Authority financial position at the end of September 2023 (quarter 2) and forecast revenue outturn position for the 2023/24 financial year.

The report also included an update on the proposed areas for the enhanced business rates sites in Greater Manchester as part the Trailblazer Devolution Deal between Government and GMCA.

During the discussion, the Mayor of Greater Manchester, Andy Burnham, provided an update on the first full month of tranche 1 of the Bee Network. Following the expected initial teething problems following the scale of the overnight changeover, operations have now stabilised. A steady improvement in reliability and punctuality has taken place and was already up to the level of the previous deregulated services, and in

many cases, already better. Highlighted as particularly improved were the V1 & V2 services. There were also positives in the form of a higher-than-expected farebox return so far. Learning was already being taken onboard from Tranche 1 as preparations for Tranche 2 gathered pace.

RESOLVED /-

1. That the forecast position at 30th September 2023 be noted.
2. That the proposed areas for the enhanced Business Rates sites in Greater Manchester be noted. Also noted that confirmation and approval of final sites will be reported to a later meeting of the GMCA, following formal feedback from government and that the final details for the operation of enhanced Business Rates sites will be included in the Investment Plan.
3. That the updates to the GMCA general budget, as set out in section 3 of the report, be approved.
4. That the intention, subject to formal approval by the Department for Transport (DfT), to re-allocate £15m of Bus Service Improvement Programme (BSIP) grant funding, previously awarded by DfT to support bus services, be noted, and that it also be noted that £7.5m of this re-allocation was to be utilised in 2023/24 and £7.5m in 2024/25.
5. That the Mayor's first monthly progress update following the commencement of the Bee Network franchise be received.

GMCA 196/23

GMCA CAPITAL UPDATE QUARTER 2 2023/24

Steve Wilson (GMCA Treasurer) provided an update in relation to the Greater Manchester Combined Authority's 2023/24 capital expenditure programme.

RESOLVED /-

1. That the current 2023/24 forecast of £623.6m, compared to the previous forecast of £681.3m, be noted, and changes to the capital programme, as set out in the report, be approved.
2. That the other increases in capital budget over £0.5m be approved as follows:
 - Cycling and Walking Challenge Fund capital funding of £0.7m, as outlined in section 3.4.3. of the report.
 - Transport Local Growth Deal 1 Major Schemes of £1.7m, as outlined in as outlined at section 3.11 of the report.
 - UK Shared Prosperity Fund of £7.7m, as outlined in section 4.10, of the report.

GMCA 197/23 UKSPF – E22 SME WORKSPACE – PROJECT CHANGE

Steve Wilson (GMCA Treasurer) presented a report seeking agreement to change the location of the scheme in Oldham town centre.

This would now change from creating SME workspace in the Prudential Building to SME workspace in the Spindles Centre. The UKSPF funding requirement and purpose would remain the same and would not impact on GMCA's ability to achieve the outputs and outcomes set out in the GM UKSPF Investment Plan agreed by GMCA in July 2022.

RESOLVED /-

1. That the UKSPF E22 investment in SME workspace in Oldham town centre, to support the creation of SME workspace in the Flexible Workspace project in the Spindles Centre and not the Prudential Building, be approved.
2. That the proposition for any UKSPF E22 underspend, under the £15m total allocated be reassigned to E22 projects that had to reduce grant ask in 2023, up to the maximum E22 total of £15m agreed by GMCA in January 2023, be approved.

3. That it be noted that the overall UKSPF investment to the end of March 2025 remains the same overall at £1.462m but is to be split into £1m capital investment and £0.462m revenue investment.
4. That the revised outputs and outcomes proposed and the positive contribution they will make to achieving those set out in the GM UKSPF Investment Plan be noted.

GMCA 198/23 ASHTON GROWTH CORRIDOR: PROPOSED MAYORAL DEVELOPMENT ZONE

The Mayor of Greater Manchester, Andy Burnham, introduced a report seeking approval for and setting out the proposed concept for a Mayoral Development Zone (MDZ) in the Eastern Growth Cluster, to be named Ashton Mayoral Development Zone (AMDZ).

The Eastern Growth Cluster was one of six Growth Locations across Greater Manchester that would deliver new mixed-use development, create a renewed and vibrant town centre, create and retain jobs, offer better job opportunities, enable training and skill development to increase the number of residents in employment.

The AMDZ would be focussed around two principal growth sites: Ashton Moss and Ashton Town Centre, including St Petersfield. The Ashton Growth Corridor presented a unique opportunity to focus on a cluster of growth opportunities which would build upon the investment of transport, digital assets and place planning to harness the opportunity presented by the allocation of a major employment site through Places for Everyone (PfE), the regeneration of the town centre which had surplus public sector owned land assets and the synergy between the two.

The cumulative impact of these sites would be to contribute to the objectives of the Greater Manchester Strategy and emerging PfE Joint Development Plan which sought to rebalance the Greater Manchester economy by accelerating the economic growth and competitiveness across the less prosperous areas of GM.

Councillor Ged Cooney was invited to comment on the project as the Leader of Tameside Council. He commented that the Mayor's consistent support for the

development of the east of the sub region was welcomed and it was felt that this would be a great example of real levelling up in an area where such investment from Government was long overdue.

RESOLVED /-

1. That the designation of a Mayoral Development Zone known as Ashton Mayoral Development Zone (AMDZ) be approved.
2. That the proposed area of the AMDZ, as indicated in the appendix to the report, be approved.
3. That the establishment of the AMDZ Board be approved and that authority be delegated to the Chief Executive Officer GMCA & TfGM to agree appropriate representation on the Board, in consultation with Tameside Council.
4. That it be noted that the projects within the proposed AMDZ will aim to deliver sustainable forms of development that reflect and deliver the GM Strategy.
5. That the principles of the business case and development strategy for the MDZ, as set out in the report, be approved, noting that the AMDZ Board will refine these into the development of a business case, for the AMDZ in overseeing the delivery of the growth sites, for submission to a future meeting of the GMCA for approval.
6. That it be noted that the current funding resource will be from Tameside Council's unallocated Levelling Up Capacity Grant with GMCA providing support with officer time.
7. That future updates on delivery progress at AMDZ be submitted to the GMCA.

GMCA 199/23 ELECTRIC VEHICLE CHARGING TARIFF

Andy Burnham declared an interest in the report and vacated the Chair and left the room for the discussion.

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

City Mayor Paul Dennett presented a report requesting that the ability to amend the Electric Vehicle charging tariff be delegated to the Chief Executive Officer, GMCA and TfGM, within approved limits, to allow for a more agile approach to remain competitive within the market.

RESOLVED /-

1. That the establishment of a floor and a ceiling price cap of 30% above the below the current EV tariff, as, set out in the report, be approved.
2. That authority be delegated to the Chief Executive Officer, GMCA & TfGM to approve tariff charges within those limits.

GMCA 200/23 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 201/23 TRANCHE 3 BUS PROCUREMENT

RESOLVED /-

That the recommendations within the report be approved.

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