

**Lynne Ridsdale**  
**Chief Executive**

*Our Ref* JG  
*Your Ref* C/JG  
*Date* 12 March 2024  
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**TO: All Members of Council**

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

Dear Member/Colleague

**Council**

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

<b>Date:</b>	Wednesday, 20 March 2024
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

The Agenda for the meeting is attached.

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and also on the Council's Website at [www.bury.gov.uk](http://www.bury.gov.uk)

**Yours sincerely**

A handwritten signature in cursive script, appearing to read "Widdale".

**Chief Executive**

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

## AGENDA

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTEREST**

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

**3 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS**

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

**4 MINUTES (Pages 7 - 12)**

Minutes attached.

**5 NOTICE OF MOTION - YOUTH CABINET (Pages 13 - 14)**

Notice of Motion attached.

**6 PUBLIC QUESTION TIME (Pages 15 - 20)**

To answer questions from members of the public, notice of which has been given, on any matter relevant to the Council or its services to the community. Up to 30 minutes will be set aside for this purpose. If time permits, further questions will be invited from members of the public present.

**7 PLACES FOR EVERYONE (Pages 21 - 54)**

Report attached.

**8 CONSTITUTIONAL UPDATE REPORT (Pages 55 - 56)**

Report attached.

**9 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES (Pages 57 - 140)**

20 February 2024 – Democratic Arrangements Forum	Meetings Timetable	Council approves the meetings timetable for the municipal year 2024.25
22 February 2024 - Licensing and Safety Committee	Review of emissions standard transitional implementation date for existing Hackney Carriage and Private Hire vehicles to compliant vehicle in respect of proposed GM Clean Air Plan.	That the transitional arrangements amended by Full Council on 22 March 2023, in relation to age and emissions, previously extended from 1 April 2024 to 1 April 2026, are

		amended again and to be in effect from 1 January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submissions. The amended policy will state that from 31 December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.
Various meetings of the Standards Committee	Code of conduct	That Full Council approve the updated and amended Model Code produced by the Monitoring Officer following work undertaken by the Standards Committee and their working groups.
29 February 2024 – Employment Panel	Changes to the Officer Employment Procedure Rules	Commend the revised Officer Employment Procedure Rules to Council for approval
	Annual Pay Statement	Approve the pay policy statement
13 March 2024 – Cabinet	Appointment of Deputy Mayor	TBC

10 **LEADER' STATEMENT AND CABINET QUESTION TIME** (Pages 141 - 158)

To receive a verbal update from the Leader of the Council on the work of the Cabinet and to answer written questions from Members of the Council to the Leader, Cabinet Members and Chair of a Committee on any matter in relation to which the Council has powers or duties which affect the Borough, provided the necessary written notice has been given. (30 minutes)

A member may ask a verbal question of the Leader, any Member of the Cabinet or Chair of a Committee about any matter on the Council agenda and which the Council has powers or duties or which affects the Borough. Only one verbal question per Councillor. (20 minutes)

11 **COUNCIL MOTION TRACKER** (Pages 159 - 164)

A report setting out progress in respect of Motions passed at the last meeting of Council is attached for information.

12 **SCRUTINY REVIEW REPORTS AND SPECIFIC ITEMS "CALLED IN" BY SCRUTINY COMMITTEES**

There are no scrutiny report or specific items called in by the scrutiny committee.

13 **QUESTIONS ON THE WORK OF OUTSIDE BODIES OR PARTNERSHIPS**



Questions on the work of Outside Bodies or partnerships on which the Council is represented to be asked by Members of the Council (if any).

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**Minutes of:** COUNCIL

**Date of Meeting:** 21 February 2024

**Present:** The Worshipful the Mayor (Councillor Walmsley, in the Chair)  
Councillors A Arif, S Arif, N Bayley, R Bernstein, D Berry, C Birchmore, C Boles, A Booth, N Boroda, R Brown, C Cummins, L Dean, U Farooq, E FitzGerald, N Frith, I Gartside, R Gold, D Green, J Grimshaw, S Haroon, J Harris, M Hayes, K Hussain, B Ibrahim, J Lancaster, G Marsden, J Mason, L McBriar, G McGill, C Morris, E Moss, E O'Brien, T Pilkington, A Quinn, D Quinn, T Rafiq, I Rizvi, M Rubinstein, J Rydeheard, L Ryder, L Smith, M Smith, G Staples-Jones, S Thorpe, D Vernon, S Walmsley, M Whitby and Y Wright

**Apologies for Absence** D Duncalfe, T Tariq and M Walsh

**Public Attendance:** 11 members of the public attended the meeting.

#### **C. 1 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

#### **C. 2 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS**

The Mayor reported to those present, duties undertaken as Bury's first citizen since the last Council meeting.

#### **C. 3 MINUTES**

The minutes of the meeting held on the 17<sup>th</sup> January 2024 be approved.

#### **C. 4 PUBLIC QUESTION TIME**

Notice had been received of 3 questions in advance of the meeting:

<b>Questioner</b>	<b>Topic</b>	<b>Responding</b>
<b>J Southworth</b>	<b>Sustainable Transport</b>	<b>Cllr A Quinn</b>
<b>K Simpson</b>	<b>Market hall insurance</b>	<b>Cllr Morris</b>
<b>J Eagle-Cooper</b>	<b>Market hall repairs</b>	<b>Cllr Morris</b>

In addition the following questions were asked without notice, at the meeting:

<b>Questioner</b>	<b>Topic</b>	<b>Responding</b>
<b>G Brown</b>	<b>Fair Trade</b>	<b>Cllr O'Brien</b>
<b>A Rose</b>	<b>Flag flying</b>	<b>Cllr O'Brien</b>
<b>K McArdle</b>	<b>Funding for educational projects</b>	<b>Cllr O'Brien</b>
<b>A Hassan</b>	<b>Financial support for Israel</b>	<b>Cllr O'Brien</b>

**C. 5**  
**a**                    **RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES**  
**BURY COUNCIL FINANCE - FUTURE LEADERSHIP ARRANGEMENTS**

It was moved by Councillor Gold and seconded by Councillor Rafiq and with all members voting in favour and the Mayor abstaining it was agreed that:

1. The vacant post of Deputy Chief Finance Officer (Band E, £93k - £102k) be redesignated as Director of Finance (Band F, £104k - £113k) and redesignated as the Council's Statutory Section 151 Officer. The Director of Finance will be a direct report to the Chief Executive with the Finance function becoming part of the Corporate Core Department under the Executive Director (Strategy & Transformation).
2. The post of Director of People & Inclusion (Band D, £84k - £91k) be re-graded at Chief Officer Band E (£93k - £102k) to reflect the post's expanded portfolio, as set out in the report. Delegate authority to the Chief Executive and the Cabinet Members for Finance and Communities and HR and Corporate Affairs, in consultation with the Monitoring Officer and S151 Officer, to consider responses received from the consultation and produce a final version of the structure.

**b**                    **HOUSING REVENUE ACCOUNT BUDGET REPORT**

**Meeting of Cabinet 14<sup>th</sup> February 2023 – Housing Revenue Account**

**It was moved by Councillor Gold and seconded by Councillor Cummins and on being put with all Members voting for and the Mayor abstaining Council agreed to:**

- Approve the 2024/25 budget for the Housing Revenue Account
- Agree rents to be increased for 2024/25 by 7.7% which is the Government's maximum allowable increase being September CPI (Consumer Price Index) 6.7% plus 1% with effect from 1<sup>st</sup> April 2024.
- Shared ownership rents to be increased by 7.7% in line with the provision which is set out within shared ownership agreements with effect from 1<sup>st</sup> April 2024.
- Approve an increase in Garage rents by CPI as at September 2023 CPI 6.7%.
- Approve an increase in Sheltered Management and Support Charges by CPI 6.7%.
- Approve an increase in Service and Amenity Charges by CPI 6.7%.
- Approve an increase in Support and Heating charges by CPI 6.7%.
- Approve an increase in Furnished Tenancy charges by CPI 6.7%.

**c**                    **THE COUNCIL'S REVENUE BUDGET AND MEDIUM TERM FINANCIAL PLAN**

**Meeting of Cabinet 15<sup>th</sup> February 2023 – Consolidated Budget**

At the invitation of the Mayor, Councillor Gold, Cabinet Member for Finance and Communities, made a statement on the Budget for 2024/25.

- (i) It was moved by Councillor Gold and seconded by Councillor O'Brien that the recommendations contained in Minute CA.125 of the Cabinet meeting held on 14th February 2024 be approved and adopt the budget for 2023/24, and Council:

1. Approved the Medium-Term Financial Strategy for 2024/ 2025, 2026 / 2027 and the assumptions regarding resources and spending requirements.
2. Approved the Council Tax base for Bury Council for 2024/ 25 of 57,409 Band D equivalent dwellings, this is the basis on which the Council Tax funding has been calculated.
3. Approved the net revenue budget of £209.608m for 2024/2025.
4. Approved the Council tax requirement of £110.198m and the increase in Council Tax in 2024 – 25 of 2.99% in terms of General Council Tax and a further 2% for the Adult Social Care precept for 2024/2025.
5. Approved the budget assumptions £37.111m in 2024/25.
6. Approved the use of £15.131m of reserves from the budget smoothing reserve and £4.629m from the collection fund smoothing reserves.
7. Noted the forecast position on reserves (paragraph 22.2).
8. Noted the Chief Executive as Director of BMBC Townside Fields Limited will draw down annual dividends from the Company and annual dividends will be reflected in the MTFS.
9. Approved the recommendations set out in the Treasury Management Strategy (Appendix 2):
  - Approved the Treasury Management Strategy including the associated Prudential Indicators and Annual Investment Strategy.
  - Approved the Treasury Management Policy Statement.
  - Approved the Minimum Revenue Provision (MRP) Policy Statement.
10. Approved the Capital Strategy and the Programme for 2024/25 - 2026/27 (Appendix 3).
11. Approved the Dedicated Schools Grant budget for 2024/2025 at £228.326m and approve the allocations between the four funding blocks as set out in appendix 4 to this report:
  - The Schools and Academies 2024/25 funding unit values as recommended by Schools Forum and detailed at Annex 1 to appendix 4.
  - Approved the 2024/25 hourly rates for all early year's providers as follows:
    - £5.28 per hour, for 3- and 4-year-olds.
    - £7.52 per hour, for 2-year-olds; and.
    - £10.00 per hour, for under 2s
12. Noted the position on the Dedicated Schools Grant deficit and Project Safety Valve.
13. Agreed to the following amendments to the treatment of military compensation as set out in Appendix 7:
  - Exclude military compensation for Discretionary Council Tax Support calculations - These are short to mid-term additional credits made to those in receipt of Council Tax Support as a top up towards their Council Tax.
  - Exclude military compensation for Discretionary Housing Payments calculations - These are short to mid-term additional payments made to those in receipt of Housing Benefit or Universal Credit as a top up towards their rent.

(ii) An amendment was moved by Councillor R Bernstein and seconded by Councillor McBriar that:

The suite of budget reports submitted to the Council should be approved, with the following amendments:

**Proposed change in budget allocation:**

£6.6 million Real Living Wage Increase not implemented

**TOTAL AVAILABLE £6.6 Million**

**Conservative Group Proposals**

0% increase in Council Tax (cost £3.588 million)

0% increase in Social Care Precept (cost £2.4 million)

Additional Grit Bin Fund (£10k) grit bin cost £170 each from caseworker enquiry

Reintroduction of Caddy Liners (75K)

Free Swimming Feasibility Study for Pensioners and Primary School Students (£75k)

Bury Six Town Amenity Fund (£300K £50k for each Township)

**Total proposals £6,448,000**

Note:

1. Proposal to implement 0% Council Tax and 0% Social Care Precept would be via a rebate scheme to manage implementation
2. £152,000 into Reserves

On being put the result of the vote was as follows:

**For the Amendment:- S Arif; Bernstein, Brown, Dean, Gartside, Harris, Hussain, Lancaster, McBriar, Rydeheard, Vernon, voting for;**

**A Arif, Bayley, Berry, Birchmore, Boles, Boroda, Booth, Cummins, Farooq, FitzGerald, Frith, Gold, Green, Grimshaw, Haroon, Hayes, Ibrahim, Marsden, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rizvi, Rubinstein, Ryder, L Smith, M Smith, Staples-Jones, Thorpe, Whitby, Y Wright, voting against**

Abstaining from the Vote:- The Worshipful the Mayor.

The Mayor declared the **amendment lost.**

- (i) An amendment was moved by Councillor M Smith and seconded by Councillor C Birchmore that:

The suite of budget reports submitted to the Council should be approved, with the following amendments:

<b>Radcliffe First Group Budget Amendment 2024</b>	
One FTE Licensing Officer for fixed one year term	£54,000.00
10% reduction in pest control cost	£27,000.00
Reduce backlog on tree maintenance	£100,000.00
Quarterly Skip placement in Township hotspots	£15,200.00
One off Borough wide bin service to landfill	£150,000.00
Scheme to protect park entrances from off road bikes	£50,000.00
<b>Total Cost</b>	<b>£396,200.00</b>

Funded Through	
Disestablishment of Executive Director (Finance) Post	£75,000
Use of Reserves	£321,200.00
<b>Total</b>	<b>£396,200.00</b>

**FTE Licensing Officer**

To explore the options around the HMO scheme approved at January Council.

**Reduction in pest control costs**

Encourage the use of Council Resource to map and clear vermin hotspots.

**Tree maintenance backlog**

The increasing frequency of storms in the UK leave our tree teams firefighting rather than supplying preventative maintenance.

**Skip Placement**

This relatively low cost scheme was both popular and successful in reducing fly tipping incidents when last available.

**Incorrect waste service**

To create a new start point for waste management and clear areas of unemptied domestic waste bins.

**Park Entrances**

A fund to protect Park and Walking networks from off road Motorcycle access.

**On being put:**

**For the Amendment:- Berry, Birchmore, Marsden, M Smith, Y Wright voting for;**

**A Arif, Bayley, Boles, Boroda, Booth, Cummins, Farooq, FitzGerald, Frith, Gold, Green, Grimshaw, Haroon, Hayes, Ibrahim, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rizvi, Rubinstein, Ryder, L Smith, Staples-Jones, Thorpe, Whitby, S Arif; Bernstein, Brown, Dean, Gartside, Harris, Hussain, Lancaster, McBriar, Rydeheard, Vernon, voting against**

The Mayor declared the **amendment lost.**

The substantive motion (as set out in i) was put to the vote which was as follows:-

**A Arif, Bayley, Berry, Birchmore, Boles, Boroda, Booth, Cummins, Farooq, FitzGerald, Frith, Gold, Green, Grimshaw, Haroon, Hayes, Ibrahim, Marsden, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rizvi, Rubinstein, Ryder, L Smith, M Smith, Staples-Jones, Thorpe, Walmsley, Whitby, Y Wright voting for.**

**And S Arif; Bernstein, Brown, Dean, Gartside, Harris, Hussain, Lancaster, McBriar, Rydeheard, Vernon, voting against.**

The Mayor declared the **substantive Motion carried.**

**d**

**AMENDMENTS**

**C. 6**

**DELEGATED DECISIONS OF CABINET COMMITTEES**

There were no questions on the delegated decision of the Cabinet Committees.

**THE WORSHIPFUL THE MAYOR**

**(Notes:** Part 1 of the meeting started at 7.05 pm and ended at 3.00 pm  
Part 2 of the meeting started at xxxx pm and ended at 9.30 pm)



**Youth Cabinet Vaping Motion February 2024**

Presented by Bury Youth Mayor, Daniel Lewis and supported by Youth Cabinet Members

In December 2023 young people from Bury's secondary schools came together to meet with decision makers and discuss issues around safety at Bury's First Circles of Safety Conference. Following the conference Bury Youth Cabinet sent a survey to all secondary schools to gain the views of a wider cohort of pupils on the issues raised. Over 1000 pupils took part. The biggest issue that young people raised as making them feel unsafe was vaping. Young people said that:

- Witnessing vaping in school makes pupils feel the environment is unsafe
- Seeing the sale of vapes to young people makes young people feel unsafe
- Young people worry about the content of vapes
- The sale of vapes causes arguments among young people
- Young people have witnessed vapes being stolen which makes them feel unsafe
- Young people are unsure about the risks of using vapes
- Young people feel vapes are targeted at children and young people

Bury Youth Cabinet acknowledges that young people are susceptible to marketing and many become addicted to vaping. Therefore they resolve that there needs to be a careful balance between sanctions and deterrents for young people who are caught vaping. Youth Cabinet resolves that there must be robust mechanisms for tackling the sales of vapes to anyone under the age of 18.

This council notes:

- According to data held by Early Break: Levels of tobacco smoking amongst young people in the local authority area continue to fall but the percentage of young people in Bury claiming to vape regularly continues to rise (16% claimed to vape more than once a week, compared to 10% in 2020)
- Increasingly young people are trying vapes either before or instead of tobacco cigarettes.
- Young people try out of curiosity and because their friends vape.
- The flavours are a key factor in tempting young people to vape, and also in what they buy.
- Vapes contain chemicals that can cause lung disease as well as cardiovascular disease.

Therefore this council resolves to:

- Ensure schools have relevant information for their pupils about vaping.
- Ensure schools are delivering PSHE lessons that examine assertiveness and peer pressure.
- Support Youth Cabinet with a vape amnesty project where a number of vape bins are placed around the borough. Youth Cabinet would like funds to commission an artist who would work with pupils in our schools to use the discarded vapes to build a

sculpture which would then be used as part of a wider education programme delivered by Bury Youth Service.

- Lobby the government about making disposable vapes illegal and tighter restrictions on marketing.
- Investigate the sales of vapes to young people under 18.

Public Questions March Council

1. When will Prestwich Park Rd South be resurfaced? Harriet Levy

Note

**Cllr A Quinn**

Prestwich Park Road South was considered for inclusion in our planned maintenance programmes alongside other candidate streets, however the street did not rank highly enough to be included.

Unfortunately, despite the additional £30m investment in our roads our budgets are not sufficient to allow resurfacing of all seemingly streets.

2. Can funding be set aside for **independent** Conservation Appraisals, such that there can be no concern that, *in essence, officers are marking their own homework*? Dr Binns

**Cllr A Quinn**

Section 69(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states that reviews of conservation areas should be carried out by the Local Planning Authority from 'time to time'.

There is no prescribed time-period between reviews in the Act nor any directions on timescales for reviews in either the National Planning Policy Framework or its guidance notes. However, it is generally regarded as accepted best practice that reviews are conducted broadly every 5 years.

Bury's conservation areas were last reviewed and approved by the Planning Control Committee on the 26<sup>th</sup> March 2019.

The Planning Team will therefore be gearing up to reviewing the conservation areas again, in line with best practice, and this will coincide with the preparation of the Bury Local Plan. The next round of conservation area reviews will help to inform the Local Plan, including conservation area designations and heritage policies, and these can then be independently considered as part of the Local Plan Examination.

3. Can the Leader of the Council provide an update on the progress being made with the delivery of the Radcliffe Strategic Regeneration Framework? Josh Harcup

**Leader**

Since the start of 2024, Radcliffe has taken huge steps forward on the road to its future regeneration.

The tired buildings on the site of the £40 million Radcliffe Hub have now been demolished and the site has been cleared, ready for the foundation works to commence. In the coming weeks, the former TSB building will also be demolished and piling and foundation works will begin, ready for the construction of the Hub.

At Radcliffe Market, enabling works are being undertaken in the basement and a new gable wall has been built and at Market Chambers, scaffolding is in place and internal and external work is being carried out.

At Spring Lane, the proposals for the new Star Radcliffe Academy has received the required planning permissions and work is getting underway to prepare the site ready for the first intake of Year 7 pupils in September this year.

Good progress is also being made towards the transformation of a number of brownfield sites within the Radcliffe SRF area, bringing forward millions of pounds to deliver around 600 new homes into the town. This includes 400 dwellings on the Boroughs largest brownfield site at the East Lancs Paper Mill Site, along with exciting developments on School Street and Green Street. These developments will help improve the look and feel of the town and also bring much needed spending power into the centre, helping local businesses. Importantly, 200 of these units will be genuinely affordable for our residents to access.

Members will be aware that we have secured £9 million from the City Region Sustainable Transport Settlement and later this year, we will be consulting on new active travel routes in and around the town. This will help to provide sustainable and safe routes for pedestrians and cyclists moving around the town, complementing the significant regeneration programme happening over 2024 and beyond.

4. I've heard from many people across our area about the need to resurface Croft Lane. Previously, the Unsworth Councillors have secured the resurfacing of 38 roads including Hollins Brow and Pilsworth Road on either side but can you commit to resurfacing Croft Lane too? **Jodie Hook**

#### **Cllr A Quinn**

I am pleased inform you that officers are working on proposals to resurface Croft Lane, hopefully during 2024/25.

5. As the JPA9 - Walshaw site remains in Places for Everyone will the Council be voting against implementing the plan at tonight's vote? **Andrew Luxton**

#### **Leader**

On 7 September 2022, Cabinet authorised officers to request that the Walshaw site should be removed from the Places for Everyone Plan in the light of new housing supply coming through that was not confirmed at the time the Plan was submitted. This included the joint acquisition of the Millgate Centre, which will pave the way for more residential development in Bury Town Centre.

The request to remove the Walshaw site was subsequently set out in both the Council's written statement and within the Examination sessions.

Unfortunately, the Inspectors have concluded that the site should remain within the plan and did not accept the request to remove the site. They indicated that the extension of the plan period, to ensure that the plan conforms with national planning

policy to have a 15 year plan period on adoption, has resulted in a reduced flexibility allowance across the housing supply. This and other changes to the plan, has led them to conclude that the site is therefore needed as it makes an important contribution to meeting housing needs in Bury, the northern areas, and the city region as a whole. As such, they stated that they were satisfied that the allocation is justified, consistent with national policy and will be effective in achieving sustainable development.

Whilst it was our preference to see the site removed, this needs to be balanced against the wider benefits of the plan, which means that:

- We will have an up to date plan that can be used to defend speculative planning applications on further Green Belt land
- We will have a housing target that is 76% of the Governments housing target
- We will have a transformational employment site, that will provide significant economic benefits for our residents and businesses
- We will have a plan that allows us to plan constructively for significant investment in transport and other infrastructure such as new schools and health facilities.

So whilst it is not a perfect plan, it is nevertheless one that I can support as the alternative is not something that this Council should be supporting.

6. In your capacity as the Cabinet Member for Environment, Climate Change, and Operations, the subject of pedestrian crossings comes within your remit. We would like to present a case to you for a pedestrian crossing on Brandlesholme Road near Springside View and Old Hall School and a similar crossing adjacent to the Little Holcombe Nursery. You will be aware that a written petition, signed by 521 people, was submitted to Bury Council on 27th April 2023 requesting that two safe crossings be constructed at the top end of Brandlesholme Road (B6214). The petition received widespread support – from residents, the Head Teacher of Old Hall School, management and staff of local businesses, parents of children attending Old Hall School, Tower View Nursery, Little Holcombe Nursery, staff of Choices Killilea House and from our three local councillors – Charlotte Morris, Martin Hayes, and Jack Rydeheard. A survey was carried out in July 2023 on behalf of Bury Council Transportation Team by Transport for Greater Manchester (TfGM). As you will be aware, the conclusion of the survey was that funding for the crossings from the TfGM funding pot could not be justified. We, the Brandlesholme Residents for Road Safety Group, reject the conclusions of the survey and believe that we have a very strong case in our ultimate aim of preserving the safety of our residents and school children. Would you kindly meet with our Residents Group to ascertain the strength of feeling we have, consider our arguments, and support us in our aims, as we do not want a fatal accident to determine future plans? – we want to be proactive. Finally, we would like to express, on behalf of the Brandlesholme Residents for Road Safety Group, our sincere thanks to you for taking an interest in our campaign. **Adam Loster**

**Cllr A Quinn**

As you say officers have looked at the collision history data and found that this section of highway does not meet the criteria for current funding streams, which must be focused on reducing injury collisions.

I would be happy to meet residents to listen to their concerns.

7. Under the proposed Northern Gateway part of the Places For Everyone Plan states that there will be 1.2 million sq.m of employment floorspace which may provide 19,000 jobs which will be accessible to Bury residents; will these employment floorspace be offices, commercial and/or manufacturing and what is the marketing plan for the employment floorspace to generate the inward investment necessary and actually secure the projected 19,000 jobs for Bury residents? **Philip Smith Lawrence**

#### **Leader**

The Northern Gateway site is one of the largest employment opportunities in the country and has the potential to provide a transformational change not only to Bury's local economy but to the region as a whole.

The allocation requires the inclusion of an attractive business park as part of the development and this is where our ambitions to grow the Advanced Manufacturing and Materials sector will be focused. Our vision to grow this sector with our partners in Rochdale, Oldham and the wider Greater Manchester family is articulated in the collective work that will evolve through the Northern Gateway site being the largest site within the Atom Valley Mayoral Development Zone, which will also be the target for Greater Manchester's Investment Zone. This sector, in particular, will help to provide high value and high quality jobs in new technologies and innovation as these emerge through our work with the regional Universities.

However, the scale of the site means that other employment sectors will also have the potential to be accommodated on the site. This will range from smaller scale opportunities, which may be existing local businesses that want to grow and expand on the site – or just to relocate into more modern premises, all the way up to providing the opportunity for regional, national or even international companies to locate on the site (you may recall that it was widely reported the site was being considered by actually shortlisted by Tesla before they decided on Berlin).

The planning policy requires more masterplanning work to be undertaken on adoption to help refine how the site will be zoned and how the necessary infrastructure will be phased in as development comes forward. This will require further public and stakeholder engagement in the coming months and this will pave the way for future planning applications along with more details on how we work with the Combined Authority and Government to ensure that we exploit the full potential of the site.

It should also be noted that this plan should not be read in isolation. For Northern Gateway in particular, we need to reference both:

- The Economic Strategy, that also stresses the importance of the site for our local economy and also the need to ensure that we develop an All Aged Skills Strategy to ensure that our residents have the right skills to access the jobs – including those ‘jobs of the future’ that will come through innovation workstreams – and
- The Transport Strategy – that will be critical in ensuring that our residents are connected to the new jobs and have the ability get to the site in frequent and affordable public transport and sustainable travel.

The PfE plan is critical in allocating the land for development – but we must continue to evolve our local strategies to ensure it is successful for Bury and our residents.

8. After 10 long years in the making and many twists and turns tonight this council gets to vote on the final version of the Greater Manchester plan now known as Places for Everyone.. Andy Burnham Mayor for GM has said many times on record that the plan for Bury is not right and changes need to be made. Unfortunately, these changes haven’t happened to remove the greenbelt element from the plan which is why we are still challenging it after 8 years. In its latest version the plan still proposes to remove greenbelt protection for over 500 hectares of Bury’s countryside which is equivalent to over 700 full size football pitches. I do hope that all councillors will vote independently on this matter to best represent the needs of their residents rather than the needs of this council. Does the council still believe that this is the right plan for Bury residents and the future of our town because 1000’s of your constituents still don’t? **Stephen Cleur**

### Leader

Yes, I do believe that Places for Everyone is the right plan and it will bring multiple benefits to Bury.

It enables the Council to benefit from this opportunity to meet its statutory requirement to have an up-to-date development plan in place and without this, the Borough would be left open to speculative and unplanned development with insufficient supporting infrastructure. We know that there are dozens of other sites across the Borough that landowners and developers would be looking to bring forward and this plan gives us the protection that we need to resist these attempts.

As a joint plan of nine Greater Manchester districts, Places for Everyone has also allowed us to redistribute some of our housing needs across the Plan area. As a result, Bury’s housing target in the Plan is over 2,300 (24%) less than what would be required outside of the joint plan process using the Government’s standard methodology so the plan has enabled us to minimise the loss of Green Belt.

As we have heard, the proposals for Northern Gateway represents Greater Manchester’s key opportunity for new inward investment, economic growth and job creation. The site is a transformational opportunity to deliver quality jobs and economic growth for our residents – right here on our doorstep. Without this joint

plan and planning strategically to boost northern competitiveness with our Greater Manchester partners, it would be extremely difficult to justify the Northern Gateway as a local site. It is worth noting that nearly 60% of the Green Belt released is for employment use.

Places for Everyone has allowed us to plan strategically for housing too – meaning that we are able to bring forward a smaller number of large, strategic sites that will pave the way for significant investment in the physical and social infrastructure required to support development – resisting the pressure to release multiple smaller sites that would be unable to fund the necessary infrastructure.

The plan will also help us play our part in addressing the housing crisis - making provision for a substantial number of homes for those looking to get on the property ladder or for those local families who are struggling to find a home that meets their needs. And 1,600 of the new homes on the sites will be affordable, which will provide much needed access for those unable to access the property market.

Overall, whilst difficult decisions have had to be taken, the new homes, investment and jobs proposed in the plan will ultimately help to reduce inequalities for our residents - and help to address the difficult socio-economic issues that we are currently facing.





<b>Classification:</b>	<b>Decision Type:</b>
Open	Key

<b>Report to:</b>	Council	<b>Date:</b> 20 March 2024
<b>Subject:</b>	Adoption of Places for Everyone Plan: A Joint Development Plan Document for nine Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) 2022-2039 (The Places for Everyone Plan).	
<b>Report of</b>	Leader and Cabinet Member for Strategic Growth	

## 1. Summary

- 1.1 This report seeks the approval of Council to formally adopt The Places for Everyone Plan - incorporating the Main Modifications, amendments to the Policies Map and Additional Modifications - in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("2012 Regulations") and the Planning and Compulsory Purchase Act 2004 (as amended) ("2004 Act").
- 1.2 Due to the large sizes of the various appendices these can be viewed on the GMCA website at <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/adoption/adoption-documentation>.

## 2. Recommendations

- 2.1 That Council:
- (i) Accept the findings of the Inspectors' Report and approve the Main Modifications to the Places for Everyone Joint Development Plan Document proposed by the independent Inspectors, as set out in [Appendix 1.1 and 1.2](#) to this report, for incorporation into the final version of the Places for Everyone Joint Development Plan Document;
  - (ii) Approve the amendments to the Places for Everyone Joint Development Plan Document Policies Map, as set out in [Appendix 2](#) to this report, for incorporation of all the changes which relate to Bury Council's administrative area into the Bury Policies Map;
  - (iii) Approve the Additional Modifications to the Places for Everyone Joint Development Plan Document, as set out in [Appendix 3](#) to this report, for incorporation into the final version of the Places for Everyone Joint Development Plan Document;

- (iv) Adopt the Places for Everyone Joint Development Plan Document 2022 – 2039 (provided in [Appendix 4](#)), with effect from 21 March 2024 – incorporating the Main Modifications and Additional Modifications – as part of the Development Plan for Bury, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended);
- (v) Adopt the Policies Map ([Appendix 5](#)) which incorporates the Modifications to it ([Appendix 2](#)) and is necessary to give effect to the policies of the Places for Everyone Joint Development Plan Document; and
- (vi) Delegate authority to the Executive Director (Place), to make any minor non-material editorial amendments to the Places for Everyone Joint Development Plan Document and Policies Map ahead of its final publication, subject to consultation and agreement with the eight other Places for Everyone authorities. These amendments will be limited to correcting minor errors and formatting text.

### **3. Reasons for recommendation(s)**

- 3.1 To ensure that the Places for Everyone Joint Development Plan is formally adopted as an up-to-date part of Bury’s statutory development plan.

### **4. Alternative options considered and rejected**

- 4.1 To not approve the adoption of Places for Everyone.

- 4.2 However, this option is rejected for several key reasons:

- The Council would be unable to benefit from this opportunity to meet its statutory requirement to have an up-to-date development plan in place in the short-term. This would leave the Borough open to speculative and unplanned development with insufficient supporting infrastructure;
- As a joint plan of nine Greater Manchester districts, Places for Everyone has allowed for the redistribution of housing needs across the Plan area. As a result, Bury’s housing target in the Plan is over 2,300 (24%) less than what would be required outside of the joint plan process using the Government’s standard methodology;
- Using the Government’s standard methodology for calculating housing needs would mean that Bury would continue to be subject to the ‘presumption in favour of sustainable development’ for the foreseeable future; and
- The Plan’s proposal at the Northern Gateway (Heywood/Pilsworth) represents Bury’s key opportunity for new inward investment, economic growth and job creation. The site is a transformational opportunity to deliver around 1.2 million sq.m. of employment floorspace and around

19,000 quality jobs that would be accessible to Bury residents. It would be extremely difficult to justify the Northern Gateway site outside of the joint plan process without the wider GM context and a strategy to boost northern competitiveness.

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## **5. Background**

- 5.1 Every Council has a statutory duty to prepare a Local Plan, with a requirement set in law that planning decisions must be taken in line with the Local Plan unless material considerations indicate otherwise. Indeed, in a recent letter to the Mayor of Greater Manchester, the Secretary of State has reaffirmed his Government's dedication to a plan-led system and its role in ensuring housing requirements are planned for appropriately ([Appendix 6](#)).
- 5.2 The Places for Everyone Plan: A Joint Development Plan Document for nine Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) 2022-2039 (PfE) is the strategic spatial plan for the nine constituent boroughs and, as such, sets out a collective planning policy framework. All policies within the plan are 'strategic policies'. It is being prepared as a Joint Development Plan Document of the nine local planning authorities. Once the PfE Plan is adopted it will form part of Bury's development plan and will be used to assess individual planning applications. As such, Bury's Local Plan will need to be consistent with it and neighbourhood plans will need to be in general conformity with the strategic policies.
- 5.3 The PfE Plan is a strategic plan and it does not cover everything that Bury's Local Plan would. Therefore, Bury's Local Plan will set out more detailed policies including both strategic and non-strategic policies, as appropriate, reflecting local circumstances. Appendix A of the PfE Plan sets out the policies in the relevant adopted GM district local plans which will be replaced by the Places for Everyone Plan.

- 5.4 Bury's Local Plan will be expected to look ahead a minimum period from its adoption, in line with national policy. In amending the plan period from 2020 to 2037 to 2022 to 2039 the PfE Plan will provide an appropriate strategic policy framework for Bury's Local Plan which will be produced following its adoption.
- 5.5 In 2014 the 10 Greater Manchester local authorities resolved to prepare a joint development plan, known as Greater Manchester Spatial Framework (GMSF). Following the decision of Stockport council to withdraw from the GMSF, the remaining nine GM authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) decided to progress a joint plan of the nine and this became known as "Places for Everyone" (PfE). Before "submission" the PfE Plan had been the subject of various consultations since its inception in 2014:
- November 2014 - Scope of the plan and the initial evidence base (Regulation 18 of the 2012 Regulations);
  - November 2015 - Vision, strategy and strategic growth options (Regulation 18 of the 2012 Regulations);
  - October 2016 –Draft Greater Manchester Spatial Framework (Regulation 18 of the 2012 Regulations);
  - The Greater Manchester Plan for Homes, Jobs and the Environment: the Greater Manchester Spatial Framework Revised Draft 2019 (GMSF 2019) (Regulation 18 of the 2012 Regulations); and
  - Publication version of Places for Everyone (Pre-Submission Consultation) 2021 (Regulation 19 of the 2012 Regulations).
- 5.6 Full details of the consultation undertaken, the key issues raised at each stage of consultation and how these issues have been taken into account in the plan making process up until submission, are set out in the [Statement of Consultation 2022](#) which is available to view on the GMCA web site.
- 5.7 The PfE Plan was submitted to the to the Secretary of State on 14 February 2022, pursuant to Reg. 22 of the Local Planning Regulations ('Submission stage'). This marked the beginning of the independent examination into the plan, the final stage in the plan making process. Three Inspectors were appointed to examine whether the submitted plan met the tests of soundness defined in the National Planning Policy Framework (NPPF)<sup>1</sup> and met all the relevant legislative requirements, including the duty to co-operate<sup>2</sup>.

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<sup>1</sup> The tests of soundness in paragraph 35 of the NPPF require that the plan is positively prepared, justified, effective and consistent with national policy.

<sup>2</sup> Paragraph 24 of the NPPF requires that local planning authorities cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.

- 5.8 The public hearing sessions started at the beginning of November 2022 and sat for 12 weeks in total, including a final session at the beginning of July 2023.
- 5.9 The Inspectors' post hearing note ([IN39](#)) was published on the examination website on 11th August 2023, setting out their conclusions on the key issues of soundness and the Main Modifications that would be required to ensure the Plan was sound. A consultation on the Main Modifications was carried out for a period of 8 weeks, between 11 October and 6 December 2023. More detail on this consultation is provided in Section 3 below.
- 5.10 Having considered the consultation responses to the Main Modifications, the Inspectors' Report was published by the GMCA on behalf of the nine local authorities on 15 February 2024. The Report concludes that subject to inclusion of the Main Modifications, the Plan is sound, complies with all relevant legal requirements and provides an appropriate basis for the planning of the nine boroughs. The Inspectors are satisfied that where necessary the local planning authorities engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has been met.
- 5.11 It should be noted that the Council can only adopt the P/E Joint Development Plan Document if it incorporates all the Main Modifications as recommended by the independent Inspectors.

## **6. Main Modifications**

- 6.1 The Inspectors' post hearing note ([IN39](#)) set out their conclusions on the key issues of soundness. In summary the Inspectors concluded that:
- No significant changes were required to the spatial strategy policies.
  - No significant changes were required in relation to the scale of distribution of employment and housing.
  - Exceptional circumstances case was not made for release of Green Belt sites JPA10 (Global Logistics) and JPA28 (North of Irlam Station).
  - Exceptional circumstances case was not made for 31 of the 49 proposed Green Belt Additions.
  - Some Modifications were required to policy wording to ensure that they were consistent, removed duplication and were therefore effective.
- 6.2 A schedule of Main Modifications was prepared and agreed with the Inspectors. A schedule of 'Additional Modifications' was also prepared. These were amendments which were not required to address issues of soundness, for example typographical issues, but were included for completeness. The

Inspectors have not considered the responses to the additional modifications, this is a role for the districts and a report summarising the responses is attached ([Appendix 3](#)). The Additional Modifications (taken together) do not materially affect the policies set out in the PfE Plan if it is adopted with the Main Modifications. A composite plan was prepared which showed the Main Modifications and Additional Modifications to help people understand the proposed changes and help them to respond to the consultation.

- 6.3 The Main Modifications underwent further Sustainability Appraisal / Strategic Environmental Assessment and Habitats Regulations Assessment, which were consulted on, alongside the modifications themselves. All of the Main Modifications consultation documents are available to view on the [GMCA website](#).
- 6.4 Following approval by all nine PfE authorities, (details of the individual meetings can be found on the [GMCA website](#)), the Modifications were published for a period of public consultation which ran for 8 weeks, from 11 October – 6 December 2023. 177 representations were received in total. A list of respondents is published on the examination website (see Examination document [RMM1](#)). All of the responses are available on the [GMCA website](#).
- 6.5 A report listing all of the representations, a summary of the main issues raised and a brief response to those main issues was prepared and published on the examination website (see Examination document [RMM2](#)).
- 6.6 A 'Summary of Key Issues' report was also prepared and is available on the examination website (see Examination document [RMM3](#)). The main issues raised related to:
  - Extension of the plan period.
  - Relationship to district local plans.
  - Cancellation of HS2.
  - Implications of proposed changes to National Planning Policy Framework.
  - Approach to Brownfield Land in Sustainable Development policy (JP-S1).
  - Modifications to the Carbon and Energy policy (JP-S2).
  - Modifications to the Affordable Housing policy (JP-H2).
  - Retention of the Walshaw site (JPA9).
  - Approach to streamlining allocation policies.
  - Inadequacy of Integrated Assessment.

- Inadequacy of consultation.

6.7 It was not considered that any new substantive issues were raised during the consultation which required further work and/or further hearing sessions, however a small number of further Main Modifications were identified which were considered necessary to make the plan sound, particularly in relation to HS2. A schedule of these further main modifications was submitted to the Inspectors and is published on the examination website (see Examination document [RMM4](#)).

## 7. Changes to national planning policy

7.1 Following the closure of the Modifications consultation, Government published two documents which had potential implications for PfE.

7.2 Government published a [Written Ministerial Statement](#) on energy efficiency on 13 December 2023, alongside a consultation on the [Future Homes and Buildings Standard](#). It states that *“the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations”*. The WMS goes on to clarify that:

*“Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP)”.

7.3 A further main modification was proposed to policy JP-S2 to reflect this statement (see Examination document [RMM4](#)).

7.4 A revised National Planning Policy Framework ([NPPF](#)) was published on 19 December 2023 (as amended). In terms of PfE, the most significant section is the provision in Annex 1, paragraph 230 (‘transitional arrangements’):

*“The policies in this Framework (published on 19 December 2023) will apply for the purpose of examining plans, where those plans reach regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage after 19 March 2024. Plans that reach pre-submission consultation on or before this date will be examined under the relevant previous version of the Framework...”*

- 7.5 The 'pre-submission' stage referred to is the Regulation 19 or 'Publication' stage. The Publication stage consultation on the PfE plan took place in August 2021. As such, the examination of PfE continued under the relevant previous version of the Framework and was unaffected by the changes in the December 2023 version in relation to plan-making.
- 7.6 Once the PfE plan is adopted, the policies in NPPF (December 2023) will apply until such time as it is superseded.
- 7.7 A further Main Modification was proposed in relation to Policy JP-H1 to reflect the proposed changes to the requirement for local authorities to maintain a 5-year supply of housing sites.

## **8. The Inspectors' report**

8.1 The Inspectors' Report<sup>3</sup> was published by the GMCA on behalf of the nine local authorities on 15 February 2024. The report concludes "*...that all legal requirements have been met and that with the recommended main modifications set out in the Appendix the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound*" (paragraph 938).

8.2 The main modifications can be summarised as follows:

- Various changes to clarify the relationship between, and relative roles of, the Plan, and individual local plans, and to clarify that the Plan does not apply to the parts of Oldham that are within the Peak District National Park.
- Extension of the plan period to look ahead to 2039 (rather than 2037), and updates to the housing and employment land supply information to 2022 (rather than 2021).
- Clarifications to spatial strategy policies JP-Strat1 to JP-Strat11 and associated diagrammatic maps, and deletion of High Crompton Broad Location from policy JP-Strat7.
- Extensive changes to the detailed wording of site allocation policies JPA1 to JPA37 to ensure they are consistent with national policy, justified, internally consistent and effective in achieving sustainable development having regard to relevant site-specific issues.

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<sup>3</sup> Please note that PfE Plan policy and paragraph numbers referenced in the Inspectors' Report, relate to the Submission version of the Plan – Examination document reference SD1 (For reference, a schedule of current and submitted plan policy numbers is provided in Appendix 7).



- Deletion of allocation JPA10 Global Logistics and retention of parts of the site in the Green Belt.
- Deletion of allocation JPA28 North of Irlam Station and retention of the site in the Green Belt.
- Amendments to the site boundaries of allocations JPA1.2 Simister and Bowlee; JPA3.2 Timperley Wedge; JPA14 Broadbent Moss; JPA18 South of Rosary Road; JPA26 Hazelhurst Farm; and JPA32 South of Hyde.
- Modifications to policies JP-S1 to JP-S7 to ensure consistency with national policy and effectiveness, including deletion of policy JP-S4 Resilience as it serves no decision-making purpose.
- Modifications to policies JP-J1 to JP-J4 to reflect changes to the plan period, and to remove unnecessary or inconsistent requirements.
- Clarifications to policies JP-H1 to JP-H4 relating to housing development, and changes to the approaches to phasing and five-year supply to ensure consistency with national policy and that housing needs are met as soon as possible.
- Modifications to policies JP-G1 to JP-G7 to ensure consistency with national policy and effectiveness.
- Changes to JP-G5, JP-G9, JP-C7 and relevant site allocation policies relating to the South Pennine Moors, Rochdale Canal and Manchester Mosses protected habitats having regard to the habitat regulations assessment.
- Changes to policies JP-G9 and site allocation policies relating to biodiversity including any irreplaceable habitats on sites containing peat.
- Changes to JP-G2 and site allocation policies to secure compensatory improvements to the environmental quality and accessibility of remaining Green Belt.
- Deletion of policy JP-G8 relating to green space standards.
- Deletion of policy JP-G11 relating to safeguarded land.
- Modifications to policies JP-Strat12, JP-P1 to JP-P7 to ensure consistency with national policy and effectiveness.
- Inclusion of an additional policy in chapter 10 relating to the strategic road network.

- Various changes to the transport improvements referred to in the Plan, and addition of Appendix D setting out indicative transport mitigations for each allocation.
- Deletion of 30 of the 49 Green Belt additions proposed in the Plan.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

8.3 The Inspectors did not consider that the further main modification to Policy JP-S2 referred to in Section 4 above, was necessary to make the plan sound. Their reasons are set out in paragraph 721-724 of their Report.

8.4 The Inspectors accepted the proposed further modification to Policy JP-H1 referred to in Section 4 above and proposed some further wording to the reasoned justification. There is a typographical error in the Main Modifications schedule in relation to MM7.2 at paragraph 7.19. This should read Table 7.2 not Table 7.1.

## **9. Policies Map**

9.1 The Policies Map is not defined in legislation as a development plan document. This means it is not formally part of the PfE Plan that it is intended will be adopted, nor was it within the Planning Inspectors' remit to recommend main modifications to it. However, local planning authorities must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan.

9.2 When the PfE Plan was submitted for examination, the PfE authorities were required to provide a Submission Policies Map showing the changes to the adopted Policies Maps within the PfE authorities, that would result from the proposals in the submitted PfE Plan. Subsequent to this, a number of modifications to the Policies Map were proposed during the plan's examination and these were consulted upon alongside the Main and Additional Modifications.

9.3 The Council will adopt the Policies Map ([Appendix 5](#)) incorporating the changes which relate to Bury Council's administrative area into the Bury Policies Map

## **10. What does the modified Places for Everyone Plan mean for Bury?**

10.1 The main modifications to the PfE Plan that have been recommended by the Inspectors are included at [Appendix 1.2](#) to this report and the modified PfE Plan that is proposed for adoption at [Appendix 4](#).

- 10.2 Whilst the Inspectors have recommended a significant number of modifications, they do not change the overall Vision, Objectives and Spatial Strategy of the Plan.

### **Plan period**

- 10.3 The submitted Places for Everyone Plan covered a plan period from 2021 to 2037. However, the Inspectors are recommending a modification to extend this to cover the period 2022 to 2039. This will ensure that, in line with the National Planning Policy Framework<sup>4</sup>, the Places for Everyone Plan's strategic policies look ahead over a minimum 15-year period from adoption and, as a result, provide an adequate policy framework for the more detailed district local plans, which will follow on from the adoption of Places for Everyone.

### **Spatial strategy**

- 10.4 The spatial strategy remains to deliver sustainable, inclusive growth with the following spatial elements:
- **Significant growth in jobs and housing at the core** – continuing development in the 'core growth area' encompassing the city centre and beyond to the Etihad in the east, through to the Quays, Trafford Park and Port Salford in the west. The majority of commercial employment growth is proposed in this area and around 50% of overall housing supply is found here and in the wards immediately surrounding it (inner areas).
  - **Boosting northern competitiveness** – provision of significant new employment opportunities and supporting infrastructure, including JPA1.1 Northern Gateway (Heywood/Pilsworth), and a commitment that, collectively, the northern districts meet their own local housing need, including through JPA1.2 Simister/Bowlee; JPA7 Elton Reservoir, JPA8 Seedfield and JPA9 Walshaw.
  - **Sustaining southern competitiveness** – supporting key economic drivers, for example around Wythenshawe hospital and the Airport, realising the opportunities offered by national infrastructure investment whilst recognising the important green infrastructure assets in the area.

### **Jobs**

- 10.5 Economic prosperity remains central to the overall strategy. It is essential to raising incomes, improving health and quality of life, and providing the finances to deliver better infrastructure, services and facilities. Places for Everyone continues the approach of attracting investment in our city and town centres alongside recognising the importance of investing in strengthening

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<sup>4</sup> Paragraph 22.

existing and creating new employment locations, so that all communities are able to contribute to, and benefit from, growth.

- 10.6 To play a major role in contributing towards achieving GM's economic growth potential, Places for Everyone sets a global target for the nine authorities of just over 2 million sq.m. of new office floorspace and just over 3.5 million sq.m. of industrial and warehousing floorspace over the Plan period. The Inspectors are recommending that these figures be modified to reflect the revised Plan period and will inform the preparation of district local plans.
- 10.7 JPA1.1 Northern Gateway (Heywood Pilsworth) is identified in the plan as a large, nationally significant location for new employment-led development within both Bury and Rochdale. The scale of the opportunity is genuinely transformational and will help to deliver a significant jobs boost to wider northern and eastern parts of the conurbation, increasing the economic output from this area and helping to rebalance the Greater Manchester economy. It will also address Bury's long-standing shortage of high-quality employment land which has undoubtedly held back the Borough's local economy and led to several growing Bury-based businesses relocating outside of the Borough due to a lack of opportunity for expansion.

**Recommended modifications to the Northern Gateway (Heywood/Pilsworth) allocation policy JPA1.1**

- 10.8 Following discussions at the hearing session regarding the Northern Gateway (Heywood/Pilsworth) site, the Inspectors have recommended several main modifications to Policy JPA1.1 (see. These include additional criteria relating to:
- A requirement to make provision for compensatory improvements to remaining Green Belt;
  - Strengthening the boundary of the Green Belt to the north of the site around Pilsworth Cottages, Brightly Brook and Pilsworth Fisheries;
  - Consideration of the extraction of any viable mineral resources within Mineral Safeguarding Areas; and
  - The need to undertake investigations into the extent and quality of peat in the south-west of the site.
- 10.9 A modification is also recommended to include a criterion that signposts the reader to a new Appendix D (which sets out the indicative highways and transport interventions for the site) and refers to Policy JP-C8 which sets out transport requirements of new development. This is to replace specific references to the indicative interventions within the policy itself.

10.10 A number of other modifications are recommended to Policy JPA1.1 to ensure consistency in wording across all of the site allocation policies and to remove generic policy criteria that repeat requirements that are covered elsewhere in the Plan.

10.11 The recommended modifications are not considered to substantively change Policy JPA1.1 for the Northern Gateway (Heywood/Pilsworth) site.

## **Homes**

10.12 Greater Manchester is facing a housing crisis. Although recent years have seen an increase in house building in Greater Manchester, wages have not been keeping pace with property price increases and affordability issues have intensified.

10.13 To ensure that there is an adequate supply of opportunities for housebuilding, the Government's Planning Practice Guidance sets out a standard methodology for calculating local housing needs to provide local authorities with a clear and consistent understanding of the number of new homes needed in an area.

10.14 This standard methodology remains Government policy and the Inspectors do not consider there are exceptional circumstances to justify deviating away from using this methodology for Places for Everyone. As such, the Plan still identifies that 10,305 homes are required across the Plan area per annum. However, as a result of the recommended modification to the Plan period, the number of homes to be delivered over the lifetime of the Plan would increase from just under 165,000 to 175,185 new homes.

10.15 The Plan also continues to support Greater Manchester's commitment to deliver more affordable housing, including homes for social or affordable rent. Local plans will set targets for the provision of affordable housing based on local evidence of need and viability.

10.16 For Bury, Places for Everyone will still identify the same annual average requirement of 452 homes per year. However, because of the modification to increase to the Plan period by one year, the number of homes to be delivered over the lifetime of the Plan in Bury will increase from 7,228 to 7,678.

10.17 The Government's standard methodology gives Bury a Local Housing Need (LHN) for 10,047 homes over the Plan period (591 homes per year). However, the strategy that is proposed in Places for Everyone gives Bury a lower requirement of 7,678 homes, which equates to 76% of Bury's LHN.

10.18 To help to deliver the Plan's housing requirement for Bury, the following strategic allocations remain in the Plan with the overall quantum of development unchanged from that identified in the submitted version of Places for Everyone:

**Table 1 – Places for Everyone housing allocations**

Site	No. of homes
JPA1.1 Northern Gateway (Heywood/Pilsworth - Castle Road)	200
JPA1.2 Simister/Bowlee	1,350
JPA7 Elton Reservoir	3,500
JPA8 Seedfield	140
JPA9 Walshaw	1,250

**Recommended modifications to Bury's housing allocation policies**

- 10.19 In a similar way to the situation with Policy JPA1.1 Northern Gateway (Heywood/Pilsworth) referred to earlier in this report, the Inspectors have recommended several modifications to Bury's housing allocation policies to ensure consistency in wording across all the site allocation policies and to remove generic policy criteria that repeat requirements that are covered elsewhere in the Plan.
- 10.20 Again, modifications are also proposed for each of the housing allocation policies to include a criterion that signposts the reader to a new Appendix D (which sets out the indicative highways and transport interventions for the site) and refers to Policy JP-C8 which sets out transport requirements of new development. This is to replace specific references to the indicative interventions within the policies themselves.
- 10.21 The Inspectors have also recommended several other modifications to Bury's housing allocation policies, including the following:
- JPA1.2 – Simister/Bowlee
- 10.22 The previous boundary of the Simister/Bowlee site excluded Heywood Old Road which meant that the land to the east and west were shown as two distinct parcels. The Inspectors have recommended that this be amended to include the stretch of Heywood Old Road between the two to make it clear that this is a single site and that the policy requirements set out under JPA1.2 apply across its entirety.

10.23 Furthermore, in terms of the policy for the Simister/Bowlee allocation, the Inspectors have recommended additional criteria in relation to:

- A requirement for compensatory improvements to remaining Green Belt;
- The strengthening of remaining Green Belt boundaries to the north-west of the site; and
- Consideration of the extraction of any viable mineral resources within Mineral Safeguarding Areas.

#### JPA7 - Elton Reservoir

10.24 Whilst the overall quantum of development at the Elton Reservoir site remains unchanged, the recommended modification to extend the Plan period to 2039 means that the extent of development on this site within the Plan period is anticipated to increase from 1,900 to 2,100.

10.25 In addition, the Inspectors have recommended a modification to the area of retained Green Belt within the Elton Reservoir site to ensure that its boundary is strengthened by following that of the Elton Goit Site of Biological Importance (SBI). This will also have the added benefit of helping to address concerns raised in respect of the potential impact of development on the southern part of this SBI.

10.26 In terms of modifications to the Elton Reservoir policy, the Inspectors have recommended additional/amended criteria in relation to:

- Specific reference to the replacement of existing recreation space at Warth Fold;
- A requirement for compensatory improvements to remaining Green Belt within the site;
- The definition and strengthening of the boundaries of the retained areas of Green Belt within the site;
- The need to take account of specific Sites of Biological Importance; and
- Consideration of the extraction of any viable mineral resources within Mineral Safeguarding Areas.

#### Seedfield<sup>5</sup>

10.27 In terms of modifications to the policy for the Seedfield allocation, additional criteria are proposed in relation to:

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<sup>5</sup> Part of the Seedfield allocation has come forward outside the PfE process and now has planning permission for 80 units.

- A requirement for compensatory improvements to remaining Green Belt in the vicinity of the site; and
- Consideration of the extraction of any viable mineral resources within Mineral Safeguarding Areas.

Walshaw

- 10.28 Members will recall that on 7 September 2022, Cabinet authorised officers to request a main modification to Places for Everyone involving the removal of the proposed housing allocation at Walshaw (JPA9) in light of updated evidence on housing supply and, specifically, the identification of new opportunities for housing in Bury and Radcliffe town centres that were not confirmed at the time that the Plan was submitted.
- 10.29 The report to Cabinet in September 2022 highlighted that during the examination of the Plan, it was likely that there would be extensive debate regarding the Plan's approach and there were inevitably inherent risks that the Inspectors overseeing the examination may not agree with the Plan's general approach to housing or to Bury's proposed main modification to remove the Walshaw site.
- 10.30 The report also highlighted that the Plan's approach to housing was already facing significant challenge from a wide range of stakeholders, developers, groups and organisations and that these challenges would be considered in depth during the examination of the Plan. It also highlighted that it was highly likely that any request for main modifications will be subject to challenge during the examination in terms of whether the proposed modification is necessary to make the Plan sound and/or legally compliant.
- 10.31 The request for a main modification to remove the site at Walshaw was subsequently set out in both the Council's written statement for the site allocations and in an early version of the schedule of proposed main modifications that was prepared for the opening of the hearing sessions in November 2022.
- 10.32 However, during the opening hearing session, the Inspectors requested that this proposed modification be removed from the schedule on the basis that they would only come to a view on whether the inclusion of Walshaw would render the Plan unsound once they had considered a range of other matters including:
- the spatial strategy;
  - what the housing requirement should be for each district;



- the available evidence about the existing housing supply, and what it told them about whether exceptional circumstances exist to release Green Belt for site allocations; and
- whether each of the site allocations is suitable and justified.

10.33 The Inspectors' conclusions in respect of the proposed modification to remove the Walshaw site are set out in paragraph 367 of their report where they state:

*'During the examination, the GMCA proposed that allocation JPA9 Walshaw should be deleted from the Plan as they considered it was no longer needed due to updated evidence about housing land supply in Bury. However, for reasons set out elsewhere in this report, we are satisfied that the overall number and distribution of new homes proposed in policy JP-H1 Table 7.2 (as modified) is justified. Furthermore, the modification to the plan period that we recommend results in a reduced flexibility allowance in the overall housing land supply for the plan area. This reinforces the need for the allocation to help deliver the spatial strategy. Therefore, we consider the allocation of the site is justified in principle as it makes an important contribution to meeting housing needs in Bury, the northern areas, and the city region as a whole.'*

10.34 In conclusion, paragraph 377 of the Inspectors' Report states that:

*'Subject to the main modifications set out above we are satisfied that Policy JPA9 Walshaw is justified, consistent with national policy and will be effective in achieving sustainable development.'*

10.35 In terms of modifications to the policy for the Walshaw allocation, the Inspectors have recommended additional criteria in relation to:

- A requirement for compensatory improvements to remaining Green Belt in the vicinity of the site;
- The definition and strengthening of boundaries of the Green Belt to the south-east of the site; and
- Consideration of the extraction of any viable mineral resources within Mineral Safeguarding Areas.

10.36 The recommended modifications are not considered to substantively change any of Bury's housing allocation policies.

## **Environment**

10.37 The Plan is not solely concerned with accommodating development. It also includes a range of policies designed to protect and enhance our many and varied green spaces and features which are used in many different ways and afforded many different values by the people who live, work or visit the city-region.

10.38 The Plan supports the important role of our natural assets by:

- Valuing the special qualities and key sensitivities of our landscapes;
- Seeking to protect and enhance our network of green and blue infrastructure;
- Seeking an overall enhancement of biodiversity and geodiversity; and
- Seeking to maintain a new and defensible Green Belt which plays an important role in restricting unplanned development.

10.39 Furthermore, the Plan supports wider strategies around clean air, walking and cycling and underpins Greater Manchester’s ambition to be a carbon neutral city-region by 2038.

### **Brownfield land preference**

10.40 There remains a strong focus in the Plan on directing new development towards sites within the existing urban area, which are often in sustainable locations, close to facilities and served by existing infrastructure. Maximising the use of land in the urban area enables us to minimise the release of greenfield and Green Belt land for development.

10.41 The land supply identified for development in the Plan is largely within the existing urban area, as set out in Table 2.

**Table 2 – Percentage of land supply within the existing urban area**

<b>Land supply</b>	<b>% in urban area</b>
Offices	98%
Industrial and warehousing	51%
Housing	90%

10.42 There are significant viability issues in parts of the conurbation and there is a need to continue to press Government for support to remediate contaminated land, to provide funding for infrastructure and to support alternative models of housing delivery. The Brownfield Housing Fund is targeted at Combined Authorities and begins to help to address viability issues, but it is not enough to enable the full potential of our brownfield land supply to be realised.

### **Green Belt**

10.43 The Plan includes a limited release of Green Belt for both housing and employment. Across the nine districts, the net loss of Green Belt proposed is

2,210 hectares, a 4.1% reduction in Green Belt. The previously adopted Green Belt covers almost 47% of the land covered by the nine districts. The policies in the PfE Plan would reduce this to just under 45% of the PfE authorities remaining as designated Green Belt.

- 10.44 In terms of Bury, the net loss of Green Belt proposed is 572 hectares. However, it should be noted that over 330 hectares (58%) of this is at the Northern Gateway (Heywood/Pilsworth) site which is identified in the Plan as a large, nationally significant location for new employment-led development which will bring transformational levels of investment and jobs into Bury. Furthermore, 53.8% of the Borough's total area would remain as Green Belt. This is higher than the average across the nine districts and, individually, only Rochdale (59.7%) and Wigan (55.7%) would have higher percentages of Green Belt.
- 10.45 The collective net loss of Green Belt is now higher than what was proposed in the submitted Places for Everyone Plan. However, this is not because of more land being proposed for release by the introduction of additional development allocations or the expansion of proposed allocations. Instead, it is because the Inspectors have concluded that exceptional circumstances exist to justify 19 of the 49 proposed Green Belt additions and recommended that the other 30 proposed additions be removed from the Plan.
- 10.46 14 of the original 49 proposed Green Belt additions were in Bury as shown in Table 3.

**Table 3 – Green Belt additions proposed for Bury in the submitted Plan**

<b>Green Belt Addition Ref</b>	<b>Proposed Green Belt Addition</b>
GBA03	Pigs Lea Brook 1, Walmersley
GBA04	North of Nuttall Park, Ramsbottom
GBA05	Pigs Lea Brook 2, Walmersley
GBA06	Hollins Brook, Bury
GBA07	New Road, Radcliffe
GBA08	Hollins Brow, Bury
GBA09	Hollybank Street, Radcliffe
GBA10	Crow Lumb Wood, Ramsbottom
GBA11	Nuttall West, Ramsbottom

GBA12	Woolfold
GBA13	Nuttall East, Ramsbottom
GBA14	Chesham, Bury
GBA15	Broad Hey Wood North, Ramsbottom
GBA16	Lower Hinds, Bury

- 10.47 The Inspectors have concluded that there are exceptional circumstances to justify 3 of these proposed additions – Pigs Lea Brook 2, Woolfold and Chesham - on the basis that the boundary of the existing Green Belt adjacent to these sites are anomalous as they do not currently follow physical features that are readily recognisable on the ground.
- 10.48 Whilst the remainder will not be designated as Green Belt, it is important to note that these are largely covered by existing policy designations in the Unitary Development Plan and their status will be reviewed in conjunction with Bury's Local Plan.
- 10.49 The reduction in the Green Belt additions as recommended by the Inspectors does not, however, impact on the delivery of the overall Vision, Spatial Strategy and Strategic Objectives of the Plan.

## 11. Integrated Assessment

- 11.1 The Integrated Assessment (IA) has contributed to the development of the PfE through an iterative assessment, which reviewed the draft policies and the discrete site allocations against the IA framework. This has ensured the full range of environmental impacts have been assessed and appropriate mitigation measures included, where necessary. The IA documentation can be found in documents [SD8 to SD17](#) and [MDC6 to MDC12](#).

## 12. Habitats Regulations Assessment

- 12.1 A Habitats Regulations Assessment (HRA) refers to several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.
- 12.2 The PfE2021 was assessed as a Plan which was considered likely to have significant effect on one or more European protected site and was therefore informed (and accompanied) by an HRA (November 2022) with mitigation measures identified as appropriate. as set out in the HRA of PfE, November 2022. The outcome of the screening assessment of the Main Modifications to

the PfE was that none of them would have a Likely Significant Effect on European designated sites and therefore do not change the findings of the HRA of the PfE, November 2022.

- 12.3 In November 2022 the HRA concluded that traffic levels resulting from a combined impact of development proposed in both the PfE Plan and Warrington's local plan could create an adverse air quality impact on the Holcroft Moss compartment of the Manchester Mosses SAC. Consequently, air quality mitigation is proposed in both the PfE Plan and the Warrington Local Plan for the Holcroft Moss site, in the form of a developer contribution towards a Habitat Mitigation Plan and the provision of measures to reduce reliance of cars, reduce trip generation and promote ultra-low vehicle emissions. The details of the developer contribution will be set out in district supplementary planning documents following adoption of the PfE plan.
- 12.4 The HRA of the PfE, November 2022 also identified an adverse impact on the South Pennine Moors SAC/SPAs as a result of increased recreation pressure arising out of development levels proposed in the PfE. Consequently, the PfE Plan proposes recreation disturbance mitigation in the form of a development exclusion zone within 400m of the Moors, a requirement to assess and mitigate land for functionally linked habitats within 2.5km of the Moors and a requirement for development to provide or contribute towards the provision of Suitable Alternative Natural Greenspace and a Strategic Access, Monitoring and Management Strategy within 7km of the Moors remains a suitable mitigation package. Oldham, Rochdale and Tameside councils will set out details of the developer contributions within supplementary planning documents.

### **13. Next steps**

- 13.1 Subject to and following Council's decision, officers will complete the final tasks that need to be undertaken in order to meet the requirements of the relevant regulations. This includes preparing an Adoption Statement and making the following documents available on the council's website and at Bury Town Hall; Ramsbottom, Bury, Radcliffe and Prestwich libraries; and the Tottington Centre during their normal opening hours:
- Places for Everyone Joint Development Plan Document (PfE Plan).
  - Places for Everyone Policies Map.
  - Integrated Appraisal Reports (including Sustainability Appraisal Report).
  - Adoption Statement.
  - Details of where the PfE Plan is available for inspection and the times at which the document can be inspected.

- 13.2 The council will issue the Adoption Statement in line with the relevant regulations.
- 13.3 In addition to these documents, in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, the council will publish a Sustainability Appraisal post adoption statement, which explains how the sustainability appraisal reports undertaken at various stages during the preparation of the PfE Plan meet the requirements of these regulations.
- 13.4 Once the PfE Plan has been adopted, it will become part of the statutory development plan for Bury with immediate effect. This means that it will have full weight in the determination of planning applications in Bury. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 13.5 If the Council adopts the PfE Plan, in accordance with section 113 of the Planning and Compulsory Purchase Act (2004), any person aggrieved by the adoption of the PfE Plan can only challenge this by making an application to the High Court on one of two grounds; that the PfE Plan is not within the appropriate power, i.e. any action that went further than the powers that are authorised under Part 2 of the Act, or a procedural requirement has not been complied with (these are terms cited within the Act). An application for leave to challenge must be made before the end of the period of six weeks beginning with the day after the relevant date, which for the purposes of the PfE Plan, begins on 22 March 2024 (the day after adoption of the plan comes into effect) and runs until 2 May 2024.
- 13.6 The High Court may make an interim order suspending the operation of the relevant development plan document or quash the plan wholly or in part. The purpose of this provision is to provide certainty as to the legal validity of the PfE Plan and to prevent later challenges.
- 13.7 The PfE Plan contains a monitoring framework with targets and indicators which will be used to monitor the achievement of the policies and reported on. Although the plan covers the period to 2039, in accordance with paragraph 33 of the National Planning Policy Framework (NPPF), the policies in local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. The review process is a method to ensure that a plan and the policies within it remain effective. As explained in chapter 12 of the PfE Plan, the outcomes of PfE monitoring will form part of each PfE district's Local Plan Authority Monitoring Reports.

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**Links with the Corporate Priorities:**

Places for Everyone will form part of Bury's statutory development plan. It will set out statutory policies and strategic site allocations that will guide future growth and

development in the Borough. A key part of the Plan is to rebalance the Greater Manchester economy by significantly boosting the economic output from the north through the delivery of new housing and employment that will benefit both Bury and its residents. The 'Let's Do It' strategy specifically refers to Places for Everyone as having a key role to play in the delivery of its objectives and priorities.

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**Equality Impact and Considerations:**

The Places for Everyone Plan is a statutory plan which seeks to contribute to the achievement of sustainable development, delivering economic, social and environmental benefits together in a mutually reinforcing way. It is informed by an Integrated Appraisal which includes an Equalities assessment.

The attached EqIA also concludes that there are no negative impacts on equality and a positive impact recorded.

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**Environmental Impact and Considerations:**

The Places for Everyone Plan will provide the strategic planning policy framework to support the nine districts in meeting Greater Manchester's ambition to be carbon neutral by 2038.

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**Assessment and Mitigation of Risk:**

<b>Risk / opportunity</b>	<b>Mitigation</b>
<p>If the council adopts the PfE Plan, in accordance with section 113 of the Planning and Compulsory Purchase Act (2004), any person aggrieved by the adoption of the PfE Plan can challenge this by making an application to the High Court. An application for leave to challenge must be made before the end of the period of six weeks beginning with the day after the relevant date, which for the purposes of the PfE Plan, begins on 22 March 2024 (the day after adoption of the plan comes into effect) and runs until 2 May 2024.</p> <p>The High Court may make an interim order suspending the operation of the relevant</p>	<p>It is considered that the legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) in the Planning and Compulsory Purchase Act 2004 ("2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 ("2012 Regulations") have been complied with.</p>

development plan document or quash the plan wholly or in part.	
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**Legal Implications:**

The legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) in the Planning and Compulsory Purchase Act 2004 (“2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (“2012 Regulations”) have been complied with.

The joint DPD was submitted to the Secretary of State for independent examination (s20 of the 2004 Act) along with the documents prescribed by Regulation 22 of the 2012 Regulations. Prior to its submission to the Secretary of State, the joint DPD was published and representations were invited, pursuant to Regulation 19 and Regulation 20 of the 2012 Regulations. Following Submission, the Joint DPD was subject to independent examination, as prescribed by section 20 of the Act; the modifications consultation stage which took place between October and December 2023 fell within that stage of the plan preparation process. The Inspectors issued their report on 14 February 2024 which signalled the end of the examination stage. It is now the case that the nine districts now must either accept in full the recommendations in their report or reject them in full.

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**Financial Implications:**

The preparation and examination of the Places for Everyone Plan 2021 generated a revenue cost for nine local authorities. A substantial evidence base was assembled to support the plan which involved the commissioning of specialist and independent experts. Following the submission of PfE to the Secretary of State, the independent examination began. Further revenue costs associated with the examination process included the appointment of Programme Officers, the cost of the examination itself, including the procurement of the venue, Planning Inspectors and legal advice/representation. Following adoption, further costs may be incurred in relation to the monitoring of the plan and also should the decision to adopt the Plan be legally challenged.

There are no current revenue implications.

Once the plan is adopted there will be capital receipts generated for the Council and it will be the private sector or registered providers who will deliver the developments.

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**Appendices:**

The following appendices can be viewed on the GMCA website at <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/adoption/adoption-documentation>.

- Appendix 1.1 - Inspectors' Report (Document 1 of 2).
- Appendix 1.2 - Inspectors' Report Appendix - Main Modifications to the Plan (Document 2 of 2).
- Appendix 2 – Schedule of Policies Map changes
- Appendix 3 – Consultation Report into the Additional Modifications incorporating the Schedule of Additional Modifications.
- Appendix 4 – Places for Everyone Plan for Adoption.
- Appendix 5 - Places for Everyone Policies Map.
- Appendix 6 – Correspondence between the Mayor of Greater Manchester and the Secretary of State.
- Appendix 7 – Schedule of policy number changes between the Submitted PfE Plan (SD1) and the PfE Plan being presented for adoption (Appendix 4).

**Background papers/information:**

[Report to AGMA Executive Board - December 2020](#)

[Report to AGMA Executive Board - February 2021](#)

[Report to Places for Everyone Joint Committee - July, 2021](#)

[District Governance Meetings - July 2021](#)

[Places for Everyone Submission Plan - Document SD1](#)

[Places For Everyone - Documentation](#)

[Places For Everyone Joint DPD Examination Website](#)

[District Governance Meetings - Sept/Oct 2023](#)

[Report of the Leader and Cabinet Member for Strategic Growth and Skills to Cabinet \(7 September 2022\) Places for Everyone – updated evidence on housing supply and request for a main modification to the plan.](#)

[Integrated Assessment reports including the Sustainability Appraisal](#)

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

Term	Meaning

## Equality Analysis Form

The following questions will document the effect of your service or proposed policy, procedure, working practice, strategy or decision (hereafter referred to as 'policy') on equality, and demonstrate that you have paid due regard to the Public Sector Equality Duty.

### 1. RESPONSIBILITY

<b>Department</b>	Business Growth and Infrastructure	
<b>Service</b>	Strategic Planning and Infrastructure	
<b>Proposed policy</b>	Adoption of Places for Everyone Plan: A Joint Development Plan Document for nine Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) 2022-2039 (The Places for Everyone Plan).	
<b>Date</b>	20 March 2024	
<b>Officer responsible for the 'policy' and for completing the equality analysis</b>	<b>Name</b>	David Wiggins
	<b>Post Title</b>	Service Manager: Strategic Planning and Infrastructure
	<b>Contact Number</b>	0161 253 5282
	<b>Signature</b>	<i>D. Wiggins</i>
	<b>Date</b>	4 March 2024

### 2. AIMS

<b>What is the purpose of the policy/service and what is it intended to achieve?</b>	<p>'Places for Everyone' (Pfe) sets out a plan for homes, jobs, and the environment across nine of the ten Greater Manchester districts (excluding Stockport). It sets out where we will build the new homes we need, where our businesses will locate to sustain and create jobs for our people, what infrastructure is needed to support the development and to protect and enhance our towns, cities and landscapes. It is proposed that the Plan will cover a timeframe up to 2039.</p> <p>Whilst one of the key purposes of Pfe is to make provision for the homes and jobs needed across the plan area in a co-ordinated and managed way, it is also about establishing a framework for reducing inequalities, improving the lives of our residents and transforming Greater Manchester into a world-leading city-region.</p>
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<b>Who are the main stakeholders?</b>	The main stakeholders which are involved in PfE are local residents, developers, landowners, businesses, planning and development consultants, statutory consultees, infrastructure providers, interest groups and representative bodies.
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### 3. ESTABLISHING RELEVANCE TO EQUALITY

**3a. Using the drop down lists below, please advise whether the policy/service has either a positive or negative effect on any groups of people with protected equality characteristics.**

**If you answer yes to any question, please also explain why and how that group of people will be affected.**

Protected equality characteristic	Positive effect (Yes/No)	Negative effect (Yes/No)	Explanation
Race	No	No	PfE has been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including race.
Disability	Yes	No	PfE includes policies that seek to ensure that all neighbourhoods are designed to enable residents to live healthier, happier and more fulfilling lives, with the barriers to doing so minimised as far as possible. This must include recognising and responding to the difficulties that people may face due to age, disability, illness or financial circumstances.  The Plan has also been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including disability.
Gender	No	No	

Gender reassignment	No	No	PfE has been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including gender reassignment.
Age	Yes	No	A number of the development allocations state that they will provide housing for elderly people.  PfE has also been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including age.
Sexual orientation	No	No	PfE has been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including sexual orientation.
Religion or belief	No	No	PfE has been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including religion or belief.
Caring responsibilities	No	No	
Pregnancy or	No	No	PfE has been subject to an Integrated

maternity			Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including pregnancy or maternity.
Marriage or civil partnership	No	No	PfE has been subject to an Integrated Appraisal and part of this has involved and Equality Impact Assessment which has considered in its scope, the likely effects on discriminatory practices; the potential to alter the opportunities of certain groups of people; and/or effect on relationships between different groups of people, including marriage or civil partnership.

**3b. Using the drop down lists below, please advise whether or not our policy/service has relevance to the Public Sector Equality Duty.**

**If you answer yes to any question, please explain why.**

<b>General Public Sector Equality Duties</b>	<b>Relevance (Yes/No)</b>	<b>Reason for the relevance</b>
Need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010	No	
Need to advance equality of opportunity between people who share a protected characteristic and those who do not (eg. by removing or minimising disadvantages or meeting needs)	Yes	PfE will include policies that are specifically designed to make provision for special needs housing, including housing for the elderly as well as ensuring that all neighbourhoods are designed to enable residents to live healthier, happier and more fulfilling lives, with the barriers to doing so minimised as far as possible. This must include recognising and responding to the difficulties that people may face due to age, disability, illness or financial circumstances.
Need to foster good	No	

relations between people who share a protected characteristic and those who do not (eg. by tackling prejudice or promoting understanding)		
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**If you answered 'YES' to any of the questions in 3a and 3b**

**Go straight to Question 4**

**If you answered 'NO' to all of the questions in 3a and 3b**

**Go to Question 3c and do not answer questions 4-6**

**3c. If you have answered 'No' to all the questions in 3a and 3b please explain why you feel that your policy/service has no relevance to equality.**

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**4. EQUALITY INFORMATION AND ENGAGEMENT**

**4a.** For a service plan, please list what equality information you currently have available (including a list of all EAs carried out on existing policies/procedures/strategies),

**OR** for a new/changed policy or practice please list what equality information you considered and engagement you have carried out in relation to it.

Please provide a link if the information is published on the web and advise when it was last updated?

(NB. Equality information can be both qualitative and quantitative. It includes knowledge of service users, satisfaction rates, compliments and complaints, the results of surveys or other engagement activities and should be broken down by equality characteristics where relevant.)

<b>Details of the equality information or engagement</b>	<b>Internet link if published</b>	<b>Date last updated</b>
<a href="#">Following consultation on two</a>		

<p>previous drafts in 2016 and 2019 (then referred to as the GMSF), and the invitation for representation on the Publication Plan in 2021 and proposed modifications in 2023 the Inspectors have issued their conclusions that the Plan is sound and legally compliant subject to their recommended modifications.</p>		
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**4b.** Are there any information gaps, and if so how do you plan to tackle them?

<p>No</p>
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**5. CONCLUSIONS OF THE EQUALITY ANALYSIS**

<p><b>What will the likely overall effect of your policy/service plan be on equality?</b></p>	<p>Positive</p>
<p><b>If you identified any negative effects (see questions 3a) or discrimination what measures have you put in place to remove or mitigate them?</b></p>	<p>N/A</p>
<p><b>Have you identified any further ways that you can advance equality of opportunity and/or foster good relations? If so, please give details.</b></p>	<p>No</p>
<p><b>What steps do you intend to take now in respect of the implementation of your policy/service plan?</b></p>	<p>Should Members approve the adoption of Places for Everyone, it will become a key part of Bury’s statutory development plan and its policies will be used in the determination of planning applications.</p> <p>Following adoption, there would be a six-week period for applications to challenge the plan through a Judicial Review.</p>

**6. MONITORING AND REVIEW**

**If you intend to proceed with your policy/service plan, please detail what monitoring arrangements (if appropriate) you will put in place to monitor the ongoing effects. Please also state when the policy/service plan will be reviewed.**

<p>The PfE Joint Plan will be continually monitored in order to determine the effectiveness of its policies.</p>
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**COPIES OF THIS EQUALITY ANALYSIS FORM SHOULD BE ATTACHED TO ANY REPORTS/SERVICE PLANS AND ALSO SENT TO YOUR DEPARTMENTAL EQUALITY REPRESENTATIVE FOR RECORDING.**

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<b>Classification:</b> Open	<b>Decision Type:</b> Non-Key
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<b>Report to:</b>	Council	<b>Date:</b> 20 March 2024
<b>Subject:</b>	Constitution update	
<b>Report of</b>	Cabinet Member for Corporate Affairs and HR	

### Summary

1. Under the Elections Act 2022, the law requires imprints on some kinds of electronic electoral material.
2. Digital material is material in electronic form that consists of or includes text, moving images, still images, speech or music.
3. All paid-for electronic political advertisements in scope of the rules are required to include an imprint, regardless of who has promoted it.
4. The imprint must include the name and address of:
  - the promoter
  - any person on behalf of whom the material is being published (and who is not the promoter)
5. A postal address where the promoter can be contacted, must also be included. It can be an office or business address, or a home address. A PO Box address, or other mailbox service can be used.
6. Breaching the digital imprint rules is a criminal offence and the Electoral Commission and police have shared responsibility for the enforcement of the regime.
7. To ensure that the Council maintains its independence and ensures that it isn't seen as having political activity operating from within the Town Hall during the election period, it is recommended that the constitution is amended to clarify that the Town Hall address should not be use on digital imprints  
Article 2 – Councillors section 2.2.3

### Recommendation(s)

**Members are asked to consider the additional wording to be inserted into the council constitution:**

Candidates are not allowed to use Bury Town Hall as their address on their imprints on electronic campaigning material.

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**Report Author and Contact Details:**

*Name:* Rachel Everitt  
*Position:* Elections Manager  
*Department:* Corporate Core  
*E-mail:* [r.everitt@bury.gov.uk](mailto:r.everitt@bury.gov.uk)

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**Legal Implications:**

Part 6 of the Elections Act 2022 sets out electronic materials must have a digital imprint. If material is published without this imprint a promoter and any one else on whose behalf electronic material has been published may commit an offence under s48 of the Elections Act 2022, the proposed changes to the constitution make it clear that the Council's address must not be used.

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**Financial Implications:**

None

# BURY COUNCIL      Agenda Item 9

## TIMETABLE OF MEETINGS 2024 - 2025

### CYCLE 1 – MAY/JUNE 2024

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comment	
<b>May</b>	Mon	29					Pre-election period	
	Tues	30						
	Wed	1						
	Thurs	2	<b>Local Elections</b>					
	Mon	6	Bank Holiday					
	Tues	7						
	Wed	8						
	Thurs	9	<b>Member induction</b>					
	Mon	13						
	Tues	14						
	Wed	15						
	Thurs	16						
	Mon	20						
	Tues	21						
	Wed	22	<b>Annual Council</b>	<b>2.00pm</b>	<b>Mayor Making</b>	<b>4.00pm</b>		
	Thurs	23						
	Mon	27	Bank Holiday					Schools' Half Term Break
	Tues	28	Planning Committee	7.00pm				
	Wed	29						
	Thurs	30						
<b>June</b>	Mon	3	Locality Board	4.00pm	Labour Group Meeting	7.00pm		
	Tues	4	Youth Cabinet	5.00pm	Overview and Scrutiny Committee	7:00pm		
	Wed	5	Cabinet	6.00pm				
	Thurs	6	Licensing Committee	7.00pm	Corporate Parenting Board	5:00pm		
	Mon	10	Children and Young People Scrutiny Committee	7:00pm				
	Tues	11					Shavuot	
	Wed	12						
	Thurs	13	Health and wellbeing Board	4.30pm				
	Mon	17					Eid al-Adha	
	Tues	18						
	Wed	19						
	Thurs	20	Health Scrutiny Committee	7:00pm	ELR Trust Board (Rochdale)	6.00pm		
	Mon	24	Member Development Group	6.00pm				
	Tues	25	Planning Committee	7.00pm				
	Wed	26	Corporate JCC	5.00pm	H&S JCC	6.30pm		
	Thurs	27	Employment Panel	7.00pm				

**CYCLE 2 – JULY – SEPTEMBER 2024**

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
<b>July</b>	Mon	1	Locality Board	4.00pm			
	Tues	2	Corporate Parenting Board	5:00pm	Standards Committee	6.00pm	
	Wed	3	JCC Teachers	6.00pm	Housing Advisory Board	6.00pm	
	Thurs	4	Overview and Scrutiny Committee	7:00pm			
	Mon	8	Labour Group Meeting	7.00pm			
	Tues	9	Performance and Finance Sub-Group	5:00pm			
	Wed	10	Cabinet	6.00pm			
	Thurs	11	Children and Young People Scrutiny Committee	7:00pm			
	Mon	15	Labour Group	7.00pm			
	Tues	16			Health Scrutiny Committee	7:00pm	
	Wed	17	<b>COUNCIL</b>	<b>7.00pm</b>			
	Thurs	18	<b>Youth Cabinet</b>	5.00pm	Licensing Committee	7.00pm	
	Mon	22					Schools' Summer Holidays Start  <b>Council Recess – No Meetings to be held</b>
	Tues	23	Planning Committee	7.00pm			
	Wed	24					
	Thurs	25	Audit Committee	7.00pm			
	Mon	29					
	Tues	30					
	Wed	31					
<b>Aug</b>	Thurs	1					
	Mon	5	Locality Board	4.00pm			
	Tues	6					
	Wed	7					
	Thurs	8					
	Mon	12					
	Tues	13					
	Wed	14					
	Thurs	15					
	Mon	19					
	Tues	20					
	Wed	21					
	Thurs	22					
	Mon	26	Bank Holiday				
	Tues	27	Planning Committee	7.00pm			
	Wed	28					
	Thurs	29					

**CYCLE 3 – SEPTEMBER/OCTOBER 2024**

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
<b>Sept</b>	Mon	2	Locality Board	4.00pm	Labour Group	7.00pm	
	Tues	3	Overview and Scrutiny Committee	7:00pm			
	Wed	4	Cabinet	6.00pm			
	Thurs	5			Licensing Committee	7.00pm	
	Mon	9	Labour Group			7.00pm	
	Tues	10	Corporate Parenting Board	5:00pm			
	Wed	11	<b>COUNCIL</b>	<b>7.00pm</b>			
	Thurs	12	Health and Wellbeing Board	4.30pm	Employment Panel	7.00pm	
	Mon	16					
	Tues	17	Children and Young People Scrutiny Committee	7:00pm	Housing Advisory Board	6.00pm	
	Wed	18	Health Scrutiny Committee	7:00pm			
	Thurs	19	Standards Committee	6.00pm			
	Mon	23	(Special Audit Committee TBC awaiting Gov Guidance)	7.00pm			Lib Dem Party Conf 21 – 24
	Tues	24	Planning Committee	7.00pm			
Wed	25	Cabinet	6.00pm				
Thurs	26	Teachers JCC	6.00pm				
<b>Oct</b>	Mon	30	Labour Group	7.00pm			Cons Party Conf 29 – 2
	Tues	1	Youth Cabinet	5.00pm			Rosh Hashanah (2-4)
	Wed	2	Corporate JCC	5.00pm	H&S JCC	6.30pm	
	Thurs	3	Licensing Committee	7.00pm			
	Mon	7	Locality Board	4.00pm			Lab Party Conf 6–9
	Tues	8	Member Development Group	6.00pm			
	Wed	9					
	Thurs	10			ELR Trust Board (Rossendale)	6.00pm	
	Mon	14					
	Tues	15					
Wed	16					Sukkot	
Thurs	17						
Mon	21	Labour Group	7.00pm			Schools' Winter Half Term Break	
Tues	22	Planning Committee	7.00pm			Simchat Torah	
Wed	23						
Thurs	24						

**CYCLE 4 – NOVEMBER/DECEMBER 2024**

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
Oct	Mon	28					
	Tues	29	Audit Committee	7.00pm			
	Wed	30					
	Thurs	31					
<b>Nov</b>	Mon	4	Locality Board	4.00pm	Labour Group	7.00pm	
	Tues	5	Performance and Finance Sub-Group	5:00pm			
	Wed	6	Cabinet	6.00pm			
	Thurs	7	Children and Young People Scrutiny Committee	7:00pm			
	Mon	11	Labour Group	7.00pm			
	Tues	12	Health and Wellbeing Board	4.30pm	Employment Panel	7.00pm	
	Wed	13	<b>COUNCIL</b>	7.00pm			
	Thurs	14	Licensing Committee	7.00pm			
	Mon	18					
	Tues	19	Planning Committee	7.00pm			
	Wed	20	Housing Advisory Board	6.00pm			
	Thurs	21					
	Mon	25					
	Tues	26	Overview and Scrutiny Committee	7:00pm			
	Wed	27	Standards Committee	6:00pm			
	Thurs	28	Health Scrutiny Committee	7:00pm			
<b>Dec</b>	Mon	2	Locality Board	4.00pm	Labour Group	7.00pm	
	Tues	3	Corporate Parenting Board	5:00pm			
	Wed	4	Cabinet	6.00pm			
	Thurs	5					
	Mon	9					
	Tues	10	Youth Cabinet	5.00pm			
	Wed	11	Teachers JCC	6.00pm			
	Thurs	12					
	Mon	16					
	Tues	17	Planning Committee	7.00pm			
	Wed	18	Corporate JCC	5.00pm	H&S JCC	6.30pm	
	Thurs	19	Licensing Committee	7.00pm			
	Mon	23					Schools Holidays – Winter Break
	Tues	24					
	Wed	25	Bank Holiday				
	Thurs	26	Bank Holiday				



**CYCLE 5 – JANUARY/FEBRUARY 2025**

<b>Month</b>	<b>Day</b>	<b>Date</b>	<b>Meeting 1</b>	<b>Time</b>	<b>Meeting 2</b>	<b>Time</b>	<b>Comments</b>	
<b>Jan</b>	Mon	30					Schools Holidays – Winter Break	
	Tues	31						
	Wed	1	Bank holiday					
	Thurs	2						
		Mon	6	Locality Board	4.00pm	<b>Labour Group</b>	7.00pm	
		Tues	7	Housing Advisory Board	6.00pm			
		Wed	8	Cabinet	6.00pm			
		Thurs	9	Corporate Parenting Board	5:00pm			
		Mon	13	Labour Group	7.00pm			
		Tues	14	Performance and Finance Sub Group	5:00pm			
		Wed	15	<b>COUNCIL</b>	<b>7.00pm</b>			
		Thurs	16	Health and Wellbeing Board	4.30pm			
		Mon	20					
	Tues	21						
	Wed	22	Children and Young People Scrutiny Committee	7:00pm				
	Thurs	23	Licensing Committee	7.00pm				
	Mon	27	Labour Group	7.00pm				
	Tues	28	Youth Cabinet	5.00pm	Planning Committee	7.00pm		
	Wed	29	Health Scrutiny Committee	7:00pm				
	Thurs	30					Holocaust Memorial	
<b>Feb</b>	Mon	3	Locality Board	4.00pm				
		Tues	4	Employment Panel	7.00pm			
		Wed	5	Corporate JCC	4.00pm	Teachers JCC	6.00pm	
		Thurs	6	Overview and Scrutiny Committee (Budget)	7:00pm			
		Mon	10	Labour Group	7.00pm			
		Tues	11	Audit Committee	7.00pm			
		Wed	12	Cabinet (Budget)	6.00pm			
		Thurs	13	Standards Committee	6.00pm			
		Mon	17	Labour Group	7.00pm			Schools' Half Term Break
		Tues	18	Planning Committee	7.00pm			
		Wed	19	<b>COUNCIL (BUDGET)</b>	<b>7.00pm</b>			
		Thurs	20					
		Mon	24					
	Tues	25	Member Development Group	6.00pm				
	Wed	26						
	Thurs	27			ELR Trust Board (Bury)	6.00pm		

**CYCLE 6 – MARCH - MAY 2025**

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
<b>Mar</b>	Mon	3	Locality Board	4.00pm			Ramadan 28 Feb – 29 March  Pre-election period starts 21 March Eid al-Fitr 30-31 March
	Tues	4	Corporate Parenting Board	5:00pm			
	Wed	5					
	Thurs	6	Licensing Committee	7.00pm			
	Mon	10	Labour Group	7.00pm			
	Tues	11	Overview and Scrutiny Committee	7:00pm			
	Wed	12	Cabinet	6.00pm			
	Thurs	13	Children and Young People Scrutiny Committee	7:00pm			
	Mon	17	Labour Group	7.00pm			
	Tues	18	Health and Wellbeing Board	4.30pm	Planning Committee	7.00pm	
	Wed	19	<b>COUNCIL</b>	<b>7.00pm</b>			
	Thurs	20	Health Scrutiny Committee	7:00pm			
	Mon	24					
	Tues	25	Member Development Group	6.00pm			
	Wed	26	Corporate JCC	5.00pm	H&S JCC	6.30pm	
Thurs	27	Teachers JCC	6.00pm				
Mon	31						
<b>Apr</b>	Tues	1	Youth Cabinet	5.00pm			
	Wed	2	Housing Advisory Board	6.00pm			
	Thurs	3	Standards Committee	6:00pm			
	Mon	7	<i>Locality Board</i>	<i>4.00pm</i>			Schools' Spring Break
	Tues	8	Audit Committee	7.00pm			
	Wed	9					
	Thurs	10	Licensing Committee	7.00pm			
	Mon	14	<b>Labour Group</b>	7.00pm			Passover 12-20 April
	Tues	15					
	Wed	16	Cabinet	6.00pm			
	Thurs	17					
	Mon	21	Bank Holiday				
	Tues	22	Planning Committee	7.00pm			
	Wed	23					
	Thurs	24					
Mon	28						
Tues	29						
Wed	30						
<b>May</b>	Thurs	1	<b>Local Elections (?)</b>				
	Mon	5	Bank Holiday				
	Tues	6					
	Wed	7					
	Thurs	8					
	Mon	12					
	Tues	13					
	Wed	14					
	Thurs	15					
	Mon	19					
Tues	20						
Wed	21	<b>Annual Council</b>	<b>2.00pm</b>	<b>Mayor Making</b>	<b>4.00pm</b>		

	Thurs	22					
	Mon	26	Bank Holiday				Schools' Half Term Break
	Tues	27					
	Wed	28					
	Thurs	29					

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<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing and Safety Committee
<b>Meeting date:</b>	22 February 2024 - Licensing and Safety Committee 20 March 2024 - Full Council
<b>Title of report:</b>	Review of emissions standard transitional implementation date for existing Hackney Carriage and Private Hire vehicles to compliant vehicle in respect of proposed GM Clean Air Plan.
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

### Executive Summary

This report outlines the proposal to bring forward the implementation of existing standards related to emissions from 1 April 2026 to 1 January 2026 for licensed vehicles eligible for current transitional arrangements. The rationale for this relates to the recent submissions to Government with revised proposals around the GM Clean Air Plan and requirement from Government to ensure a GM agreed emissions standard for all Taxi and Private Hire vehicles by 31 December 2025.

### Recommended Option

It is recommended that the Licensing and Safety Committee considers and adopts the following amendment (1) to the existing emission standard and recommends to Full Council that amendment (1) be approved:

For existing vehicle licence proprietors:

1. That the transitional arrangements amended by Full Council on 22 March 2023, in relation to age and emissions, previously extended from 1 April 2024 to 1 April 2026, are amended again and to be in effect from 1 January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submissions. The amended policy will state that from 31 December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.

### **Key considerations**

This is a Council Function that is delegated to the Licensing and Safety Committee by the Council's Constitution.

This paper is in the public domain.

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### **Community impact / Contribution to the Bury 2030 Strategy**

The changes put forward in this report will facilitate more rapid improvement with clean air through facilitating the replacement of non-compliant (emission) vehicles for both hackney carriage and private hire/private hire vehicles. This could potentially help reduce the time it takes for these vehicles to be upgraded and become compliant with existing emissions standard leading to less carbon emissions and less tailpipe emissions. It will also enable access to the linked funding related to the revised GM Clean Air Plan submissions to Government which will assist with vehicle upgrade costs.

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### **Equality Impact and considerations:**

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

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

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

*The public sector equality duty 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.*

*The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.*

An Equality Impact Assessment (EIA) was undertaken when the existing standards were implemented through a full governance process. This report seeks to bring forward the implementation date for emissions compliance by 3 months to enable access to the GM Clean Taxi Fund support package when it is made available which will provide financial assistance to affected vehicle proprietors. Conversely, if no change is made to the existing transitional arrangements this could be detrimental and financially disadvantage affected vehicle proprietors.

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**Assessment of Risk:**

The following risks apply to the decision:

Risk / opportunity	Mitigation
<p>Opportunity: The adoption of the recommended amendments to existing transitional arrangements will enable the hackney carriage and private hire trade in Bury access any future GM funding linked to the revised submissions to Government regarding the GM Clean Air Plan.</p> <p>Risk: Maintaining existing transitional arrangements may jeopardise the revised submissions to Government regarding the GM Clean Air Plan and may prevent the hackney carriage and private hire trade in Bury accessing any future GM funding.</p>	None

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**Consultation:**

Not applicable

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**Legal Implications:**

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

The costs of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Members are advised that Licences are regarded as possessions within the terms of the Human Rights Act 1998. Under the Act everyone is entitled to the peaceful enjoyment of one's possessions and so actions interfering with those possessions must be lawful, reasonable and proportionate. It is lawful to impose reasonable conditions as a way of protecting the safety of the travelling public, so long as it is not out of proportion. It is a balancing act between the public interest and the individual's rights.

The policy changes recommended, if agreed by the Council, will be implemented and form the basis on which decisions are made on applications for vehicle licences received by the Council.

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**Financial Implications:**

Revenue and Capital: The Licensing Regime is a self-funded service through the licensing fees. There are no financial implications as a result of this report as the changes do not have any cost implications to the Council.

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**Report Author and Contact Details:**

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 Bury  
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**Background papers:**

Licensing and Safety Committee report and minutes – 16 March 2023

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

Term	Meaning
CAZ	Clean Air Zone
CTF	Clean Taxi Fund
EIA	Equality Impact Assessment
GM	Greater Manchester
GM CAP	Greater Manchester Clean Air Plan
GMCA	Greater Manchester Combined Authority
HCV	Hackney Carriage
ICE	Internal Combustion Engine
JAQU	Joint Air Quality Unit
NO <sub>2</sub>	Nitrogen Dioxide
PHV	Private Hire Vehicle
SoS	Secretary of State
TFGM	Transport for Greater Manchester
WAV	Wheelchair Accessible Vehicle
ZEB	Zero Emission Bus



## 1.0 Background

- 1.1 Members will recall that this matter was considered at the previous Licensing and Safety Committee meeting on the 1 February 2024. Members resolved to defer consideration of this matter until tonight's meeting.
- 1.2 The Government has instructed many local authorities across the UK to take quick action to reduce harmful roadside levels of Nitrogen Dioxide (NO<sub>2</sub>) with the Secretary of State (SoS) for Environment, Food and Rural Affairs issuing Directions under the Environment Act 1995 in 2017 requiring them to undertake feasibility studies to identify measures for reducing NO<sub>2</sub> concentrations to within legal limit values in the "shortest possible time". In Greater Manchester, the 10 local authorities, the Greater Manchester Combined Authority (GMCA) and Transport for Greater Manchester (TfGM) are working together to develop a Clean Air Plan to tackle NO<sub>2</sub> exceedances at the roadside, herein known as Greater Manchester Clean Air Plan (GM CAP).
- 1.3 The GMCA – Clean Air Final Plan report on 25 June 2021<sup>1</sup> endorsed Greater Manchester's Final CAP and policy following a review of all of the information gathered through the GM CAP consultation and wider data, evidence and modelling work. Throughout the development of the previous Plan, JAQU reviewed and approved all technical and delivery submissions. The Plan was agreed by the ten Greater Manchester local authorities. Within this document, this is referred to as the Previous GM CAP.
- 1.4 On the 8 February 2022, a new direction (the Direction) was issued by the SoS<sup>2</sup> which confirmed that the March 2020 Direction to implement a Class C charging Clean Air Zone (CAZ) had been revoked and required that a new plan be submitted to the SoS by 1st July 2022 the GM authorities should:
- review the measures specified in the local plan for NO<sub>2</sub> compliance and associated mitigation measures; and
  - determine whether to propose any changes to the detailed design of those measures, or any additional measures.
- 1.5 The Direction also states that the local plan for NO<sub>2</sub> compliance, with any proposed changes, must ensure the achievement of NO<sub>2</sub> compliance in the shortest possible time and by 2026 at the latest. It should also ensure that human exposure to concentrations of NO<sub>2</sub> above the legal limit is reduced as quickly as possible.
- 1.6 In July 2022, the 'Case for a new Greater Manchester Clean Air Plan'<sup>3</sup> was submitted to the Secretary of State. It set out that challenging economic conditions, rising vehicle prices and ongoing pandemic impacts meant that the original plan of a city-region charging CAZ was no longer the right solution to achieve compliance, instead proposing an investment-led, non-charging GM CAP.

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<sup>1</sup> [GMCA 210621 Report Clean Air Plan - FINAL FINAL.pdf \(greatermanchester-ca.gov.uk\)](https://assets.ctfassets.net/tlpgbv1k6h2/7jtkDc5AODypDQlw0cYwsl/67091a85f26e7c503a19ec7aeb2e8137/Appendix_1_-_Case_for_a_new_Greater_Manchester_Clean_Air_Plan.pdf)

<sup>2</sup> [The Environment Act 1995 \(Greater Manchester\) Air Quality Direction 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/103111/The_Environment_Act_1995_(Greater_Manchester)_Air_Quality_Direction_2022.pdf)

<sup>3</sup>

[https://assets.ctfassets.net/tlpgbv1k6h2/7jtkDc5AODypDQlw0cYwsl/67091a85f26e7c503a19ec7aeb2e8137/Appendix\\_1\\_-\\_Case\\_for\\_a\\_new\\_Greater\\_Manchester\\_Clean\\_Air\\_Plan.pdf](https://assets.ctfassets.net/tlpgbv1k6h2/7jtkDc5AODypDQlw0cYwsl/67091a85f26e7c503a19ec7aeb2e8137/Appendix_1_-_Case_for_a_new_Greater_Manchester_Clean_Air_Plan.pdf)

- 1.7 The primary focus of the 'Case for a new Greater Manchester Clean Air Plan' was to identify a plan to achieve compliance with the legal limit value for NO<sub>2</sub> in a way that considered the cost-of-living crisis and associated economic challenge faced by businesses and residents. This would be achieved through an investment-led approach combined with all the wider measures that GM is implementing with the aim of reducing NO<sub>2</sub> emissions to within legal limits, in the shortest possible time, and at the latest by 2026.
- 1.8 The 'Case for a new Greater Manchester Clean Air Plan' proposed using the £123m of Clean Air funding that the Government has awarded to the GM authorities to deliver an investment-led approach to invest in vehicle upgrades, rather than imposing daily charges, and deliver new Zero Emission Buses (ZEBs) as part of the Bee Network (a London-style integrated transport network for Greater Manchester). The new plan would ensure that the reduction of harmful emissions would be at the centre of GM's wider objectives. Within this document, this plan is referred to as the 'New GM CAP'.
- 1.9 Having submitted the Case for a New Clean Air Plan in July 2022 GM was asked by Government in January 2023 to:
- (i) provide modelling results for a benchmark CAZ to address the persistent exceedances identified in central Manchester and Salford, in order for these to be compared against your proposals.*
  - (ii) Identify a suitable approach to address persistent exceedances identified in your data on the A58 Bolton Road in Bury in 2025, and to propose a suitable benchmark.*
  - (iii) Set out how the measures you have proposed will be modelled and evidenced overall, and to ensure that they are modelled without any unnecessary delay.*
- 1.10 Greater Manchester Authorities have been undertaking the work required to supply this further evidence and on 8 March 2023 submitted the first element,<sup>4</sup> 'Approach to Address Persistent Exceedances Identified on the A58 Bolton Road, Bury'<sup>4</sup>.
- 1.11 In April 2023, Government advised TfGM that it was to pause any new spending on bus retrofit as it had evidence that retrofitted buses have poor and highly variable performance in real-world conditions.
- 1.12 In the light of the Government's new evidence, JAQU issued revised general guidance to authorities producing Clean Air Plans nationwide requiring that air quality modelling should no longer assume any air quality benefits from a retrofitted bus. The Government also advised that it anticipated a six-month focused research programme to quickly investigate the causes of poor bus retrofit performance and how it could be improved would be reported in Autumn 2023.

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<sup>4</sup> <https://democracy.greatermanchester-ca.gov.uk/documents/s24939/Appendix%203.%20GM%20CAP%20A58%20Bury%20Measure%20Report%20DRAFT%20for%20AQAC%20Approval%20Feb%2023.pdf>

- 1.13 To date the outputs of this study have not been made available to GM and in the absence of the government's bus retrofit study and GM has incorporated the revised guidance from JAQU, requiring that air quality modelling should no longer assume any air quality benefits from a retrofitted bus into the modelling which underpins the development of its Clean Air Plan to produce an report that appraises the ability of the Investment-led Plan and a benchmark CAZ to deliver compliance with the legal limit value in the shortest possible time and by no later than 2026.

### **Information**

- 1.14 The report "GM Clean Air the GM Air Quality Administration Committee on 20 December 2023. The report was agreed by the Committee provides an update on the Case for a new Greater Manchester Clean Air Plan and confirms that an appraisal of GM's proposed investment-led plan has been undertaken against a benchmark charging Clean Air Zone (CAZ) in the centre of Manchester and Salford.
- 1.15 Using the government's updated technical guidance, that 'no air quality benefit' should be assumed from bus retrofit, GM now has evidence to show that its investment-led, non-charging Clean Air Plan can deliver compliance with the government direction to bring nitrogen dioxide levels within legal limits in 2025.
- 1.16 Modelling predicts if GM did nothing there would be twelve exceedances of nitrogen dioxide in 2025. The majority of these would be in the regional centre – Manchester and Salford.
- 1.17 GM's investment-led plan proposes using £86.7 Clean Air funding already awarded, for investment in zero-emission buses, taxi and private hire vehicle upgrades (through a Clean Taxi Fund) and measures to manage traffic flows on some roads in the centre of Manchester and Salford.
- 1.18 Modelling shows GM's investment-led plan can achieve compliance in 2025 and that compliance is not achieved in 2025 or 2026 by a benchmarked category C charging CAZ.
- 1.19 The GM's evidence shows that the investment-led, non-charging plan can achieve compliance in 2025. However, it is for government to determine what measures GM is to implement – only the Investment-led Plan complies with the requirement placed on the 10 GM local authorities to deliver compliance in the shortest possible time and by 2026 at the latest.

### **Taxi and Private Hire Vehicle (PHV) Measures**

- 1.20 Taxi and PHV measures represent an important mechanism for reducing exceedances under the Investment-led Plan and are grounded in the ability of the GM authorities to reduce emissions through licensing conditions.
- 1.21 The appraisal of the Investment-led Plan has been developed on the basis that an emissions standard, requiring licensed hackneys and PHVs to be a minimum of Euro 6 (diesel) or Euro 4 (petrol) by 31 December 2025, will have been adopted by all GM Authorities.

- 1.22 This means that licences issued by Bury will have to have a compliant vehicle attached to the licence by 31 December 2025 at the latest. Licensees can apply at any time during the currency of their licence to replace the vehicle attached to that licence, and therefore must ensure that they have sourced and purchased an emissions compliant vehicle in good time to ensure they have a compliant vehicle licensed by 31 December 2025. Officers will advise the trade further with regards to application deadlines to ensure sufficient time for processing and vehicle testing prior to the licence being issued.
- 1.23 The Council's current licensed vehicle emissions policy is a petrol vehicle must be Euro 4 and a diesel vehicle must be a Euro 6.
- 1.24 In the investment led plan, it is therefore assumed that by 2026 100% of the GM taxi fleet will be compliant with the emission standards with all GM Authorities working to achieve this. It is intended that the Clean Taxi Fund will support this providing sufficient funds for every current non-emission compliant vehicle licensed to a GM authority to receive grant support (if applicable). Further the is to be opened Fund before 2025 enabling earlier upgrades, and helping to mitigate against the risk of taxis re-licensing with another authority that does not have the same emission standard requirement.
- 1.25 A Clean Taxi Fund (CTF) of £30.5m is proposed to offer funding to support upgrades of taxis to cleaner vehicles through two routes. These are:
- Core Taxi Fund of £22.5m – based on the 2021 GM CAP Policy, the funding is eligible to non-compliant, GM-licensed hackneys and PHVs. The financial support has been uplifted with inflation, with an associated air quality benefit derived from minimum emission standards across the 10 GM Authorities.
  - Electric Hackney Upgrade Fund of £7.9m – based on the Bradford scheme<sup>5</sup> and feedback received during GM's Participatory Policy Development<sup>6</sup>, the funding is available to compliant Internal Combustion Engine (ICE) hackneys and seeks to support upgrades to the cleanest vehicle type whilst taking into account feedback.
- 1.26 The Air Quality Administration Committee recommended that each GM Authority puts appropriate arrangements in place to facilitate a transitional start date for the implementation of emission standards by the 1 January 2025 with the end transition date being the 31 December 2025. Ultimately it is for the government to determine what measures GM is to implement, the appraisal shows that only the Investment-led Plan complies with the requirement placed on the 10 GM Authorities to deliver compliance in the shortest possible time and by 2026 at the latest.
- 1.27 The report has been submitted to the Secretary of State for Environment, Food and Rural Affairs setting out that whilst we await their response the GM Authorities will, on the anticipation of the Clean Taxi Fund being agreed, make preparations to ensure a minimum taxi emissions standard will have been adopted by all GM Authorities.

## 2.0 Bury Council's position

- 2.1 The transitional arrangements were initially agreed by Full Council on 24 November 2021 with subsequent amendments to the implementation date for transitional arrangements on 22 March 2023, in relation to age and emissions standards extending from 1 April 2024 to

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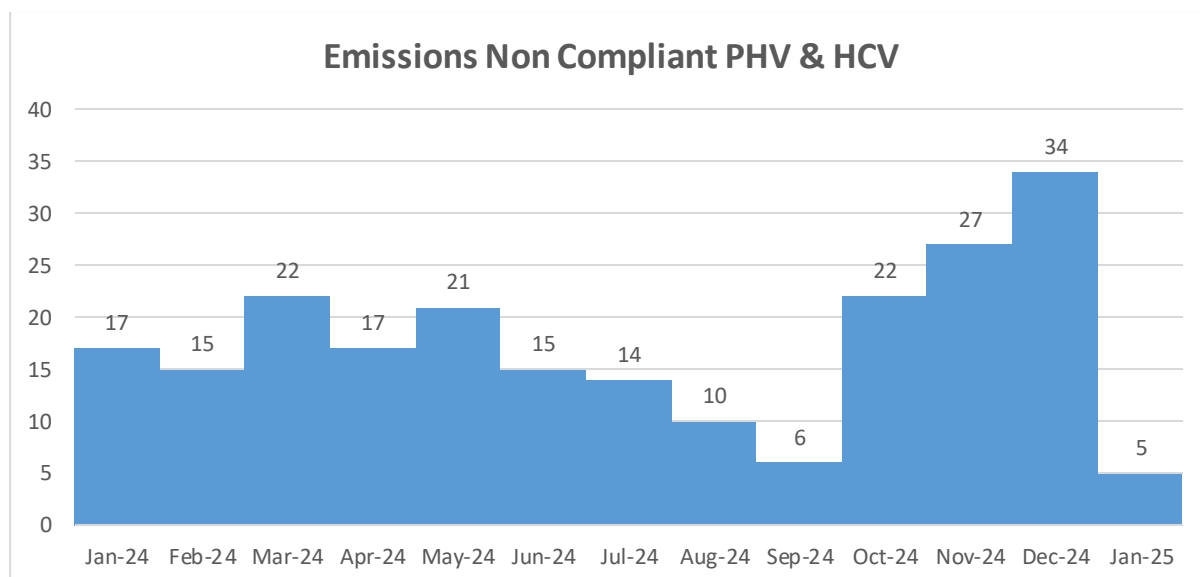
<sup>5</sup> Bradford Council, who operate a Category C charging Clean Air Zone, have launched an additional fund to support Bradford-licensed Hackneys to upgrade to fully electric. The fund is open to owners of Bradford which are already classed as compliant with minimum emissions standards.

<sup>6</sup> [Participatory Policy Development - Summary of Stakeholder Engagement Report](#) Page 14, point 8

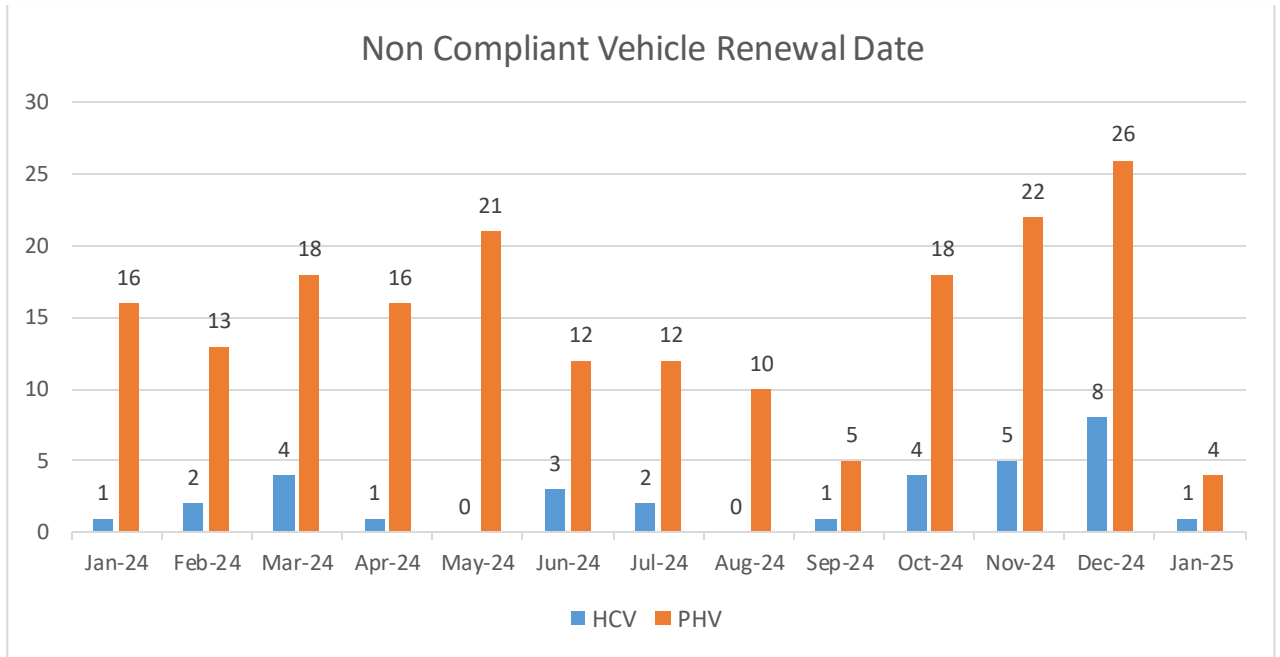
1 April 2026. This report seeks approval to amend by bringing forward the implementation date by three months to 1 January 2026. The justification for this amendment is to enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submission to Government which will provide access to the Clean Taxi Fund to assist vehicle proprietors to upgrade their existing vehicle to an emissions compliant vehicle. The proposed amended policy will state that from 31 December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard to ensure that on the 1 January 2026 all licensed vehicles in Bury will comply with the GM emissions standard.

2.2 The Licensing Service have reviewed the fleet data on the 11 January 2024 and have identified following the assessment of all 760 licensed vehicles we currently have 225 (29.6%) non complaint vehicles which consist of 193 (25.4%) Private hire vehicle and 32 (4.2%) Hackney Carriages.

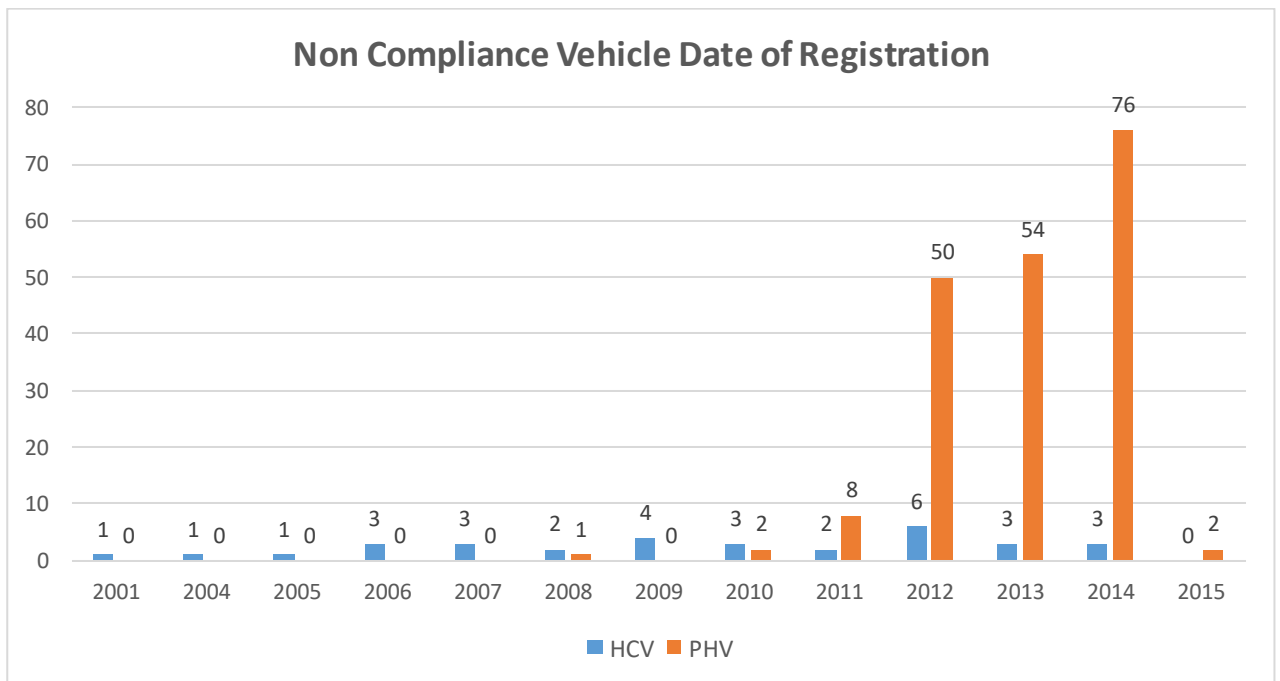
2.3 **Table 1** shows the numbers of vehicles that are not compliant between the period of January 2024 until January 2025.



2.4 **Table 2** shows the numbers of vehicles that are not compliant by renewal date between the period of January 2024 until January 2025.



2.5 **Table 3** shows the numbers of vehicles that are not compliant by date of vehicle registration.



2.6 Following the request from Members of the Licensing and Safety Committee on 1 February 2024, the Licensing Service undertook an engagement exercise which included contacting the 225 affected vehicle proprietors who are currently in receipt of transitional arrangements. An initial email was sent on 6 February 2024 and reminder email was sent on 12 February 2024 asking for responses to the two questions requested by members of

- the committee;
1. *What are your views on moving the implementation date from 1 April 2026 to 1 January 2026*
  2. *What are your views on your ability to meet this proposed amendment?*

- 2.7 The engagement exercise sought views on the proposals to bring forward the transitional arrangements in respect of the existing emissions standard by three months (1 April 2026 to 1 January 2026). In addition to the email correspondence, the Councils Licensing Engagement Officer contacted a range of vehicle proprietors affected to gain their views.
- 2.8 The proposed amendment will be discussed at the at the Trade Liaison meeting scheduled to take place on the 15 February 2024.
- 2.9 The results of the engagement exercise will be forwarded to the Members of the Licensing and Safety Committee once collated and reviewed. The collation of the data will take place after the Trade Liaison meeting on 15 February 2024.
- 2.10 The responses will be annexed to this report prior to the Licensing & Safety Committee meeting on 22 February 2024 at Appendix 1.

### **3.0 Conclusion & Recommendation**

- 3.1 This report seeks to amend the existing transitional arrangements which are due to end on 1 April 2026 by bringing forward three months with a proposed implementation date of 1 January 2026. This amendment affects the implementation date of the existing emission standard which was agreed and adopted by the Council, and has been in place for all new to fleet vehicles, since 24 November 2021.
- 3.2 If the transitional date is not amended as outlined above, the Councils transitional arrangements policy will not be aligned with the submissions to Central Government by TfGM for the revised GM CAP which proposes that by 1 January 2026 100% of the GM taxi fleet will be compliant with the emission standards with all GM Authorities. Maintaining existing transitional arrangements may jeopardise these revised submissions to Government regarding the GM Clean Air Plan and may prevent and/or disadvantage vehicle proprietors of non-compliant vehicles in Bury from accessing future GM clean taxi fund funding.
- 3.3 It is recommended that the Licensing and Safety Committee considers and adopts the following amendment to the existing emission standard and recommends to Full Council that amendment is approved:

For existing vehicle licence proprietors:

1. That the transitional arrangements amended by Full Council on 22 March 2023, in relation to age and emissions, previously extended from 1 April 2024 to 1 April 2026, are amended again and to be in effect from 1 January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submissions. The amended policy will state that from 31 December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.

**APPENDIX 1: Outcome of the engagement exercise of vehicle proprietors and trade representatives on the proposed amendment to transitional arrangements related to vehicle emissions standards (redacted).**

Appendix 1.1 and 1.2 show all redacted responses received from the engagement exercise of 225 vehicle proprietors who are currently in receipt of existing transitional arrangements.

**Appendix 1.1**

What are your views on moving transitional arrangements implementation date?

Renewal Period	Licence Type	Comment	For/Against/ Not Applicable
Jan-Mar	PHV	No comment	NA
Jan-Mar	PHV	I would have preferred the implementation in April simply because this would have given us the extra time to fulfil the requirements.	Against
Jan-Mar	PHV	Can you guarantee that drivers will get a contribution to get a new car? I'm happy to get one year out of my car and I'm happy that I will receive a nice deposit for a new car from the fund	NA
Jan-Mar	PHV	Couple of months wont make a big difference but the longer we get the better for drivers affected.	Both For and Against
Jan-Mar	PHV	email is very complicated and difficult to understand. I am looking for a new vehicle soon but want to know if I can get grant support and when	NA
Apr-Dec	PHV	I am objection with the change if date	Against
Apr-Dec	HCV	I believe that it is better if the implementation date is in April	Against
Apr-Dec	PHV	i dont want this date changes. it is unfair and we should not be made to buy vehicles earlier. if date is january we have to look for car at least 2-3 months before deadline. we cannot afford this as a trade	Against
Apr-Dec	PHV	i have no issues with whatever Bury Council Decide	For
Apr-Dec	PHV	I have no problem at all moving the date to 1/1/26	For
Apr-Dec	PHV	I have received the below email informing me that I can Relicence my vehicle Reg number ***** and private hire plate number ***** only for one more year.My views on moving the implementation date from 1/4/2026 to 1/1/2026 are that it's totally unfair and unnecessary burden for me and I cannot afford to pay for a car on finance or buy as before my car supposed to be eligible to licence by 1/4/2026.So moving dates from 1/4/2026 to 1/1/2026 means that I am losing a year on my car and I have to buy a new car a year earlier which is financially not possible for me and it will bring unnecessary hardship for me.I hope that you will be able to find a solution or recommendations for all those drivers like me in this same situation. Thanks	Against
Apr-Dec	PHV	I hold a positive view regarding the influential decision made regarding the new rule implementation.	For
Apr-Dec	PHV	I prefer date from 1/4/2026	Against

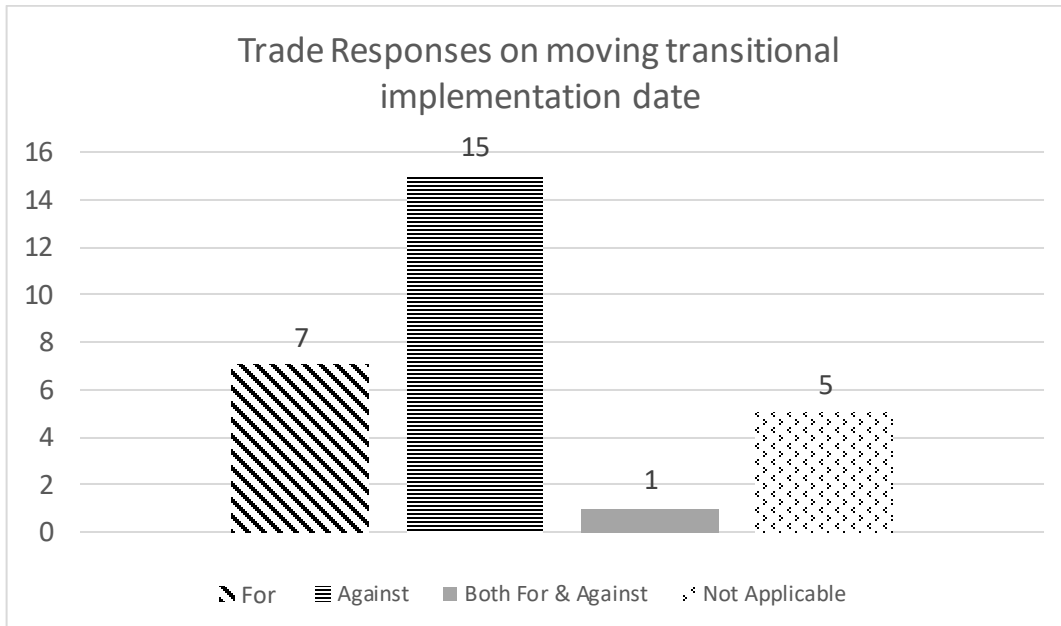


Apr-Dec	PHV	I reject this proposal as we will have to buy a vehicle earlier to meet standards. We are struggling financially already.	Against
Apr-Dec	PHV	I think 1/1/2026 is a great idea. sooner we get clean cars on road better for all of us	For
Apr-Dec	PHV	I was under the illusion my was gonna run for 2 years so I gmhave spent substantial amount money on it now u telling me its only 1 yr. U have bought the date forward so my vehicle can only run for one Yr but I have spent substantial amount of money on this vehicle because I thought it was running fpr 2 years so no I have insufficient funds to replace the vehicle. Looking forward to your response As u have changed the rules again I have Not git sufficient funds 2 get new vehicle but my vehicle is kept 2 very high standard	Against
Apr-Dec	PHV	I will lose much more than 3 months on my veichle and have to buy a car earlier which will be financial burden on me	Against
Apr-Dec	PHV	I would like to keep this date at April unless its proven i wont be financially affected as we dont have enough information	Against
Apr-Dec	PHV	I would not like the implementation date bringing forward. I would be forced to having to buy a new vehicle earlier, which I can't afford so I'll probably have to give up private hire driving earlier.	Against
Apr-Dec	HCV	I would prefer the date to stay at 1/4/26 and not be moved 3 months earlier	Against
Apr-Dec	PHV	It's will reduce the time of damage to the air and to help the environment improve	For
Apr-Dec	HCV	just going to have to go with the proposal and the dates of the proposal being changed	For
Apr-Dec	PHV	Makes no difference	NA
Apr-Dec	PHV	No problem with the date moving forwards	For
Apr-Dec	PHV	provide more information on the grant availability date then I can provide some feedback. everything is very unclear	NA
Apr-Dec	HCV	that is not a good idea.It will not work in a positive way. In this way we hackney drivers lose tha value of our existing vehicle when we go to sell it to up grade our vehicles.	Against
Apr-Dec	PHV	this will be very difficult for me as I cannot afford a new vehicle	Against
Apr-Dec	PHV	this will put a financial pressure on drivers but im not sure what all this means	Against
NA	Trade Rep 1*	due to financial crisis implementation date, instead of decrease should be increased	Against
NA	Trade Rep 2*	Fair enough, I was wondering how we could best reply to that request in our usual professional manner, but now we don't need to	For
NA	Trade Rep 3*	I am writing on behalf of **** to address an important matter regarding the scheduled date planned to brought forward As an organization representing members of	Against

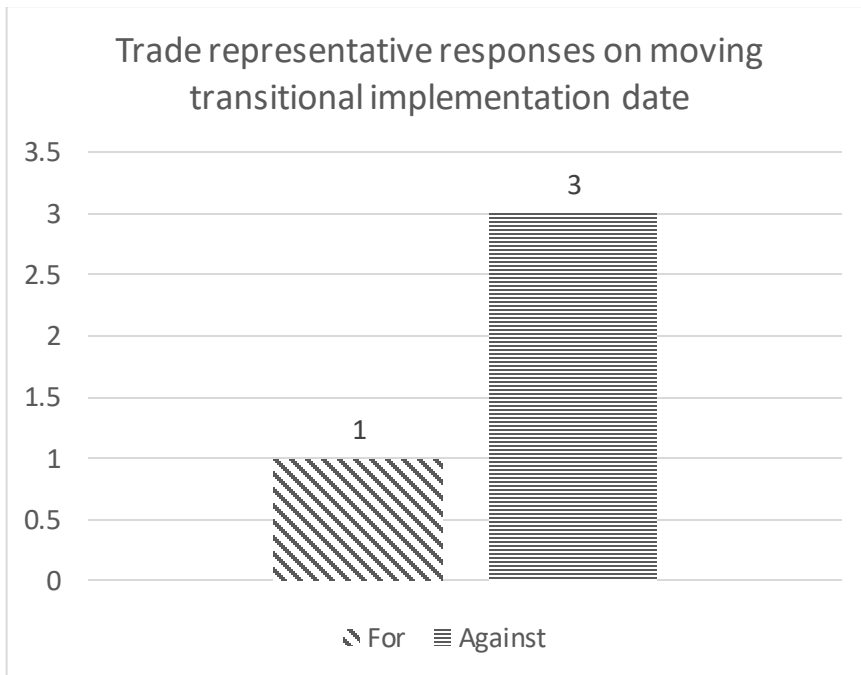
		<p>the taxi trade industry, we are deeply concerned about the financial challenges they are currently facing.</p> <p>In light of the precarious financial situation experienced by our members, many of whom are struggling to make ends meet, we urgently request that the date of not be brought forward until grant packages are confirmed. These grants are essential for supporting our members in overcoming their financial difficulties and ensuring the sustainability of their businesses.</p> <p>We believe that maintaining the current date is crucial for providing a sense of stability and certainty to our members during this uncertain time. Any changes to the date could have significant implications for their ability to participate and benefit from the event, further exacerbating their financial struggles.</p> <p>we understand the importance of compliance with clean air regulations and the need to transition to cleaner and more environmentally friendly vehicles. However, we are also aware of the financial challenges faced by many taxi operators, particularly when it comes to upgrading their vehicles to meet these standards. Past 4 years we are getting information there will be grants for the none compliance vehicle but we haven't seen significant progress from any relevant authorities. So we urge bury licensing to assist the taxi trade</p> <p>We kindly ask for your understanding and support in honoring our request to keep the date unchanged until the grant packages are confirmed. This will allow our members to plan accordingly and maximize the opportunity to access the necessary financial assistance for their businesses.</p> <p>We are willing to collaborate with the licensing authority to find mutually beneficial solutions and ensure the successful outcome of [event\meeting] while prioritizing the needs of our members in the taxi trade industry.</p> <p>Thank you for considering our request. Should you require any further information or clarification, please do not hesitate to contact us</p>	
NA	Trade Rep 4*	I would question what benefit would be gained for the trade in losing 3 months will have	Against

*\*Responses from trade representatives were received prior to the detailed discussions held at the Trade Liaison Meeting held on the 15 February 2024.*

**Table 4:** Trade Responses on moving transitional implementation date.



**Table 5:** Trade representative responses on moving transitional implementation date (*prior to Trade Liaison Meeting held on 15 February 2024*).



**Appendix 1.2**

What are your views on your ability to meet this proposed amendment?

Renewal Period	Licence Type	Comment	Able/Unable/ Neither Able or Unable/ Not Applicable
Jan-Mar	PHV	i oppose these changes	Unable
Jan-Mar	PHV	I think it may be difficult due to the current cost of living crisis and increased costs for vehicle.	Unable
Jan-Mar	PHV	As you are aware most drivers have language problems and are unable to understand the email that you have sent . So you might not get a reply from them all . I understand exactly what's going on . <b>If you guarantee that if the date is pulled forward and drivers will Have access to the fund then yes .</b> But if you change your mind again and again like you always do . Then you have cheated the drivers out . Lots of drivers whose plates will end next year will probably go and get licensed in Wolverhampton and get 2 years extra . I'm happy for the date to be brought back so drivers can get some of that money to get a new car	Neither Able or Unable/
Jan-Mar	PHV	Couple of months wont make a big difference but the longer we get the better for drivers affected.	Neither Able or Unable/
Jan-Mar	PHV	finding a vehicle around this time will create a backlog for drivers but may not affect me as I will possibly buy a vehicle sooner	Unable
Jan-Mar	PHV	as long as we get grants to help purchase vehicles im fine with it	Able
Jan-Mar	PHV	I have received the below email informing me that I can Relicence my vehicle Reg number ***** and private hire plate number ***** only for one more year.My views on moving the implementation date from 1/4/2026 to 1/1/2026 are that it's totally unfair and unnecessary burden for me and I cannot afford to pay for a car on finance or buy as before my car supposed to be eligible to licence by 1/4/2026.So moving dates from 1/4/2026 to 1/1/2026 means that I am losing a year on my car and I have to buy a new car a year earlier which is financially not possible for me and it will bring unnecessary hardship for me.I hope that you will be able to find a solution or recommendations for all those drivers like me in this same situation. Thanks	Unable
Jan-Mar	PHV	My ability is very hard and trying as I have bought a new Toyota corolla on 01 August 2023 and I am paying £453.35 monthly for the car and £63.21 each month for servicing, which I am currently struggling to pay at the moment. So if the clean taxi fund help me to pay some money to Toyota which will be very helpful for me. Otherwise it will be impossible for me to continue to pay this amount.	Neither Able or Unable/

Jan-Mar	PHV	We will struggle to meet this and our trade reps have taken our views to refuse this. Please take the trade rep views as ours.	Unable
Jan-Mar	PHV	I was under the illusion my was gonna run for 2 years so I gmhave spent substantial amount money on it now u telling me its only 1 yr. U have bought the date forward so my vehicle can only run for one Yr but I have spent substantial amount of money on this vehicle because I thought it was running fpr 2 years so no I have insufficient funds to replace the vehicle. Looking forward to your response As u have changed the rules again I have Not git sufficient funds 2 get new vehicle but my vehicle is kept 2 very high standard	Unable
Jan-Mar	PHV	the christmas period is very busy and changing a vehicle around this time would be a big challenge	Neither Able or Unable/
Jan-Mar	PHV	I have to upgrade my car on new standard,It's not easy for me If I see the living cost rising but the idea of benefits we will have with clean air zone are much higher	Unable
Jan-Mar	PHV	As the date change is only a few months, i don't think it will cause any more problems than drivers already have.	Able
Jan-Mar	PHV	if the grant is the right amount and fair I could meet any standards	Able
Jan-Mar	HCV	Its too hard to meet this proposal at this time.	Unable
Jan-Mar	PHV	christmas period is busy and I cannot buy a vehicle around this time and if i buy earlier i lose time on my vehicle	Neither Able or Unable/
Jan-Mar	PHV	will be difficult to buy new vehichle earlier TFGM need to relook at funding amount for second hand market	Unable
Apr-Dec	PHV	I will try my best to meet the proposed amendment	Able
Apr-Dec	HCV	I would have preferred the system now without these amendments.	Unable
Apr-Dec	PHV	i want you to listen to our trade reps as they oppose this change too.	Unable
Apr-Dec	PHV	I have been looking to change to meet requirements but everything is so expensive at the moment.. So any help at all from the govt will be greatly received.	Able
Apr-Dec	PHV	My picture of ability to meet this proposed amendment will be wider next year	Neither Able or Unable/
Apr-Dec	PHV	I think 1/1/2026 is a great idea. sooner we get clean cars on road better for all of us	Able
Apr-Dec	PHV	i oppose this change and do not want to lose any time as my vehicle expires around june/july so i will have to buy a vehicle 6 months earlier	Unable
Apr-Dec	PHV	I would not like the implementation date bringing forward. I would be forced to having to buy a new vehicle earlier, which I can't afford so I'll probably have to give up private hire driving earlier.	Unable

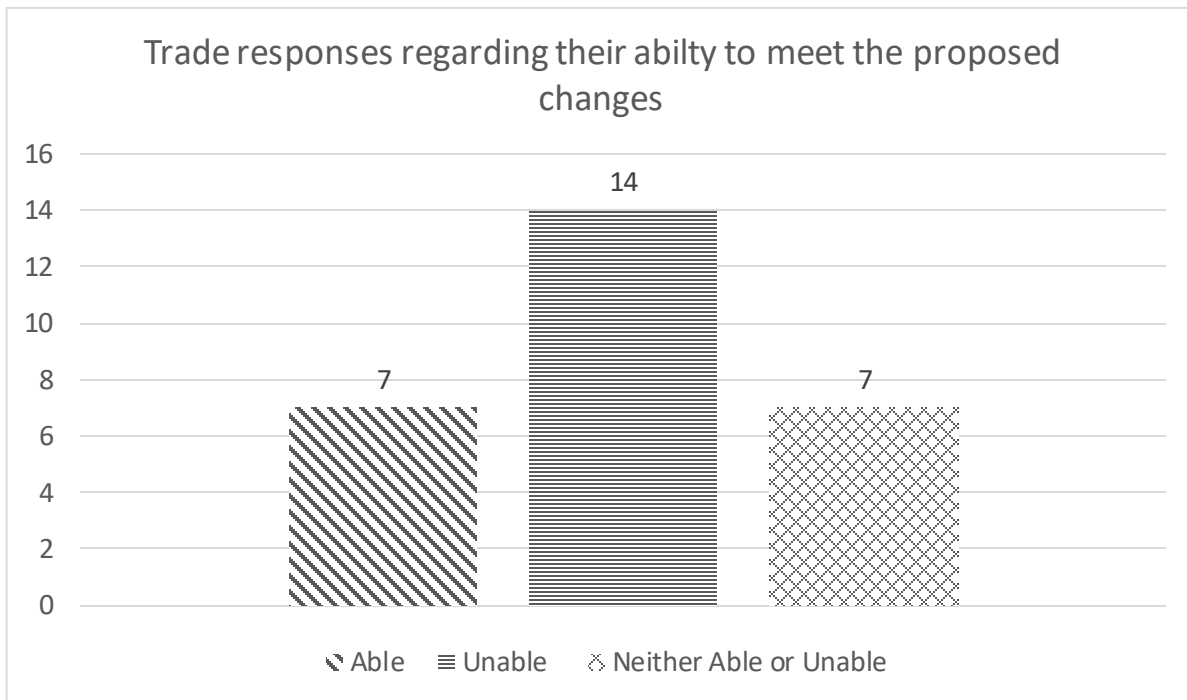
Apr-Dec	HCV	The proposed amendment will make it very difficult to meet what is outlines as three months is a substantial amount of time	Unable
Apr-Dec	HCV	I will try my best to meet these requirements, but it will be difficult to do as i won't be able to afford a new taxi, there is hardly any work the business is very quiet, please take that into consideration, a lot of money is needed for a new taxi which is really hard to earn when the taxi business is so low.	Neither Able or Unable/
Apr-Dec	PHV	Makes no difference happy with	Able
NA	Trade Rep 1*	Non of our member able to meet this proposed amendment due trade financial hardship.	Unable
NA	Trade Rep 2*	Fair enough, I was wondering how we could best reply to that request in our usual professional manner, but now we don't need to	Able
NA	Trade Rep 3*	<p>I am writing on behalf of **** to address an important matter regarding the scheduled date planned to brought forward As an organization representing members of the taxi trade industry, we are deeply concerned about the financial challenges they are currently facing.</p> <p>In light of the precarious financial situation experienced by our members, many of whom are struggling to make ends meet, we urgently request that the date of not be brought forward until grant packages are confirmed. These grants are essential for supporting our members in overcoming their financial difficulties and ensuring the sustainability of their businesses.</p> <p>We believe that maintaining the current date is crucial for providing a sense of stability and certainty to our members during this uncertain time. Any changes to the date could have significant implications for their ability to participate and benefit from the event, further exacerbating their financial struggles.</p> <p>we understand the importance of compliance with clean air regulations and the need to transition to cleaner and more environmentally friendly vehicles. However, we are also aware of the financial challenges faced by many taxi operators, particularly when it comes to upgrading their vehicles to meet these standards. Past 4 years we are getting information there will be grants for the none compliance vehicle but we haven't seen significant progress from any relevant authorities. So we urge bury licensing to assist the taxi trade</p> <p>We kindly ask for your understanding and support in honoring our request to keep the date unchanged until the grant packages are confirmed. This will allow our members to plan accordingly and maximize the</p>	Unable

		<p>opportunity to access the necessary financial assistance for their businesses.</p> <p>We are willing to collaborate with the licensing authority to find mutually beneficial solutions and ensure the successful outcome of [event/meeting] while prioritizing the needs of our members in the taxi trade industry.</p> <p>Thank you for considering our request. Should you require any further information or clarification, please do not hesitate to contact us</p>	
NA	Trade Rep 4*	Would be the same as now, is there vehicles for drivers out there to get and how many Hackneys will be lost to Private Hire, how many will be lost over cost?	Neither Able or Unable/

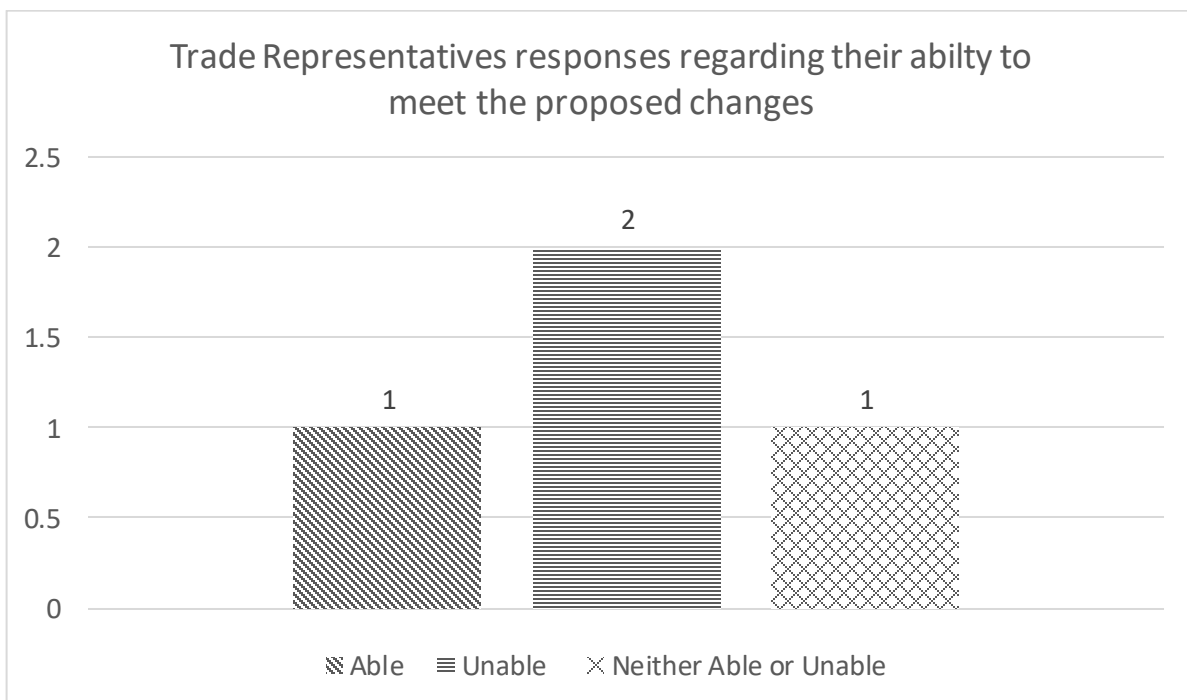
*\*Responses from trade representatices were received prior to the detailed discussions held at the Trade Liaison Meeting held on the 15 February 2024.*



**Table 6:** Trade responses regarding their ability to meet the proposed changes.



**Table 7:** Trade Representatives responses regarding their ability to meet the proposed changes (prior to Trade Liaison Meeting held on 15 February 2024).



**Appendix 1.3**

**Outcome of Trade Liaison Meeting held on 15 February 2024**

The meeting was attended by 4 trade bodies and 1 private hire operator.

Detailed discussions were undertaken following an explanation of the proposals and implications of amending the current emissions standards transitional arrangements from 1 April 2026 to 1 January 2026 and the necessary governance processes for making any changes.

There was shared agreement regarding concerns about the uncertainty of detail around the clean taxi fund, funding amounts, application, and determination process/criteria. Attendees of the Trade Liaison Meeting understood the reason for the proposed changes to bring Burys emissions standards policy in line with the revised GM Clean Air Plan submissions to Government which are part of the proposed investment led model.

Following these discussions there was agreement by attendees of the Trade Liaison Meeting and the private hire operator and support for the proposed changes to the implementation date of the emissions standard from 1 April 2026 to 1 January 2026. They agreed this would enable access to the proposed financial support packages relating to the revised GM Clean Air Plan. They agreed by maintaining the current emissions policy and implementation date of 1 April 2026 may consequently result in Bury's Hackney Carriage and Private Hire trades not being able to access any future funding linked to the revised GM Clean Air Plan submissions to Government.

However, attendees of the Trade Liaison Meeting noted and agreed if the revised GM Clean Air Plan submissions were not accepted by Government and/or the Clean Taxi Fund was delayed further or withdrawn, they asked if the Councils licensing service would consider re-evaluating the emissions standard transitional implementation date accordingly.

## **Appendix 1.4**

### **Minute extract from the Licensing and Safety Committee held on the 22<sup>nd</sup> February 2024**

<b>Minutes of:</b>	<b>LICENSING AND SAFETY COMMITTEE</b>
<b>Date of Meeting:</b>	22 <sup>nd</sup> February 2024
<b>Present:</b>	Councillor G McGill (in the Chair) Councillors J Grimshaw, K Hussain, B Ibrahim G Marsden, D Quinn, I Rizvi, J Rydeheard and M Walsh.
<b>Also in attendance:</b>	M Bridge- Licensing Unit Manager M Cunliffe – Democratic Services R Thorpe – Legal Advisor B Thomson- Head of Public Protection
<b>Public Attendance:</b>	No members of the public were present at the meeting.

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#### **REVIEW OF EMISSIONS STANDARD TRANSITIONAL IMPLEMENTATION DATE FOR EXISTING HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES TO COMPLIANT VEHICLE IN RESPECT OF PROPOSED GM CLEAN AIR PLAN**

The Executive Director (Operations) submitted a report outlining the proposal to bring forward the implementation of existing standards related to emissions from the 1<sup>st</sup> April 2026 to the 1<sup>st</sup> January 2026 for licensed vehicles eligible for current transitional arrangements. The rationale for this relates to the recent submissions to Government with revised proposals around the GM Clean Air Plan and requirement from Government to ensure a GM agreed emissions standard for all Taxi and Private Hire vehicles by the 31<sup>st</sup> December 2025.

The Head of Public Protection presented the report to Members and outlined the opportunity and risk element of the paper. Members were reminded that this matter was considered at the previous Licensing and Safety Committee meeting on the 1<sup>st</sup> February 2024. Members resolved to defer consideration of this matter until tonight's meeting.

Following the request from Members of the Licensing and Safety Committee on the 1st February 2024, the Licensing Service undertook an engagement exercise which included contacting the 225 affected vehicle proprietors who are currently in receipt of transitional arrangements. An initial email was sent on the 6th February 2024 and reminder email was sent on the 12th February 2024 asking for responses to the two questions requested by members of the committee;

- a. What are your views on moving the implementation date from 1 April 2026 to the 1st January 2026*
- b. What are your views on your ability to meet this proposed amendment?*

The engagement exercise sought views on the proposals to bring forward the transitional arrangements in respect of the existing emissions standard by three months (1 April 2026 to 1 January 2026). In addition to the email correspondence, the Councils Licensing Engagement Officer contacted a range of vehicle proprietors affected to gain their views.

The results of the engagement exercise had been forwarded to Members of the Licensing and Safety Committee. The collation of information from the Trade Liaison meeting on the 15<sup>th</sup> February 2024 and the responses were annexed at Appendix 1 to the report attached to the agenda pack.

The report sought to amend the existing transitional arrangements which are due to end on the 1<sup>st</sup> April 2026 by bringing forward three months with a proposed implementation date of the 1<sup>st</sup> January 2026. This amendment affects the implementation date of the existing emission standard which was agreed and adopted by the Council, and has been in place for all new to fleet vehicles, since 24 November 2021.

If the transitional date was not amended as outlined above, the Councils transitional arrangements policy will not be aligned with the submissions to Central Government by TfGM for the revised GM CAP which proposes that by 1 January 2026 100% of the GM taxi fleet will be compliant with the emission standards with all GM Authorities. Maintaining existing transitional arrangements may jeopardise these revised submissions to Government regarding the GM Clean Air Plan and may prevent and/or disadvantage vehicle proprietors of non-compliant vehicles in Bury from accessing future GM clean taxi fund funding.

It was recommended in the report that the Licensing and Safety Committee considered and adopted the following amendment to the existing emission standard and recommended to Full Council that the amendment be approved:-

*For existing vehicle licence proprietors*

*That the transitional arrangements agreed by Full Council on 22 March 2023, in relation to age and emissions standards that were previously extended from 1 April 2024 to 1 April 2026 are brought forward by three months to 1 January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan. The amended policy will state that from 31 December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.*

The Chair reported that he had attended the Trade Liaison meeting and commented that face to face meetings were more beneficial to gauge accurate responses and feelings rather than surveys.

A Member thanked the Licensing Service for collating the extra information requested from the last meeting.

The Licensing Unit manager confirmed that with a change of vehicle application under this scheme, the transfer period would see a lower fee charged. Members who had concerns about drivers applying for licences with other authorities were reminded that to be eligible for this funding, they had to be licenced via a Greater Manchester authority. They also had to stay licenced within GM for a set period of time or risk repaying the funding. A discussion took place to investigate if the number of vehicles registered outside of Bury could be obtained.

**Delegated decision:**

It was agreed by the Licensing and Safety Committee to adopt the following amendment (1) to the existing emission standard and recommended to Full Council that the amendment (1) be approved:

For existing vehicle licence proprietors:

1. That the transitional arrangements amended by Full Council on the 22<sup>nd</sup> March 2023, in relation to age and emissions, previously extended from the 1<sup>st</sup> April 2024 to the 1<sup>st</sup> April 2026, are amended again and to be in effect from the 1<sup>st</sup> January 2026. This will enable hackney carriage and private hire vehicle owners to meet the agreed GM emissions standard outlined in the revised GM Clean Air Plan submissions. The amended policy will state that from the 31<sup>st</sup> December 2024 a vehicle licence will not be renewed if the vehicle does not meet the current emission standard.

Classification	Item No.
Open	

<b>Meeting:</b>	<b>Council</b>
<b>Meeting date:</b>	20 <sup>th</sup> March 2024
<b>Title of report:</b>	Member Code of Conduct
<b>Report by:</b>	The Monitoring Officer
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

## 1. Introduction and Purpose of the Report

- Inform Members of the Council on the work and results of the Standards Committee and recommendations of the revised code, to be considered and approved by all Members of the Council.

## 2. Background

- In March 2023, the Standards Committee proposed that a working group was established to review the current code of conduct and consider whether revisions should be made following the LGA's revised code of conduct.
- At Annual Council on the 24<sup>th</sup> May 2023 under the agenda item, Bury Council Annual Constitution Update Report. Within that report were details about the Member Code of Conduct work being undertaken by Standards Committee and any recommendations would be considered by Full Council in due course during the municipal year 2023/2024.
- The membership of the working group was made for up of 3 Members of the Standards Committee (one from each party), one independent person and the Monitoring Officer.

### **3. Current position**

Consideration was given to review the Council's existing Code of Conduct for Members following the publication of the Local Government Ethical Standards report produced by the Committee on Standards in Public Life (CSPL) and the Local Government Association's (LGA) Model Code of Conduct (LGA's Model Code).

Documents used at the working group included:-

- The existing Bury code of conduct
- Proposals to comply with The Local Government Ethical Standards report Best Practice recommendations

The 15 Best Practice recommendations were considered by the working group with an explanation completed of how Bury Council already complies or what steps it was taking in order to comply where it was considered appropriate.

For background information, in terms of definitions of bullying and harassment outlined in the best practice. The evidence received by the CSPL suggests that most allegations of code breaches relate to bullying and harassment. Bullying and harassment can have a significant impact on the wellbeing of officers and councillors who are subject to it. Individuals who are subject to bullying or harassment may be pressured to make decisions or act in ways which are not in the public interest. As such, it is important that bullying and harassment are dealt with effectively, and that a local authority's code of conduct makes provision to address these matters.

The revised Code of Conduct is attached as an Appendix to the report and took into account the points made by the working group and the revised Code of Conduct was endorsed by the Standards Committee on the 13<sup>th</sup> February 2024.

As part of new Councillor inductions in May 2024 and providing training to existing Members, a helpful user guide will also be produced for Members to provide practical assistance to the code.

### **4. Recommendations**

That Full Council approve the updated and amended Model Code produced by the Monitoring Officer following work undertaken by the Standards Committee and their working groups.

# The Code of Conduct

## Part 1 General Provisions

### **1. Introduction and Interpretation**

- 1.1. This Code applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a member.
- 1.2. This Code of Conduct applies to you when you are acting in your capacity as a member which may include when:
- (a) you misuse your position as a member;
  - (b) your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a member.
- 1.3. The Code applies to all forms of communication and interaction, including:
- (a) at face-to-face meetings
  - (b) at online or telephone meetings
  - (c) in written communication
  - (d) in verbal communication
  - (e) in non-verbal communication
  - (f) in electronic and social media communication, posts, statements and comments.
- 1.4. It is your responsibility to comply with this Code. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and /or disqualification from office for a period of up to five years. In this Code - "meeting" means any meeting of:
- (a) the Council;
  - (b) any of the Council's committees or sub-committees, joint committees or joint sub-committees;
  - (c) the Cabinet or any committee of the Cabinet.
- 1.5. "Member" includes a co-opted member and an appointed member.

## 2. **Scope**

- 2.1. You are also expected to uphold high standards of conduct and show leadership at all times when acting as a member. Subject to sub-paragraphs (2.2) and (2.3), you must comply with this Code whenever you are acting as a member or co-opted member of the Council or an appointed member of a joint committee, and references to your official capacity are construed accordingly.
- 2.2. This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.3. Where you act as a representative of the Council:
- (a) on another relevant authority, including the Greater Manchester Combined Authority, the , you must, when acting for that other authority, comply with that other authority's code of conduct; or
  - (b) on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

## 3. **General Obligations**

- 3.1 You will treat councillors and members of the public with respect and treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.
- 3.2 You must not:
- (a) bring your role or local authority into disrepute.
  - (b) do anything which may knowingly cause the Council to breach the Equality Act 2010 and promote equalities and do not discriminate unlawfully against any person;
  - (c) bully, harass or be abusive to any person;
  - (d) intimidate or attempt to intimidate any person who is or is likely to be:
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
  - (e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council;

3.3 You must not:



- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
- (i) you have the consent of a person authorised to give it;
  - (ii) you are required by law to do so;
  - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
  - (iv) the disclosure is:
    - reasonable and in the public interest; and
    - made in good faith and in compliance with the reasonable requirements of the Council; or
    - you have consulted the Monitoring Officer prior to its release.
- (b) prevent another person from gaining access to information to which that person is entitled by law.
- (c) improperly use knowledge gained solely as a result of my role as a member for the advancement of myself, my friends, my family members, my employer or my business interests.

3.4 You must:

- (a) not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
- (b) not misuse council resources.
- (c) when using the resources of the local authority or authorising the use by others:-
  - act in accordance with the Council's reasonable requirements; and
  - ensure that such resources are not used improperly for political purposes (including party political purposes) unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which you have been elected or appointed.
  - must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

3.5 When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- (a) The Council's Chief Finance Officer; or
- (b) The Council's Monitoring Officer,

Where that officer is acting pursuant to his or her personal statutory duties.

3.6 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

3.7 You will:

- (a) undertake Code of Conduct training provided by the local authority.
- (b) cooperate with any Code of Conduct investigation and/or determination.
- (c) comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

## Part 2 - Disclosable Pecuniary Interests

### 4. ***Notification of Disclosable Pecuniary Interests***

4.1 Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

4.2 A 'disclosable pecuniary interest' is an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below.

4.3 "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

<b>Notification of Disclosable Pecuniary Interests</b>	
<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992

Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council - (a) under which goods or services are to be provided or works are to be executed: and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of Bury Metropolitan Borough Council
Licences	Any licence (alone or jointly with others) to occupy land in the area of Bury Metropolitan Borough Council for a month or longer
Corporate Tenancies	Any tenancy where (to your knowledge) - (a) the landlord is the Council: and (b) the tenant is a body that you, or your spouse or civil partner or the person with whom you are living with as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest
<b>Notification of Disclosable Pecuniary Interests</b>	
<b>Subject</b>	<b>Description</b>
Securities	Any beneficial interest in securities of a body where - (a) that body (to your knowledge) has a place of business or land in the area of Bury Metropolitan Borough Council; and (b) either - (i) the total nominal value of the securities exceeds £25,000 of that body or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class

- (a) For the purposes of the above, "a body in which you or your partner has a beneficial interest" means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest "director" includes a

member of the committee of management of an industrial and provident society.

- (b) "land" excludes an easement, interest or right in or over land which does not carry with it a right for you or your partner (alone or jointly) to occupy the land or receive income, and
- (c) "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## **5. *Non Participation in Case of Disclosable Pecuniary Interest***

5.1 Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in the table above, you must disclose the interest and:

- (a) You must not participate in any discussion of the matter at the meeting.
- (b) You must not participate in any vote taken on the matter at the meeting.
- (c) You must not remain in the room unless you have been granted a dispensation.
- (d) If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
- (e) If the interest is not registered, you must disclose the interest to the meeting.
- (f) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

## **6. *Non Participation in Case of Disclosure of Other Registerable Interests***

6.1 Where a matter arises at a meeting which *directly relates* to the financial interest or wellbeing of one of your Other Registerable Interests (included on your Register of Members Interest Form) you must disclose the interest and:

- (a) You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and
- (b) You must not remain in the room unless you have been granted a dispensation.
- (c) If it is a 'sensitive interest', you do not have to disclose the nature of the interest

<b>You must register the following as an Other Registerable Interest:</b>
(a) any unpaid directorships
(b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
(c) any body <ul style="list-style-type: none"><li>(i) exercising functions of a public nature</li><li>(ii) directed to charitable purposes or</li><li>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</li></ul> of which you are a member or in a position of general control or management

## 7. **Offences**

7.1 It is a criminal offence to:

- (a) Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election.
- (b) Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register.
- (c) Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting.
- (d) Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest.

7.2 As a Cabinet Member discharging a function acting alone and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.

7.3 As a Cabinet Member discharging a function acting alone, and having a disclosable pecuniary interest in a matter, taking any steps in relation to such a matter.

7.4 Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

7.5 The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to five years.

## Part 3 - Other Interests

### 8. ***Notification of Personal Interests***

8.1 In addition to the disclosable pecuniary interests notifiable under the Localism Act 2011, you must, within 28 days of –

- (a) this Code being adopted by or applied to your authority; or
- (b) your election or appointment to office (where that is later), notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the “Other Registerable Interest” categories set out in paragraph 6 above for inclusion in the register of interests.

8.2 You have a personal interest in any business of your authority where it relates to or is likely to affect -

- (a) any body of which you are in a position of general control or management and to which you are appointed or nominated by your authority;
- (b) any body -
  - (i) exercising functions of a public nature;
  - (ii) directed to charitable purposes; or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are in a position of general control or management;
- (c) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least [£100]

### 9. ***Disclosure of Non-Registerable Interests***

9.1 Where a matter arises at a meeting which *directly relates* to the financial interest or wellbeing (and is not a Disclosable Pecuniary Interest set out in Table above) or a financial interest or well-being of a relative or close associate, you must disclose the interest you must disclose the interest and.

- (a) You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and
- (b) you must not remain in the room unless you have been granted a dispensation.
- (c) If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest

9.2 *Where a matter arises at a meeting which affects –*

- (a) your own financial interest or well-being;
- (b) a financial interest or well-being of a relative or close associate; or
- (c) a financial interest or wellbeing of a body included under Other Registrable

Interests you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9.3 *Where a matter (referred to in paragraph 9.2 above) affects the financial interest or well-being:*

- (a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

9.4 *You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.*

9.5 *If it is a 'sensitive interest', you do not have to disclose the nature of the interest.*

9.6 *Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.*

## **10. Gifts and Hospitality**

10.1. You will:

- (a) not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- (b) register with the Monitoring Officer any gift or hospitality with an estimated value of at least £100 within 28 days of its receipt.
- (c) register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

## **11. Non Participation in Case of Prejudicial Interest**

11.1 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your authority in respect of:



- (a) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (b) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay; and
- (c) any ceremonial honour given to members.
- (d) housing, where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease;
- (e) an allowance, payment or indemnity given to members;
- (f) setting council tax or a precept under the Local Government Finance Act 1992

## **12. *Interests Arising in Relation Overview and Scrutiny Committees***

12.1 In any business before an overview and scrutiny committee of the Council (or of a sub-committee of such a committee) where:

- (a) that business relates to a decision made (whether implemented or not) or action taken by the Cabinet or another of the authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made, or action was taken, you were a member of the Cabinet, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

12.2 You may attend the meeting of the overview and scrutiny committee for the purpose of explaining the reasons for the decision or answering questions or giving evidence relating to the business, but you cannot participate otherwise in the discussion or in any vote on the matter.

## **Part 4 - General Matters Relating to Parts 2 and 3**

### **13. *Register of Interests***

13.1. Subject to paragraph 14 any disclosable pecuniary interests or personal interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

### **14. *Sensitive interests***

14.1 This paragraph applies where you consider that disclosure of the details of a disclosable pecuniary interest or a personal interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring

Officer agrees. In these circumstances, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

## **15. *Dispensations***

- 15.1. The Council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest or a prejudicial interest.

## **Appendix A – The Seven Principles of Public Life**

The principles are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

*Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and willing to challenge poor behaviour wherever it occurs.*

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Classification	Item No.
Open	

<b>Meeting:</b>	Employment Panel
<b>Meeting date:</b>	29 <sup>th</sup> February 2024
<b>Title of report:</b>	Workforce Policy Review
<b>Report by:</b>	Cllr. Tahir Rafiq, Cabinet Member for HR & Corporate Affairs
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

### Executive Summary:

A key component of the Council's HR improvement and modernisation programme is the review of core HR systems, processes and policies to ensure they are fit for purpose, reflective of modern HR practice and align with the organisational culture described by the LET'S values. As part of this work, Employment Panel agreed revisions to 13 employment policies during 2023.

This report sets out the next phase of this policy review work. Trade Union colleagues have been fully engaged in this work.

Changes are proposed in the following areas:

1. Equality Policy for Employment – a new streamlined policy informed by the revised ACAS equality policy template and with reference to the Council's Equality Objectives.
2. Officer Employment Procedure Rules – updates informed by a recent Employment Tribunal case and clarity in relation to the process for engaging interim Chief Officers.
3. Learning and Development Policy – a revised and streamlined policy to reflect current best practice and replace three current documents with one.
4. Local Conditions: Section 4, Hours and Leave – a proposal to add the floating day to the contractual leave entitlement for all employees to be taken at any point during the year in response to feedback and in order to ensure effective service delivery.
5. Flexible Working Policy – a consolidation of the existing work life balance documents and update to reflect the Employment Relations (Flexible Working) Act 2023 and new Draft ACAS Code of Practice.

6. Redundancy Procedure – minor updates to reflect the increased protections in the Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024.

## **RECOMMENDATION(S)**

That the Employment Panel:

1. Agree the revised Equality Policy for Employment.
2. Commend the revised Officer Employment Procedure Rules to Council for approval
3. Agree the new Learning and Development Policy which will replace Local Conditions: Section 2 – Learning, Training and Development, Appendix W: Employee Development Policy and the Equal Access to Learning Policy, all of which will be withdrawn
4. Agree the revised Local Conditions: Section 4 – Hours and Leave
5. Agree the new Flexible Working Policy
6. Agree the proposed amendments to the Council's Redundancy Procedure

Subject to Employment Panel's approval, the revised Officer Employment Procedure Rules will be commended to Council for approval. The other new and revised policies will go forward for endorsement via the Trade Union Consultation Meeting and the Council's Corporate Joint Consultative Committee before being published on the Council's intranet pages and communicated to staff.

## **KEY CONSIDERATIONS**

### **1. Equality Policy**

#### **1.1 Background**

1.1.1 The Council's current Equality Policy for Employment was written just after the Equality Act 2010 was introduced.

1.1.2 The policy sets out the Council's commitment to championing equality, diversity and inclusion across the workforce, and eliminating all forms of discrimination, harassment, victimisation and bias. It details key roles, responsibilities and expectations in relation to equality and in support of the Council's statutory Equality Objectives.

#### **1.2 Policy Headlines**

1.2.1 The Policy has been updated to reflect the latest ACAS equality policy template. This has also offered the opportunity to simplify and streamline the document to ensure it is more accessible and user friendly to staff. Key sections have, however, been retained which reflect areas of regular inquiry or importance in the Bury

context.

- 1.2.2 The policy has been shared and discussed with the Team Bury Inclusion Working Group, which includes the Chairs of the Council's three employee-led equality groups. It has also been shared with Trade Union colleagues. Feedback from this engagement is included within the draft policy.

**1.3 The revised policy and EqIA are attached as appendix 1 and 1A.**

**2. Officer Employment Procedure Rules and Disciplinary Procedure for the Head of Paid Service, Section 151 Officer and Monitoring Officer**

**2.1 Background**

- 2.1.1 Following a recent Employee Tribunal finding all local authorities have been asked to review their arrangements in relation to the suspension of statutory officers by the National Employers organisation (JNC).

The case in question concerned a chief officer of a council who had been suspended and during the suspension commenced a period of sickness. The council treated that period as sickness absence and paid sick pay in accordance with their sick pay scheme, which led to a reduction in pay. The chief officer claimed they were entitled to full pay during the whole period of suspension, however the wording in the council's procedures was not wholly clear. The Employment Tribunal found that the reference in the chief officer's contract to the JNC for Chief Officers' handbook was important. The Handbook provided a clear contractual statement that suspension was on 'full pay' and so full pay should be retained, even during a period of sickness absence.

In line with the above, a clarification to our Officer Employment Procedure Rules and Disciplinary Procedure for the Head of Paid Service, Section 151 Officer and Monitoring Officer is needed.

Changes have also been made to reflect the Council's current organisational structure and the removal of the post of Deputy Chief Executive.

- 2.1.3 In addition to the above, it has been identified that the current Officer Employment Procedure Rules are unclear on the appropriate procedure to appoint a Chief Officer or Deputy Chief Officer on a temporary basis. A proposal in relation to this is suggested for inclusion.

**2.2 Document Headlines**

- 2.2.1 The Officer Employment Procedure Rules include the Council's arrangements for disciplinary action (including suspension) in relation to the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and other Chief Officers and Deputy Chief Officers. The following additional wording is proposed with reference to pay during suspension:

- 2.2.1.1 "Pay will not be reduced during the period of suspension, for example if the period of suspension coincides with one of sickness absence, and their

entitlement to full pay under the sickness scheme reduces or expires the officer(s) will continue to receive full pay.”

2.2.2 The Disciplinary Procedure for the Head of Paid Service, Section 151 Officer and Monitoring Officer is presented as Appendix A within the Officer Employment Procedure Rules and has been added/amended as follows:

2.2.2.1 Following the senior management restructure, the Council no longer has a Deputy Chief Executive. The responsibility for suspension section has therefore been amended to read “However, should the Chief Executive and/or Monitoring Officer be implicated in disciplinary investigations at the same time, the Executive Director (Strategy & Transformation) in consultation with the Director of People & Inclusion has delegated authority to suspend in relevant circumstances in conjunction with the Leader of the Council and relevant Cabinet Member.”

2.2.2.2 Similarly, the hearing section has been amended to read “Where the IDC recommends to dismiss the officer, the Leader and all members of the Cabinet should be informed. This part of the process should be carried out by the Executive Director (Strategy & Transformation) in consultation with the Director of People & Inclusion and in conjunction with Democratic Services.”

2.2.2.3 The wording regarding pay during suspension has been added to with “Pay will not be reduced during the period of suspension, for example if the period of suspension coincides with one of sickness absence, and their entitlement to full pay under the sickness scheme reduces or expires the officer(s) will continue to receive full pay.”

2.2.3 In terms of recruiting of temporary Chief Officers, that the below text is proposed for inclusion in the Officer Employment Procedure Rules to confirm the position:

*When appointing Chief Officers and Deputy Chief Officers on an interim basis, the recruitment process will be undertaken in conjunction with the appropriate Cabinet Portfolio holder or their appointed deputy and in consultation with the Cabinet Portfolio holder for Human Resources.*

*For interim Statutory Chief Officers (The Head of Paid Service, Section 151 Officer or Monitoring Officer) a full Appointment Panel will meet to agree the appointment, which must be ratified by full Council.*

*Any extensions to interim arrangements should be agreed with the appropriate Cabinet Member.*

*Any proposal to move from a temporary to a permanent appointment would be subject to assessment via a sub-group of the Employment Panel (as per normal permanent recruitment).*

2.2.4 The proposed changes have been shared with the Trades Unions and their feedback incorporated.



### **3. Learning and Development Policy**

#### **3.1 Background**

3.1.1 Policy provision in relation to learning and development is currently complex and set out in a number of different places: Local Conditions Section 2: Learning, training and development, Local Conditions Appendix W: Employee Development Policy and an Equal Access to Learning Policy. These documents are out of date and there is significant overlap between them, which can be confusing.

#### **3.2 Policy Headlines**

3.2.1 The new Learning and Development Policy will replace and simplify the 3 documents referred to above. It has been developed as a more engaging and accessible policy document and in keeping with the Council's commitment to development and professional growth.

3.2.2 The proposed changes have been shared with the Trades Unions and their feedback incorporated.

#### **3.3 The revised policy and EqlA are attached as appendix 2 and 2A**

### **4. Local Conditions: Section 4 – Hours and Leave**

#### **4.1.1 Background**

4.1.1 Under Section 4 (Hours and Leave), 5b, of the Local Conditions of Service, three extra days leave are granted in addition to contractual annual leave entitlement. Two are added to annual leave and one day (floating) is to be taken between the 20<sup>th</sup> December and 2<sup>nd</sup> January. The date is determined by Elected Members after consultation with the trade unions.

4.1.2 The Floating Day has traditionally been agreed with Unison on a 3 yearly basis and its date fluctuates accordingly around the Christmas/New Year Bank Holidays and is agreed on a "best fit" basis. Employees usually incorporate their own annual leave entitlement to achieve an extended break over the Christmas period (subject to service requirements).

4.1.3 The Floating Day for 2024 and the following years has not yet been agreed.

4.1.4 In recent years, the Floating Day and its timing have caused operational difficulties, as it does not apply to school-based employees and other partner organisations such as the NHS. Operationally services have increasingly looked to flex arrangements away from a fixed day with the agreement of staff locally and in order to deliver critical services.

4.1.5 Alongside the above, some employees have indicated they would like greater control over the Floating Day, as this arrangement does not always suit their personal circumstances, for example those with caring responsibilities or those

wanting greater flexibility to celebrate different religious holidays.

## **4.2 Policy Headlines**

- 4.2.1 It is proposed to withdraw the Floating Day and add the day to the contractual leave entitlement for all employees. This would require an amendment to the Local Conditions of Service, which currently read:

### Leave in addition to Annual Leave

Three extra days to be granted locally on the following basis: a) Two days to be added to annual leave; b) One day to be taken between the 20th December and 2nd January (floating day), the date thereof to be determined each year by Elected Members after consultation with the relevant Trade Unions;

The amended paragraph would read:

### Leave in addition to Annual Leave

Three extra days to be granted locally and to be added to annual leave entitlement;

The Council would still encourage and support employees to take a suitable break over the Christmas / New Year period wherever service requirements permit, but in doing this, would retain greater flexibility and be able to maintain a more responsive level of service provision across the period, particularly in times of possible crisis.

- 4.2.2 The proposed change has been shared with the Trades Unions and their feedback incorporated.

## **5. Flexible Working Policy**

### **5.1 Background**

- 5.1.1 The Council has a comprehensive suite of flexible working opportunities that employees can access to help improve their work life balance or to make a workplace adjustment linked to a protected characteristic. This supports the Council's commitments to promote inclusion within the workplace and to champion physical and emotional workforce wellbeing.
- 5.1.2 New legislation in this area has recently been introduced through the Employment Relations (Flexible Working) Act 2023, which comes into force on 6 April 2024, and is supported by a Draft ACAS Code of Practice. Whilst the Council's current policy provision is broadly in-line with these changes there are a small number of areas where changes are needed to ensure compliance.
- 5.1.3 This is also an opportunity to make the Council's policy provision in this area clearer with current arrangements are spread across a number of different policy documents which duplicate and risk causing confusion.

### **5.2 Policy Headlines**

5.2.1 The new Flexible Working Policy consolidates 8 existing documents into a single, consistent document:

- Applications for flexible working or time off for training – guidance, procedures and frequently asked questions for employees
- Applications for flexible working or time off for training – guidance, procedures and frequently asked questions for managers
- Application form for flexible working or time off for training
- Job share scheme
- Voluntary reduced hours policy
- Voluntary term time working policy
- Compressed hours policy
- Purchasing annual leave policy

5.2.2 The wording has also been updated to reflect the Employment Relations (Flexible Working) Act 2023, which comes into force on 6 April 2024, and the associated new Draft ACAS Code of Practice.

5.2.3 Specifically this new legislation has required three changes:

- making the right to request flexible working a day 1 right
- permitting 2 requests to be made each year (previously 1)
- requiring decisions to be made within 2 months (previously 3)

5.2.4 The policy has been shared with the Trades Unions and their feedback incorporated.

### **5.3 The revised policy and EqIA are attached as appendix 3 and 3A**

## **6. Redundancy Procedure**

### **6.1 Background**

6.1.1 Under the Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024, protection from the risk of redundancy has been increased for those currently absent for a period of maternity leave, adoption leave or shared parental leave to a period of 18 months following their return. There is therefore a need to amend the Council's policy provision to reflect this change.

### **6.2 Procedure Headlines**

6.2.1 The procedure currently reads:

“The beginning of pregnancy to the end of maternity leave is a “protected period” during which a woman is entitled to special consideration if this is necessary to make good any disadvantage she might otherwise experience. The same protection also applies to employees who are on adoption leave or shared parental leave.”

It will be amended to state:

“In line with the Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024, the beginning of pregnancy to 18 months after childbirth is a “protected period” during which a woman is entitled to special consideration if this is necessary to make good any disadvantage she might otherwise experience. The same protection also applies to employees who are on adoption leave or shared parental leave.”

6.2.2 To align this policy with other arrangements across the Council the proposal is also to amend the guidance on lodging an appeal from 11 to 10 days.

**Community impact/links with Community Strategy**

A modern and effective employee policy framework is essential to ensuring the effective operation of the organisation and, in turn the delivery of our commitment to the Community Strategy.

**Equality Impact and considerations:**

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

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

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

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

<b>Equality Analysis</b>	Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.
Where appropriate, Equality Impact Assessments have been carried out in relation to the proposed changes and are appended.	

**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
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Trade Union objection to policy changes	Prior discussions have taken place with Unison
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**Consultation:**

All of the above proposed changes have been shared with the Trade Unions, and where appropriate there have been consultations with HR colleagues and the Inclusion Working Group.

**Legal Implications:**

Members are asked to review and agree to proposed changes to a suite of reports, these reports have been updated and reviewed to reflect legislative, case law and revised ACAS guidance. In each section reference is made to the source of these changes. As part of good internal governance it is important that these documents are reviewed and updated on a regular basis.

**Financial Implications:**

There are no direct financial consequences of any of the proposed changes set out within this report.

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**Background papers:**

Employment Panel 24 January 2023 – Workforce Policy Review Phase 1

Employment Panel 1 March 2023 – Workforce Policy Review Phase 2

Employment Panel 22 June 2023 – Workforce Policy Review Phase 3

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

Term	Meaning

**Appendix 1: Equality Policy and EqIA (see separate attachments)**

**Appendix 2: Learning and Development Policy and EqIA (see *separate attachments*)**

**Appendix 4: Flexible Working Policy and EqIA (see *separate attachments*)**

<b>Classification</b>	<b>Item No.</b>
Open	

<b>Meeting/Dates:</b>	Employment Panel – 29 February 2024
<b>Title of report:</b>	Pay Policy Statement 2024/25
<b>Report by:</b>	Cabinet Member for Corporate Affairs and HR
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

### **Executive Summary:**

Section 38 (1) of the Localism Act 2011 has required English and Welsh local authorities to produce a Pay Policy Statement for each financial year since 2012/13.

The purpose of the Pay Policy Statement is to provide transparency in respect of the Council's approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying; the methods by which salaries of all employees are determined; the detail and level of remuneration of its most senior staff; and the agreed decision making arrangements for ensuring the provisions set out in this statement are applied consistently throughout the Council.

The Localism Act requires that pay policy statements and any amendments to them are considered by a meeting of full Council.

### **Recommendation(s)**

The Employment Panel is asked to:

1. Commend the proposed Pay Policy Statement for 2024/2025 for approval by full Council.
2. Agree the Council's proposed pay structure for 2024/25 as set out within the statement and inclusive of revised non-consolidated pay supplements to retain compliance with the Real Living Wage rate of pay.

## Key considerations

### 1. Background:

- 1.1 Section 38 (1) of the Localism Act 2011 required English and Welsh local authorities to produce a Pay Policy Statement for 2012/13 and for each subsequent financial year.
- 1.2 Guidance issued by the former Department for Communities and Local Government states that the purpose of the Pay Policy Statement is to address the Government's issues with "top end pay" and some of the recommendations set out in the "Hutton review of Fair Pay in the Public Sector Report".
- 1.3 The Act requires Councils to prepare Pay Policy Statements which detail their policy on a range of issues relating to the pay of its employees; in particular, its senior staff ("Chief Officers") and its lowest paid employees.
- 1.4 The provisions do not apply to local authority school employees and neither do they change any existing responsibilities or duties under relevant Employment Legislation. However, all employees are included within the pay ratio calculations.
- 1.5 The Pay Policy Statement must be approved by full Council and then published on the Council's website. This is to ensure transparency, so that local taxpayers can take an informed view of whether local decisions and all aspects of remuneration are fair.
- 1.6 Matters that must be included in the Pay Policy Statement are:
  - The local authority's policy on the level and elements of remuneration for each chief officer;
  - The local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition);
  - The local authority's policy on the relationship between the remuneration of its chief officers and other officers;
  - The local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency.
- 1.7 The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements, and termination payments.
- 1.8 The purpose of the statement is to provide transparency with regard to the Council's approach to setting the remuneration of its employees (excluding teaching staff working in local authority schools) by identifying;



- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of its most senior staff i.e. 'Chief Officers', as defined by the relevant legislation;
- The Committee(s) responsible for ensuring the provisions set out in the Pay Policy Statement are applied consistently throughout the Council and recommending any amendments to the full Council.

## **2. Pay Structure:**

2.1 As set out within the Pay Policy Statement the Council pays its staff in-line with nationally negotiated pay spines. The majority of staff (those paid up to circa. £60K) are paid in accordance with the National Joint Council (NJC) for Local Government Services pay scale. For these staff, the national pay award due to be applied from 1st April 2024 is not yet agreed. The proposed pay structure for 2024/25 appended (Appendix 1 of the document) will therefore be updated to reflect the pay award for 2024/25 as and when it is agreed.

2.2 The Council has been formally accredited by the Real Living Wage Foundation as a Real Living Wage employer. The Real Living Wage rate as of 1 April 2023 was £10.90 and the Council's pay structure included a number of non-consolidated supplements paid at Spinal Column Points 2 to 4 to both apply the Real Living Wage rate of pay and maintain appropriate differentials to other pay points. Following agreement of the 2023/24 Pay Award, the lowest spinal column point rose to £11.59, above £10.90, and the non-consolidated supplements were removed. The Real Living Wage rose to £12.00 on 24<sup>th</sup> October 2023 and employers have until 1st May 2024 to implement this. To maintain its commitment to the Real Living Wage, non-consolidated supplements will be reintroduced with effect from 1<sup>st</sup> April 2024 and paid on spinal column points 2 to 5. Once the 2024/25 Pay Award is agreed and implemented the level of non-consolidated supplements will reduce so that, as a minimum, the overall level of hourly pay is retained.

2.3 For more senior staff, those paid in accordance with the Joint Negotiating Committee (JNC) for Chief Officers and Joint Negotiating Committee (JNC) for Chief Executives terms and conditions, the pay award for 2023/24 is reflected in the pay structure appended. The pay award for 2024/25 has not yet been agreed and will be applied as and when national agreement is reached.

## **3. Chief Officer Remuneration:**

3.1 The Pay Policy Statement sets out the Council's arrangements for the remuneration of Chief Officers, including arrangements for agreeing the establishment of new posts. Appendix 2 of the documents includes the Council's current pay scales for Chief Officers.

**4. Pay Multiple:**

- 4.1 The current pay levels (as at January 2024) within the Council define the multiple between:
- The median (the halfway point between the lowest and highest earner) full time equivalent (FTE) earnings for the whole of the workforce and the Chief Executive (top of pay spine) as 1:6.88. The difference in pay is lower than last years reported figure of 1:7.14.
  - The lowest paid earner full time equivalent (FTE) and the Chief Executive (top of pay spine) as 1:9.09. The difference in pay is lower than last years reported figure of 1:10.46
- 4.2 The pay multiple has been calculated in accordance with the LGA Local Transparency Guidance. Data relates to the 1<sup>st</sup> January 2023 – 31<sup>st</sup> December 2023.

**5. Gender Pay Gap:**

- 5.1 The Council is required to take a ‘snapshot of data’ as at the 31 March 2023 and analyse this to calculate our gender pay gap. We are required to publish the data on the Council website (to remain for at least 3 years) and also on a government site, by 31<sup>st</sup> March 2024 at the latest.
- 5.2 The Council’s Gender Pay Gap for 2022-2023 compared with 2021-2022 is shown below:

Women’s Hourly Rate:

	Mean	Median
2021/22	3.26% Lower	2.41% Lower
2022/23	6.83% Lower	3.60% Lower

- 5.3 Figures from the Office of National Statistics taken from the annual survey of hours and earnings (ASHE) cites the gender pay gap to be 7.7% nationally and 7.8% in the Northwest.
- 5.4 Whilst the gap for the Council remains below the regional and national average, this is the first time since reporting began that the Authority has seen an increase here. The full statement sets out further analysis in relation to this and the actions being taken to continue to address equity in the workforce, including pay differentials.

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**Community impact/links with Community Strategy**

The provision of a fair and transparent pay structure supports the Council to attract and retain a skilled and competent workforce to deliver on the Authority’s contribution to the

LET'S Do It Strategy!

**Equality Impact and considerations:**

<b>Equality Analysis</b>
Equality analysis has been undertaken and identifies a positive impact in that the pay structure, commitment to the real living wage and the non-consolidated supplements at the lower end of the pay spine supports those who are more socio-economically vulnerable. It also helps to mitigate the pay related consequences of any elements of race and gender based occupational segregation in the workforce.

**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Without an approved Pay Policy Statement the Council cannot legitimately progress future employment decisions	Development and approval of this statement

**Consultation:**

The statement has been shared with the recognised Trade Unions and their comments incorporated within the final proposed document.

**Legal Implications:**

Under section 38 of the Localism Act 2011, local authorities are required to publish a 'Pay Policy Statement' on an annual basis, focused on senior employees. Approval of the Statement must be made by Council, it cannot be delegated. The Act sets out that a Pay Policy Statement must include:

- A local authority's policy on the level and elements of remuneration for each chief officer
- A local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition)
- A local authority's policy on the relationship between the remuneration of its chief officers and other officers
- A local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency.

This must then be published as soon as is reasonably practicable following approval.

The Council must comply with all relevant employment legislation. The Council is also bound by collective agreements and contractual arrangements which cannot be unilaterally altered. Relevant legislation includes the Employment Rights Act 1996, Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended), Agency Workers Regulations 2010, and the Children & Families Act 2014.

The Council has taken steps to ensure there is no discrimination within its pay structures and that all pay differentials can be objectively justified, the report does however highlight an increased gender pay differential, the report sets out the steps the Council will take to mitigate/address this.

Where relevant, legislative obligation will supersede the approach and principles outlined in this statement, for example where terms and conditions are preserved as a result of contracts of employment transferring under TUPE.

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**Financial Implications:**

This report outlines the Council's Pay Policy as required by the Localism Act. The report is a statement of fact. All pay costs are provided for and fully funded within the Council's approved budget.

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**Background Papers**

Report to Employment Panel 1<sup>st</sup> March 2023: - [Pay Policy Statement 2023/24](#)

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**Please include a glossary of terms, abbreviations and acronyms used.**

Term	Meaning

# Pay Policy Statement

2024-2025

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The purpose of the statement is to provide transparency in respect of the Council's approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying; the methods by which salaries of all employees are determined; the detail and level of remuneration of its most senior staff and the agreed decision-making arrangements for ensuring the provisions set out in this statement are applied consistently throughout the Council.

## 1. Introduction and purpose

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- 1.1 In accordance with section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement sets out the Council’s approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011.
- 1.2 The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying:
  - The methods by which salaries of all employees are determined;
  - The detail and level of remuneration of its most senior staff i.e. ‘Chief Officers’, as defined by the relevant legislation;
  - The constitutional arrangements in place for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.
- 1.3 This policy statement will be subject to review on an annual basis.
- 1.4 The previous Pay Policy Statement (2023-24) was agreed at full Council on the 22<sup>nd</sup> March 2023.

## 2. Context: Legislation relevant to pay and remuneration

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- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes legislation such as the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, Statutory Guidance on the Making and Disclosure of Special Severance Payments by Local Authorities in England and, where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.
- 2.2 The Council will ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of job evaluation mechanisms, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.
- 2.3 As referenced below in paragraphs 3.2, 3.7 and 3.9 there are a small number of limited circumstances in which the basic pay of staff may vary from that set out within the nationally agreed pay scales:
  1. Through the application of non-consolidated supplements to increase the lowest point of pay to meet the Council’s commitment to the Real Living

Wage and maintain appropriate pay differentials above that point. – Such payments are made consistently to all staff at a particular Spinal Column Point and do not affect the ranking order of posts as determined through job evaluation.

2. Through the application of the Council's Market Supplement Policy. – Such payments are not made consistently to all staff at a particular Grade or Spinal Column Point and may legitimately affect the remuneration of staff in relation to the ranking order of posts as determined through job evaluation as set out within the Market Supplement Policy.
3. Through the application of the Council's Pay protection Policy. - Such payments are made to staff for a time-limited period to mitigate reduction in salary following redeployment into a lower graded post or organizational change. These payments may legitimately affect the remuneration of staff in relation to the ranking order of posts as determined through job evaluation for a defined period.

The above circumstances are consistent with the assurance in relation to pay discrimination as set out in paragraph 2.2 above.



### 3. Pay structure

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- 3.1 The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its main local pay structure. These pay spines are used to determine the salaries of the large majority of the Council's non-teaching workforce. Rates of pay are subject to an annual pay award applied from the 1<sup>st</sup> April. The pay award due to be applied from 1<sup>st</sup> April 2024 is not yet agreed. Subject to approval of this Statement, the pay structure for 2024/25 is attached at Appendix 1. This will be updated to reflect the relevant national pay award for 2024/25 as and when it is agreed. Staff who transferred to the Council through a TUPE process (including those formerly employed by Six Town Housing) are paid in line with their existing pay structures in accordance with legal TUPE protections.
- 3.2 The Council has been formally accredited by the Real Living Wage Foundation as a Real Living Wage employer. The Real Living Wage rate at 1 April 2023 was £10.90 and the Council's pay structure included a number of non-consolidated supplements paid at Spinal Column Points 2 to 4 to both apply the Real Living Wage rate of pay and maintain appropriate differentials to other pay points. Following agreement of the 2023/24 Pay Award, the lowest spinal column point rose to £11.59 well above the £10.90 and the non-consolidated supplements were removed. The Real Living Wage rose to £12.00 on 24<sup>th</sup> October 2023 and the Council has until 1<sup>st</sup> May 2024 to implement this. To maintain its commitment to the Real Living Wage, non-consolidated supplements will be reintroduced with effect from 1<sup>st</sup> April 2024 and paid on spinal column points 2 to 5. Once the 2024/25 Pay Award is agreed and implemented the level of non-consolidated supplements will reduce so that, as a minimum, the overall level of hourly pay is retained.
- 3.3 The pay and terms and conditions of employment of the Council's workforce are largely determined by the following negotiating bodies in accordance with the agreed collective bargaining machinery:
- National Joint Council (NJC) for Local Government Services;
  - The Soulbury Committee, (educational advisers/inspectors, other school improvement professionals, educational psychologists)
  - Joint Negotiating Committee (JNC) for Local Authority Craft and Associated Employees;
  - Joint Negotiating Committee for Youth and Community Workers;
  - Joint Negotiating Committee (JNC) for Chief Officers
  - Joint Negotiating Committee (JNC) for Chief Executives
- 3.4 The Council adopts the national pay bargaining arrangements in respect of the establishment and revision of the national pay spines.
- 3.5 The pay of those employees whose terms and conditions fall within the purview of the Joint Negotiating Committee for Chief Executive's and the Joint

Negotiating Committee for Chief Officers are also determined by reference to Joint Secretarial advice issued by the JNC for Chief Officers of Local Authorities in 2002. The Joint Secretarial advice recommended the establishment of local salary structures as a result of a move from benchmark to median salaries, identified through the annual salary and numbers survey conducted by the Local Government Employers' Organisation.

- 3.6 All other pay related allowances are the subject of either nationally or locally negotiated rates.
- 3.7 The Council is committed to the principles of equal pay for all its employees, and to ensuring that there is consistency and fairness in the approach to starting salaries and has guidance for managers in this area. All new appointments (whether new recruits to the Council or an internal candidate) will ordinarily commence at the minimum spinal column point (SCP) of the relevant grade. Appointments will not be made higher up the grade in order to preserve salary, although pay protection arrangements are available in relevant situations.
- 3.8 In exceptional circumstances and following the completion and documentation by the senior recruiting manager of an equal pay risk assessment, an appointment may be made with a starting salary higher than the minimum point. In these exceptional circumstances where the appointment salary is above the minimum point of the pay scale and is not affected by other council policies, for example redeployment or flexible retirement, this is approved by the Head of Human Resources.
- 3.9 From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate. Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Supplement Policy.
- 3.10 The Council has a number of salary sacrifice schemes in place. These include the cycle to work scheme, the AVC scheme and the car lease scheme. These schemes and their operation are regulated by Her Majesty's Customs and Excise and there are strict rules around the management of the schemes. The schemes permit employees to "sacrifice" part of their salary in exchange for a benefit; this means that Tax and National Insurance are not paid on the amount sacrificed effectively reducing the cost of the benefit to the employee. These schemes are open to all employees at the Council with the proviso that their salary exceeds the National Minimum Wage after the deduction. In addition to these schemes the Council has a number of other employee benefits.

## 4. Chief Officer remuneration

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- 4.1 For the purposes of this statement, chief officers are as defined within the Localism Act; i.e.
- i. The head of the paid service designated under section 4(1) of the [Local Government and Housing Act 1989](#);
  - ii. The monitoring officer designated under section 5(1) of that Act;
  - iii. A statutory chief officer mentioned in section 2(6) of that Act;
  - iv. A non-statutory chief officer mentioned in section 2(7) of that Act;
  - v. A deputy chief officer mentioned in section 2(8) of that Act.
- 4.2 The Council's pay structure in relation to these posts is appended below and details of the Council's current Chief Officer Structure and pay rates are [published on the Council's website](#). Rates of pay are subject to an annual pay award applied from the 1<sup>st</sup> April (The pay scales appended take into account the pay award for 2023-24 but not the award for 2024-25, which has not yet been agreed).
- 4.3 When establishing or reviewing the senior management salary structure the Council uses an analytical job evaluation scheme to determine grades. The broad advice issued by the Joint Negotiating Committees for Chief Executives and Chief Officers, on the establishment of a local salary structure based on median salary levels as identified through the annual salary survey is taken into account. This advice states that when deciding at what level these posts should be remunerated the following factors are to be considered:
- a. The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
  - b. The chief executive's salary;
  - c. The relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
  - d. Any special market considerations;
  - e. Any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
  - f. Comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
  - g. Top management structures and the size of the management team compared to those of other authorities of similar type and size, and;
  - h. The relative job size of each post, as objectively assessed through job evaluation or otherwise.
- 4.4 Changes to the establishment are approved by the Cabinet Member for HR and Corporate Affairs. The establishment of Chief Officer and Deputy Chief

Officer posts are subject to approval by the Employment Panel (or Cabinet when linked to an organisational structure change).

- 4.5 The establishment of posts with salary levels at £100K or greater are ultimately subject to approval by full Council in accordance with the Localism Act (2011). This requirement only applies to new positions established and not to the filling of existing roles on the Council's establishment.
- 4.6 Where the Council is unable to recruit chief officers, or there is a need for interim support to provide cover for a substantive chief officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money. In assessing such, it should be noted that in respect of such engagements the Council is not required to make either pension or national insurance contributions for such individuals who fall outside of the IR35 Regulations and might be considered as self employed by the HMRC.

## 5. Recruitment of Chief Officers

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- 5.1 The Council's policy and procedures with regard to recruitment of Chief Officers are set out as Guidance for the Recruitment of Chief Officers, which is within the overall framework of the existing recruitment and selection policy.
- 5.2 Accordingly the recruitment of Chief Officers is delegated to the Employment Panel whose functions include:
  - The shortlisting and appointment of Chief Officers and Deputy Chief Officers (as defined by the Local Government and Housing Act 1989). The confirmation of appointment of all Chief Officers (with the exception of the Chief Executive/Head of Paid Service) is carried out in accordance with the [Council Constitution](#) – Officer Employment Procedure Rules and [The Local Authorities \(Standing Order\) \(England\) Regulations 2001](#)
  - The shortlisting and appointment of the Chief Executive / Head of Paid Service is carried out in accordance with the [Council Constitution](#) for submission to the Council.
- 5.3 When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own Equality, Recruitment and Selection and Redeployment Policies.
- 5.4 The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

## 6. Additions to the salary of Chief Officers

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- 6.1 The level of chief officer remuneration is not variable dependent upon the achievement of defined targets.
- 6.2 To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration [e.g. honoraria, ex gratia, 'acting up' payments] relating to temporary additional duties are set out in the [Council's Constitution](#) and supplementary conditions of service.
- 6.3 The Chief Executive (Head of Paid Service), also carries out the duties of the Returning Officer in accordance with the Representation of The People Act 1983. The duties of the Returning Officer are separate from the duties undertaken as a local government officer; the office of Returning Officer is totally distinct from the office of Chief Executive and Head of Paid Service.
- 6.3.1 Payments due to the post holder in respect of the conduct of local municipal elections are consolidated within the salary.
- 6.3.2 Payments in respect of the conduct of National Government Elections, any National Referenda and Greater Manchester Mayoral elections are paid in addition to salary. These payments are pensionable and subject to deductions for tax and National Insurance.
- 6.4 Set out in the table below are details of other elements of 'additional pay' currently payable to Chief Officers (as defined by the Local Government and Housing Act 1989) which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of their duties;

<b><i>Payment details</i></b>	<b><i>Paid to</i></b>
Fees paid for returning officer duties where identified and paid separately	Chief Executive (see 6.3.2)
Salary supplements payable for fulfilling statutory officer duties (e.g. S151 / Monitoring Officer) where identified and paid separately	None payable
Salary supplements payable for statutory duties carried out by The Director of Public Health where identified and paid separately	None payable
Market forces supplements in addition to basic salary where identified and paid separately	Director of Community Commissioning & Adult Social Services (DASS)
Priority Car User Allowance Lump Sums	None payable
Salary supplements or additional payments for undertaking additional responsibilities e.g. shared	None payable

service provision with another local authority or in respect of joint bodies, where identified and paid separately	
Any arrangements for payment of untaken annual leave falling outside the requirements of relevant legislation	None payable

## 7. Pension contributions

- 7.1 Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.
- 7.2 The Employer's rate of contribution is set by Actuaries advising the Greater Manchester Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The triennial valuation covers the period 1 April 2023 to 31 March 2026 following which the rate will be set for a further 3 years. The employer's contribution rate from 1<sup>st</sup> April 2024 is 19.5%.
- 7.3 Pension contributions are based on actual [pensionable pay and](#) there are 9 different contribution banding rates between 2.75% and 6.25%. The bandings as at 1<sup>st</sup> April 2023 are:

### Contribution Pay Bands 2023/2024

Pensionable Pay for an Employment	Main section Gross Contribution	50/50 section Gross Contribution
£0 - £16,500	5.5%	2.75%
£16,501 - £25,900	5.8%	2.90%
£25,901 - £42,100	6.5%	3.25%
£42,101 - £53,300	6.8%	3.40%
£53,301 - £74,700	8.5%	4.25%
£74,701 - £105,900	9.9%	4.95%
£105,901 - £124,800	10.5%	5.25%
£124,801 - £187,200	11.4%	5.70%
£187,201 or more	12.5%	6.25%

The Council will be advised of any changes to contribution pay bands for 2024/25 in March 2024.

## 8. Payments on termination

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- 8.1 The Council's approach to statutory and discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is in accordance with [The Local Government Pension Scheme Regulations 2013](#), Regulations 5 and 6 of the [Local Government \(Early Termination of Employment\) \(Discretionary Compensation\) Regulations 2006](#) and the [Statutory Guidance on the making and disclosure of Special Severance Payments \(SSP's\) by Local Authorities in England](#), published on 12<sup>th</sup> May 2022.
- 8.2 Any payments made will be in accordance with relevant employment legislation and the criteria set by the appropriate pension scheme (normally the Local Government Pension Scheme). Decisions will be made in line with the arrangements set out in the Council constitution.
- 8.3 Following the introduction of the Statutory Guidance on the making and disclosure of Special Severance Payments (SSP's) by Local Authorities in England, a section around Special Severance Payments (SSP's) has been added to the Officer Employment Procedure Rules outlining the revised arrangements for the approval of SSP's:
- 8.3.1 Any payments made in relation to the termination of employment which are in excess of £100k continue to require approval by full Council.
- 8.3.2 All payments of £20k and over in value, up to £100k, require approval from the Monitoring Officer, Section 151 Officer, Chief Executive and Leader, in Consultation with the Chair of Overview and Scrutiny.
- 8.3.3 Any payments under £20k can be approved by the Monitoring Officer.
- 8.3.4 Where the proposed payment is to the Head of Paid Service, to avoid a conflict of interest, the Employment Panel will oversee this and will appoint an independent panel comprising of 3 independent people (or at least 2) to approve the payment to the Chief Executive. The Independent Panel will make recommendations to the Employment Panel and the decision will then go to Council for approval.
- 8.4 All payments will only be agreed in accordance with the [Statutory Guidance on the making and disclosure of Special Severance Payments \(SSP's\) by Local Authorities in England](#).



## 9. Lowest paid employees

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- 9.1 The lowest paid persons employed under a contract of employment with the Council are employed on full time [37 hours per week] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure.
- 9.2 The National Living Wage for people 23 and over is currently £10.42 per hour and will rise to £11.44 per hour for people aged 21 and over with effect from 1<sup>st</sup> April 2024. The Real Living Wage rose to £12.00 per hour in October 2023 and the Council's Real Living Wage supplements will be reintroduced to reflect this from 1<sup>st</sup> April 2024 making our lowest pay rate with effect from 1<sup>st</sup> April 2024, including this supplement for the Real Living Wage £12.00 (£23,151).
- 9.3 The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

## 10. Pay multiple

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- 10.1 The current pay levels (as at January 2024) within the Council define the multiple between:
- The median (the halfway point between the lowest and highest earner) full time equivalent (FTE) earnings for the whole of the workforce and the Chief Executive (top of pay spine) as 1:6.88. The difference in pay is lower than last years reported figure of 1:7.14.
  - The lowest paid earner full time equivalent (FTE) and the Chief Executive (top of pay spine) as 1:9.09. The difference in pay is lower than last years reported figure of 1:10.46.
- 10.2 The pay multiple has been calculated in accordance with the LGA Local Transparency Guidance. Data relates to the 1<sup>st</sup> January 2023 – 31<sup>st</sup> December 2023.
- 10.3 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate. In addition, upon the annual review of this statement, the Council will also monitor any changes in the relevant 'pay multiple' and benchmark against other comparable local Authorities.



## 11. Gender pay gap

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11.1 The Council is required to take a ‘snapshot of data’ as at the 31 March 2023 and analyse this to calculate our gender pay gap. We are required to publish the data on the Council website (to remain for at least 3 years) and also on a government site, by 31<sup>st</sup> March 2024 at the latest. The Gender Pay Gap is published annually.

11.2 The gender pay gap reporting measures are:

Mean gender pay gap - The difference between the mean (average) hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees

Median gender pay gap - The difference between the median (mid-point) hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees

Mean bonus gap - The difference between the mean bonus pay paid to male relevant employees and that paid to female relevant employees

Median bonus gap - The difference between the median bonus pay paid to male relevant employees and that paid to female relevant employees

Bonus proportions - The proportions of male and female relevant employees who were paid bonus pay during the relevant period

Quartile pay bands - The proportions of male and female full-pay relevant employees in the lower, lower middle, upper middle and upper quartile pay bands

11.3 The Council’s Gender Pay Gap for 2022-2023 compared with 2021-2022 is shown below:

Women’s Hourly Rate:

	Mean	Median
2021/22	3.26% Lower	2.41% Lower
2022/23	6.83% Lower	3.60% Lower

11.4 Bury Council does not pay any bonuses.

11.5 Quartile Pay Bands:

The following information shows the percentage of male employees and female in each quarter of the payroll for 2021/22 and 2022/23:

	2021/22		2022/23	
	% Of Men	% Of Women	% Of Men	% Of Women
Top	30.98%	69.02%	31.42%	68.58%
Upper Middle	34.36%	65.64%	33.10%	66.90%
Lower Middle	37.80%	62.20%	37.26%	62.74%
Lower	17.35%	82.65%	16.29%	83.71%

#### 11.6 Comparison summary:

This is the first year in the last 7 years that there has not been a reduction of the mean gender pay gap with the mean gap increasing by 3.57% against last year. Overall there is still a closing of the mean pay gap of 2.01% since the Council first reported on its gender pay gap in 2016/17.

As with the mean pay gap, this year also shows a widening of the median gender pay gap, with a 1.19% increase this year against last year. Overall there has been a 4.13% improvement since the Council first reported its gender pay gap in 2016/17.

National comparisons of the gender pay gap (Office of National Statistics) show Bury to be performing better than regional and national comparators:

Region	% Gender Pay Gap
National	7.7
North West	7.8
Bury	6.8

It is important to point out that the National and Northwest figures reported in the table above are for full time employees only (staff working over 30 hours). Nationally the Gender Pay gap for all employees is 14.3%. If the Council were to use the same reporting parameters and excluded information for staff working below 30 hours from its calculations, it would have a mean pay gap of -2.4% and a median pay gap of -4.34%. (In comparison looking only at part-time employees would see a mean pay gap of 8.9% and a median pay gap of 8.7%

The overall pay gap for all employees is higher than it is for just full time employees because of the number of female staff compared to male staff filling part-time positions.

Deductions for salary sacrifice arrangements are excluded from an employee's base pay for the purposes of gender pay gap reporting, creating an artificially lower rate of pay for those who opt to use salary sacrifices compared to those who do not. This is potentially a contributing factor to the widening of the pay gap this year especially with a workforce that 69.7% female.

The Council will undertake further work to understand the nature of this change and progress actions to mitigate this wherever possible over the coming months.

#### 11.7 Progress to date and future actions

Over the past 12 months the Council has implemented several changes and initiatives that support all staff across characteristics and promote diversity and development within the workforce which, in turn, will support us in reducing our pay gaps. This work includes:

- As part of the pay award, increasing the pay of our lowest paid staff so that our minimum pay point is Grade 3 from April 2023. The effect of this will show in the 2023/24 gender pay gap report.
- Work to streamline our recruitment processes and improve the way we promote vacancies in Bury and remove potential barriers to employment, for example through CV based applications.
- On-going moderation of job grades whether new posts or regrades of existing roles to stop grade drift and ensure a consistency of approach in the application of the job evaluation scheme.
- Further promotion of the Council's leadership development offer which reflects our commitment to supporting staff development and progression
- The development of a Cross Organisation Mutual Mentoring programme that has a focus on race and disability. The programme brings people with lived experiences together with senior leaders/managers, for there to be an exchange of knowledge which could lead to career progression of the public service workforce within these protected characteristics and address the underrepresentation at more senior levels.

#### 11.8 We are committed to continuing to introduce measures to reduce our pay gap further over the next 12 months and will be continuing to build on the work noted above as well as progressing a number of further activities including:

- Refreshing the Council's Equality Strategy, including targeted work around representation and reducing occupational segregation, ensuring barriers affecting women are reduced.
- Analysing our data further to explore potential reasons for the gaps.
- Strengthening our approach to Workplace Adjustments. - We are committed to ensuring all our colleagues are equipped and supported to thrive and reach their full potential, underpinned by a new Workplace Adjustments process.
- Developing our employee value proposition commitment to a healthy work/life balance, to the diversity of the roles and careers we offer, to our friendly and supportive colleagues and workspaces
- Developing improved career pathways for the many careers that are available at Bury Council. These will include entry level, supervisor level,

management level and leadership level so that colleagues at all levels on the career pathway can easily see a clear path to support their career aspirations.

- Developing effective succession programmes which will identify and nurture talent and rising stars and target diverse employees for progression.

11.9 Whilst there is no legal obligation to do so, the Council also publishes information in relation to its Disability and Ethnicity pay gaps. This information is available on the Council website and updated annually as part of the [Employment Equality Report](#).

## 12. Accountability and decision making

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12.1 In accordance with the Constitution of the Council, the Employment Panel is responsible for being a consultee on all terms and conditions including policies, and for the recruitment selection and appointment of Chief Officers; (see Section 5.0 above).

## 13. Re-employment /re-engagement of former Chief Officers

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13.1 The Council's Voluntary Exits Policy states that former employees (including Chief Officers) who leave the Council through any form of enhanced severance package, including but not exclusive to voluntary early retirement or flexible retirement will not be re-engaged in normal circumstances at any point and without the approval of the Director of People and Inclusion and Cabinet Member for HR and Corporate Affairs. This includes engagement via Agency or a contract for services. However, this provision excludes engagement to support the Local Authority's role in relation to Elections.

13.2 As a general principle the Council is opposed to re-employing retired employees. However, in exceptional circumstances, where it is considered necessary to re-employ or re-engage a former employee who is in receipt of a pension from the Local Government Pension Scheme:

- (a) There should be clear evidence that the work cannot be undertaken by someone else, either internal, external or through agency staff.
- (b) If the individual is engaged under the terms of a contract for services and claims to be self-employed or a consultant, the Executive Director of Finance must be satisfied that they meet the criteria laid down by HMRC.
- (c) A former employee should not be re-engaged unless agreement has been given by the Cabinet Member for HR and Corporate Affairs.

- 13.3 The proposal to require high earners to repay exit payments if they return to the public sector has previously been consulted on but there has been no further indication of if and when this proposal will be implemented.

## **14. Publication**

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This statement will be published on the Council's Website under our Local Government Transparency Section.

## Appendix 1: NJC pay scale – Council employees

The salary scales below reflect the pay rates with effect from 1 April 2023 and the additional non-consolidated supplements to be applied from 1 April 2024. The pay scale will be revised to reflect the 2024/25 NJC Pay Award once agreed.

<b>Bury Pay Structure</b>						
SCP Values wef 010424 to include RLW supplement. 2024-25 pay award not yet agreed.						
Grade	SCP	Annual Salary 010423	Hourly rate 010423	Revised rate inclusive of Real Living Wage supplement wef 010424		
				Value	Hourly rate	RLW supplement
Grade 3	2	£22,366	£11.59	£23,151	£12.00	£0.41
Grade 4	3	£22,737	£11.79	£23,344	£12.10	£0.31
Grade 5	4	£23,114	£11.98	£23,537	£12.20	£0.22
	5	£23,500	£12.18	£23,633	£12.25	£0.07
Grade 6	6	£23,893	£12.38			
Grade 7	7	£24,294	£12.59			
	8	£24,702	£12.80			
	9	£25,119	£13.02			
	NOT IN USE					
Grade 8	11	£25,979	£13.47			
	12	£26,421	£13.69			
	NOT IN USE					
	14	£27,334	£14.17			
	15	£27,803	£14.41			
Grade 9	NOT IN USE					
	17	£28,770	£14.91			
	18	£29,269	£15.17			
	19	£29,777	£15.43			
	20	£30,296	£15.70			
Grade 10	NOT IN USE					
	22	£31,364	£16.26			
	23	£32,076	£16.63			
	24	£33,024	£17.12			
Grade 11	25	£33,945	£17.59			
	26	£34,834	£18.06			
	27	£35,745	£18.53			
Grade 12	28	£36,648	£19.00			
	29	£37,336	£19.35			
	30	£38,223	£19.81			
Grade 13	31	£39,186	£20.31			
	32	£40,221	£20.85			
	33	£41,418	£21.47			
Grade 14	34	£42,403	£21.98			
	35	£43,421	£22.51			
	36	£44,428	£23.03			
Grade 15	37	£45,441	£23.55			
	38	£46,464	£24.08			
Grade 16	39	£47,420	£24.58			
	40	£48,474	£25.13			
Grade 17	41	£49,498	£25.66			
	42	£50,512	£26.18			
SM1	43	£51,515	£26.70			
	44	£52,563	£27.24			
	45	£53,624	£27.79			
SM2	46	£54,708	£28.36			
	47	£55,666	£28.85			
	48	£56,704	£29.39			
	49	£57,745	£29.93			
	50	£59,790	£30.99			

## Appendix 2: Chief Officer pay scale

The salary scales below reflect the pay rates with effect from 1 April 2023. The pay scale will be revised to reflect the 2024/25 Pay Award once agreed

	SCP	Salary 010423			
CEx	861	£ 198,521	Band C	820	£82,332
	860	£ 194,840		819	£80,778
	859	£ 191,159		818	£79,236
		817		£77,693	
				816	£76,159
Band H	846	£ 139,067	Band B	815	£74,619
	845	£ 135,561		814	£73,066
	844	£ 132,823		813	£71,625
	843	£ 129,666		812	£70,166
	842	£ 127,377		811	£68,714
Band G	840	£ 123,600	Band A	810	£67,263
	839	£ 121,217		809	£65,812
	838	£ 118,824		808	£64,375
	837	£ 116,439		807	£62,919
	836	£ 114,052		806	£61,463
Band F	835	£ 112,636			
	834	£ 110,365			
	833	£ 108,132			
	832	£ 105,943			
	831	£ 103,767			
Band E	830	£ 101,596			
	829	£ 99,414			
	828	£ 97,309			
	827	£ 95,202			
	826	£ 93,102			
Band D	825	£ 90,992			
	824	£ 88,889			
	823	£ 86,966			
	822	£ 85,412			
	821	£ 83,865			





**GENERAL REPORT OF THE MEETING HELD ON 10 JANUARY 2024****ADOPTION OF PUBLIC PROTECTION ENFORCEMENT POLICY**

1. Councillor Alan Quinn, Cabinet Member for Environment, Climate Change and Operations, presented the report which outlined the updates needed to the enforcement policy within the Public Protection Service. Members discussed the level of discretion officers had in decision making under this policy, and noted that that Member involvement was welcomed but that the Cabinet Member strongly trusted officer recommendations in these matters.
2. Cabinet approved the recommendations as set out in the report.

**CHILDREN'S SERVICES DIRECTORATE - SENIOR MANAGEMENT STRUCTURE**

3. Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the report which sought Cabinet approval to progress to formal consultation with affected staff on the restructure of the Children & Young People's Directorate Management structure. Members welcomed this report and it was noted that the intention was for the creation of the Director of Social Care & Early Help post to be expedited to Council for approval.
4. Cabinet approved the recommendations as set out in the report.

**STRATEGIC HOUSING REVIEW - MANAGEMENT OF HOUSING STOCK**

5. Councillor Eamonn O'Brien presented the report on behalf of the Cabinet Member for Housing Services, which provided Members with an overview of the activity that has taken place since November with regards to the transfer of the management and maintenance of Council housing to direct control by the local authority. He thanked Councillor Cummins and the team of officers across Six Town Housing, the STH Board, as well as Cath Farrell in particular, for the hard work and decision making throughout this process.
6. In response to Members' questions it was noted that the new Director of Housing post would be interim for the time being but the intention for this was to be a permanent position. With regards to keeping the Six Town Housing name, this was to retain the properties owned by the company and the brand would be phased out appropriately in order to manage associated costs. Members welcomed the role of Scrutiny moving forwards, ensuring greater Member involvement and oversight of matters.
7. Cabinet approved the recommendations as set out in the report.

**PROPOSAL TO UTILISE A DYNAMIC PURCHASING SYSTEM FOR DISABLED ADAPTATIONS**

8. Councillor Eamonn O'Brien presented the report on behalf of the Cabinet Member for Housing Services, which outlined the proposal to utilise a Dynamic Purchasing System (DPS) delivered by Independence Community Interest Company (INCIC) for disabled adaptations. This was an important service and the DPS would help prevent bottlenecks and delays, securing specialist workers where appropriate and providing a better service to residents.
9. Cabinet approved the recommendations as set out in the report.

## **APPOINTMENTS UPDATE**

12. Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which set out changes to appointments since the Council meeting in May 2023 regarding Councillor Boroda's appointment as Cabinet Member and associated Committee and Outside Body positions.
13. Cabinet noted the appointments.

## **GENERAL REPORT OF THE MEETING HELD ON 14 FEBRUARY 2024**

### **HOUSING REVENUE ACCOUNT BUDGET REPORT**

14. Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which established the Housing Revenue Account budget for 2024/25. It proposed an increase in rent levels of 7.7% (which was the Government's maximum allowable increase being September CPI (Consumer Price Index) 6.7% plus 1%) with effect from 1st April 2024, an increase in shared ownership rents by 7.7%, and an increase for other charges and rents by 6.7% (in line with CPI as at September 2023). It was noted that this report had been considered by Overview and Scrutiny Committee as well as Union meetings.
15. In response to questions it was noted that hardship funds were in place to support tenants on housing benefits and universal credit. These differed based on whether funds were paid to the tenant or the landlord, and the Council was working with tenants to help them according to their circumstances.
16. Cabinet commended the recommendations to Council.

### **THE COUNCIL'S REVENUE BUDGET AND THE MEDIUM TERM FINANCIAL STRATEGY**

17. Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the Council's 2024/25 budget proposals and the framework for the longer-term Medium Term Financial Strategy (MTFS) 2024/2027. The report also set out the process that will lead to the agreement of the budget and the setting of the 2024/25 Council Tax at Full Council on the 21 February 2024.
18. The full suite of documents presented also included:
  - Council Tax Setting
  - Capital strategy 2024/25 to 2026/27
  - Treasury Management Strategy 2024/25
  - The Dedicated Schools Grant and the schools' budget 2024/25
19. It was noted that this had been considered by Overview and Scrutiny Committee as well as Union meetings.
20. An increase of 2.99% to Council Tax was being proposed along with a 2% adult social care precept, and the Medium Term Financial Plan reported a budget gap for 2025/26 of £10.627m and 2026/27 of £4.327m, bringing a cumulative three-year budget gap of £30.085m.
21. Councillor Gold advised that a recommendation regarding the treatment of military compensation was in response to the British Legion campaign, but also added discretionary housing support in addition to their proposals.

22. Members noted the challenging times and the changes made in Bury over the last 12 months, including the work of the Financial Improvement Panel and the associated financial improvement plan. It was noted that the Budget gap had reduced since December, from £17.243m to £15.131m (this took) account of approved savings of £5.368m). Work was underway to identify additional savings to deal with the further gap and, pending this, the gap will be funded through the use of reserves. Councillor Gold advised that c1.7m had also been announced from the government, which had not been in time to be included in these papers but would be reflected in Quarter 1 reports.
23. Members discussed the core spending power of the Council noting that although it was very slightly higher than the national average, Bury had been in the lowest 20% for funding and had received 17% increase in demand as well as £11m inflationary costs, which outstripped spending power. With regards to previous savings targets, 93% of these had been achieved and a plan to substantially reduce the remaining 7% would be received in Quarter 1. Officers advised that once previous savings targets had been delivered, work in Children's Services would continue to address budget concerns before work on the Council's balance sheet would begin to release assets where possible.
24. Cabinet commended the recommendations to Council.

#### **QUARTER THREE CORPORATE PLAN PERFORMANCE REPORT 2023/24**

25. Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the performance and delivery monitoring report for Quarter Three against the Corporate Plan for 2023/24. It contained full updates in terms of both the delivery against the priorities set out in the Corporate Plan and associated key performance indicators. A RAG rating and percentage completion had been introduced against each objective, and Members thanked officers for the improvement in these reports.
26. Cabinet approved the recommendations as set out in the report.

#### **REPORT BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (21 011 785 / 23 005 479 / 22 011 825)**

27. Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the report which set out the findings by the Local Government & Social Care Ombudsman (LGO) made against the Council following the Council's failure to comply with agreed recommendations following two earlier investigations, and the action now taken by the Council to demonstrate that it has complied with those recommendations. Members noted that this complaint related to the Council's failure to provide appropriate free transport and repeated failure to remedy the situation within agreed timescales.
28. In response to questions relating to this item and the subsequent item, Councillor Lucy Smith gave assurances that these related to historic complaints and since this time stronger policies and processes had been introduced which clarified staffing leads. It was also noted that the Monitoring Officer was meeting on a three-monthly basis with the LGO which would ensure issues like this would not reoccur.
29. Cabinet approved the recommendations as set out in the report

**REPORT BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (23 006 024)**

30. Councillor Lucy Smith, Cabinet Member for Children and Young People, presented the report which set out the findings by the Local Government & Social Care Ombudsman (LGO) made against the Council following the Council's failure to comply with agreed recommendations following an earlier LGO investigation, and the action now taken by the Council to demonstrate that it has complied with those recommendations. Members noted that this complaint related to the Council failing to act properly when a child was out of education causing injustice, and the subsequent remedy not being carried out in agreed timescales.
31. Cabinet approved the recommendations as set out in the report.

**SIMISTER ISLAND DEVELOPMENT CONSENT ORDER**

32. *Councillor Charlotte Morris declared an interest in this item and did not participate in the discussion or vote on the decision.*
33. Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which detailed a National Highways scheme to undertake a major infrastructure development to improve Junction 18 of the M60 (Simister Island) and widen to five lanes of the M60 between Junction 17 and Junction 18 to facilitate smoother flows of traffic along the connecting motorways. This was a "Nationally Significant Infrastructure Project" (NSIP) which meant that planning consent for the scheme is determined by the Secretary of State through an application process known as a Development Consent Order (DCO). Members noted that the Council will not decide whether the scheme goes ahead but will automatically be an "Interested Party" and was required to provide evidence within prescribed timetables and, as such, the report recommended appropriate delegations to facilitate this.
34. Cabinet approved the recommendations as set out in the report.

**BURY COUNCIL FINANCE - FUTURE LEADERSHIP ARRANGEMENTS**

35. Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which set out proposals in relation to the future substantive leadership of the Council's Finance function. Members noted it would strengthen the structure of senior finance officers whilst maintaining relevant expertise and ensuring subject matter experts were in place. Proposals had been market tested and similar structures were in place at other Councils. Members discussed the proposals and noted the cross-party support.
36. Cabinet approved the recommendations as set out in the report.

**APPOINTMENTS UPDATE**

37. Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which set out changes to appointments since the Council meeting in May 2023 regarding the new Housing Advisory Board, other appointments and vacancies.
38. Cabinet approved the recommendations as set out in the report.

**(i) Urgent Cabinet Decision – March 2024  
Re. New Kershaw Centre / Spring Lane PRU Re-location Project**

**Decision taken:**

To approve the proposal to extend the procurement exemption granted at Cabinet of December 2023.

*Full details are included in a confidential report.*

**The reason why this decision was urgent and could not be reasonably deferred was:**

As a result of unexpected condition issues with the New Kershaw Centre building encountered once construction works were started, it is necessary to extend the initial procurement exemption granted in December 2023. This exemption relates to the main contractor appointment only.

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	Party	Question	Questioner
1	Conservative	Can the Cabinet Member for Health and Wellbeing confirm the Council's commitment to the White Ribbon Campaign?	Cllr. Lancaster
	Cllr Tariq CC	<p><b>Bury Council is fully committed to the White Ribbon campaign to end violence against women and girls. Public endorsement of the commitment was made ahead of Bury's Full Council meeting on 22nd November and from a partnership perspective including Bury Community Safety Partnership.</b></p> <p><b>Building on our previous activity during the White Ribbon Campaign, and broader activity through Bury Council's application to become a White Ribbon Accredited Organisation was approved on 8th January 2024 for a three year period.</b></p> <p><b>Accreditation is not the end, it is about 365 days of action to further mainstream this activity in our approach, as a visible demonstration of our commitment within the context of our LET's Do It! approach and principles. Examples of activity and approaches include:</b></p> <ul style="list-style-type: none"> <li>• <b>Further awareness cascaded through Council departments,</b></li> <li>• <b>Signing up Ambassadors and Champions as part of Council and partner engagement including policing opportunities.</b></li> <li>• <b>Updates to Bury Community Safety Partnership to encourage partners to become accredited following the Council's lead.</b></li> <li>• <b>Embedded White Ribbon commitments across Safer Streets interventions including public guardianship and detached youth outreach patrols.</b></li> <li>• <b>Women and Girls safety training, including activities aimed at males in relation to behaviour change, and work with Bury's Night Time Economy.</b></li> </ul>	
2	Labour	Can the council confirm its commitment to paying the real living wage for the adult social care staff working in our borough?	Cllr Haroon
	Cllr Tariq CC (HR) and	<p>Supplementary: What benefit does the RLW have in terms of recruitment and retention of social care staff?</p> <p><b>Yes, I can confirm the council remains committed to ensuring our adult social care providers are real living wage employers and pay the real living wage.</b></p>	

	Party	Question	Questioner
	Heath and Adult Care	At our last cabinet I was pleased to receive approval to my report requesting the annual fee uplift for our adult social care provider that ensures the funds for this are allocated within next year's budget	
3	Labour	After the Tory government's budget on 6th March, there are projected spending cuts in the public sector from 2025 onwards for unprotected services including local government. This is of a scale not seen since George Osbornes austerity measures were introduced in 2010. What are the implications of this for local government?	Cllr Liz Fitzgerald
	Cllr Gold	<b>The government in the budget talked about a 1% real-term growth in public spending. Bearing in mind that the NHS will be protected and receive the bulk of this small 1% increase, future funding settlements for Councils will see significant reductions in real term funding. The fact is that nearly all councils due to inflationary pressures and rising demand for services, will need increases in central funding. Many councils in order to meet their statutory requirements are having to rely on reserves and even in some cases loans to pay for basics. A better way would be a fairer funding review which was promised in 2016, so that councils can afford to provide the services that residents deserve, instead of the government's dismal record of high taxation and high NHS waiting lists that has such a detrimental impact on our residents.</b>	
4	Conservative	How much did the Council spend with the Bury Times during the calendar year 2023?	Cllr. Dean
	Cllr Gold Finance	<b>We spent £114,000 in 2023.</b>  <b>Over £30,000 of the spend was on Traffic Orders.</b>	
5	Radcliffe first	Now that offers of school places have been sent out, I was wondering if the Council will be able to send councillors a breakdown of school place allocations for their specific areas. For example, last year the Council emailed me a breakdown for the 416 pupils living in the M26 postcode showing the school the pupils had been allocated and whether pupils got had been offered their first, second or third preference etc or if they had an unplaced offer with an alternative school allocated to them. I would have liked the data for Bury MBC pupils living in the BL2 but apparently this was not available.	Cllr Birchmore



	Party	Question	Questioner
		The figures sent to me last year showed that 316 pupils in the M26 postcode were offered their first choice of school i.e. 76% which appeared to be lower than for some areas. It will be interesting to know if the new secondary school in Radcliffe opening in September 2024 has made a difference in the numbers.	
	Cllr Thorpe CYP	<p><b>More than happy to provide Radcliffe First members with the breakdown of school place allocations for residents within certain postcodes.</b></p> <p><b>Following National offer day on the 1<sup>st</sup> March, there is inevitable movement as parents accept or reject offers of secondary school places. In addition, separate offers have been made to parents applying for a place at Star Academy Radcliffe, and those parents have until 15<sup>th</sup> March to indicate if they are going to take up that offer.</b></p> <p><b>A detailed breakdown of places offered by postcode will be available shortly after the 15<sup>th</sup> and will be provided to Members at that point.</b></p>	
6	Labour	Can the Leader clarify how much money has been won by the council from CRSTS funding, for road safety and pedestrian improvements in Ramsbottom? ?	Cllr Pilkington
	Leader Operations and BGI	<p><b>There is £2.25m of CRSTS funding available to Bury for active travel improvements in Ramsbottom. We are currently developing the ideas included in the draft Bury Local Transport Strategy into more detailed proposals and will be consulting with residents and other stakeholders on these later this year. The final proposals will need to go through the Combined Authority's approval process before we can start to implement them. The funding will need to spent by March 2027.</b></p> <p><b>We are currently looking to shape the 2024/25 BGI business plan and as part of this will be considering all options for Ramsbottom. A key priority will be to ensure the future of the Civic Hall and Market Chambers. The next stage of this project will be to develop detailed designs for the building considering both enterprise and community use, as well as detailed commercial modelling. This will provide a solid basis for any future funding applications.</b></p>	
7	Labour	Can the council confirm the positive impact the HSF has made on reducing health inequalities and	Cllr D Quinn

	Party	Question	Questioner
		the urgent need to find a more sustainable successor?	
	<b>Cllr Tariq</b> <b>Health and Adult Care</b>	<p><b>The HSF has made a huge impact for people locally and has been an integral part of the anti-poverty strategy. The HSF has allowed us to provide free school meals to over 6500 children during school holidays. In addition, we have provided support in the form of food and fuel vouchers to over 2600 families in crisis. It has also allowed us to work with our VCFA to provide mini grants to 28 local charities and groups who in turn have supported over 3500 of our most vulnerable residents who have been impacted by the CoL.</b></p> <p><b>Following the announcement of the 6 month continuation of the HSF the anti-poverty steering group is working hard to develop plans to effectively utilise the available funding to continue to support our most vulnerable residents. However, without a sustainable successor we will be unable to continue with some of the key provision such as free school meals in the longer term.</b></p>	
<b>8</b>	<b>Conservative</b>	What steps are this Council taking to support the much needed improvement for students to attend a good or better Secondary School in the Borough?	<b>Cllr McBriar</b>
	<b>Cllr Thorpe</b> <b>C&amp;YP</b>	<p><b>Through its School Assurance Board that meets monthly, the Council considers the performance of all schools, including academies and identifies where support and intervention may be needed to drive improvement.</b></p> <p><b>Regular meetings with secondary school leaders, and in respect of Academies, with Trust CEO's, hold schools to account for performance and identifies where packages of support can be targeted to improve outcomes.</b></p> <p><b>The Council has also engaged the support of a secondary specialist Ofsted inspector to work with schools as necessary.</b></p> <p><b>These measures are showing improved outcomes in terms of the number of secondary schools judged good or better by Ofsted at their most recent inspection, but the Council recognises that further improvements are needed.</b></p> <p><b>The Council has also been instrumental in developing the business case demonstrating need for high quality secondary school provision in Radcliffe, and then in bringing together Star Academy and the Department for Education to deliver a new school.</b></p> <p><b>Star Academy is amongst the best performing academy trusts nationally, and will bring that quality to the new school.</b></p> <p><b>The Council has worked tirelessly to ensure that the school will open to its first cohort of</b></p>	

	Party	Question	Questioner
		students in September 2024, with the permanent school building being ready for occupation in September 2025.	
9	Radcliffe first	At the February meeting, I asked about the plan to remove the riverside balcony from the scheme of works on Radcliffe Market. At a regeneration meeting I also asked what the budgeted cost was against the actual cost of carrying out the scheme as planned. Can the leader provide answers?	Cllr M Smith
	Leader	<p><b>The Radcliffe Hub and Market Chambers project will be transformational for the town and forms part of a much wider regeneration programme including a new high school, highway infrastructure and significant new housing on brownfield land. The Council is delighted to see the progress so far. The Hub project is running ahead of schedule and we will see the foundations being created this week.</b></p> <p><b>Officers have been working closely with the project architect and contractor on the proposed balcony detail for some time. Members will be aware that significant concerns were raised on the safety of the oversailing balcony (adjacent to the river) by the Environment Agency during the Planning Application process. Due to the age and structural composition of the external (river facing) wall of the Radcliffe Market, the delivery of the 3.5m wide balcony would have required extensive propping. The EA highlighted that these props would present a risk to the building from flood damage in an extreme (1 in 100 year) flood events. As such, Planning Permission was granted for the overall scheme, however conditions were imposed that there could be no supporting balcony props. Officers have been working very hard to develop an alternative solution to preserve this detail for some time. However, they have been unable to find a workable solution. This is because proposed solutions either caused risk of water penetration to the building, or caused detrimental implications to the operation of the building.</b></p> <p><b>The design team have, however, been able to preserve an outside terrace area which will provide river views and approximately 1,000ft2 of outside entertaining space. This will be located behind Market Chambers and will be accessible from the Market itself and Market Chambers units. I have also instructed further design work to improve views from the market, over the river – which officers are currently developing with the architect. Removal of the balcony detail is unfortunate and has been done for safety reasons (only).</b></p>	

	Party	Question	Questioner
		<b>It will not provide a material saving to the project.</b>	
10	<b>Labour</b>	Please can the Cabinet Member for Communities outline the notion behind the Knife Angel which is currently on display in the Borough?	<b>Cllr Lynn Ryder</b>
	<b>Cllr Gold CC</b>	<p><b>The Knife Angel is a national monument against violence aggression. It stands 27 feet tall and is made from 100,000 knives seized through nationwide amnesties.</b></p> <p><b>The thought-provoking statue is designed to raise awareness and educate people on the impacts of knife crime, violence and aggressive behaviour on communities.</b></p> <p><b>In conjunction with Bury Business Improvement District, Bury Community Safety Partnership and Public Health, the Knife Angel will remain in Bury until 27th March and a programme of activities are taking place, including with the Violence Reduction Unit Community Led Pilot, youth diversionary outreach team, as part of Operation Heartbeat police patrolling and engagement with schools, including promotion of the anti-violence champions initiative.</b></p> <p><b>As a Borough Bury thankfully experiences one of the lowest rates of serious violence in the region and hosting the Knife Angel is a pillar of Bury's partnership approach to preventing violence, raising awareness of diversionary activity and support, and intervening early to mitigate the impact when it does occur. Whilst Bury has the third lowest rate of serious violence across Greater Manchester [police-recorded violence with injury offences crimes per 1,000 residents], unfortunately incidents do still occur as experienced in the Borough last week. This is why it is important to continue to educate on the danger of carrying knives to yourself and others; to promote knife amnesty opportunities and reinforce safety messages, as took place last week as part of additional partnership patrolling between local community safety colleagues in addition to force resources to proactively tackle perpetrators, and to safeguard and reassure our communities.</b></p>	
11	<b>Labour</b>	Can the Cabinet Member for the Environment give council an update on the new 3G football facility at Redbank in Radcliffe?	<b>Cllr Gareth Staples Jones</b>
	<b>Cllr A Quinn Operations</b>	<p><b>The £2.4m full size, floodlit 3G pitch at Redbank Playing Fields is now complete. The new 'state of the art' football facility will now be used by over 70 teams of different ages and ability together with providing wider wellbeing benefit.</b></p> <p><b>The construction of a brand-new changing pavilion and club room together with new car</b></p>	

	Party	Question	Questioner
		<p>park is progressing well on site and will be finished by July 2024.</p> <p>The new facilities have been funded with £1.8 million grant from the Football Foundation, plus a further £600k from Bury Council</p> <p>This fantastic durable playing pitch will allow safe and intensive all year-round play allowing games to continue in all kinds of weather.</p> <p>Radcliffe 3G will be operated by Radcliffe Football Foundation, a partnership between Radcliffe Juniors and Radcliffe FC.</p>	
12	Conservative	How does the Cabinet Member for Culture and the Economy respond to views from Market Hall Traders (a view which I empathise with) that the Council are lacking openness and transparency in their decision making in relation to the future of the Market Hall?	Cllr R Brown
	Cllr Morris Operations	<p><b>The markets management team are liaising daily with traders that have been impacted by the issues with the Market Hall.</b></p> <p><b>When the initial issue with the Market Hall first occurred, daily communications were sent directly to the traders with a comprehensive package of emergency support and updates of the position.</b></p> <p><b>Following this, traders were consulted with at several trader meetings where further ongoing support was given whilst we have been awaiting the final results of the full building survey.</b></p> <p><b>Traders have also been able to contact the market management team and the senior leadership where we have replied with the information available at the time.</b></p> <p><b>The senior leadership team and the markets management team have continuously consulted with the Bury Market Traders Association and with the National Market Traders Federation of which many of the traders are members of.</b></p> <p><b>The decision around the Market Hall will be based on the results of the full building survey, which was delayed due to the capacity of specialist RAACs surveyors. As soon as the final report is received and reviewed, Members will share results with the traders first.</b></p>	
13	Labour	Can the Cabinet Member for Children's Services update the Council on the outcomes of the recent SEND Circles of Influence event?	Cllr Nikki Frith

	Party	Question	Questioner
	Cllr Thorpe C&YP	<p>The event was very informative. The issue of safety, put forward by Millwood school was chosen by the group to be continued. Other areas of concern identified were bullying and support for young people with additional needs in the workplace.</p> <p>A number of pertinent comments were identified during the course of the day, which will be included in the SEND circles of influence report, to be shared at the end of March.</p> <p>The report will be sent out to all the decision makers who were invited and will be presented at the SEND partnership board.</p> <p>An action plan, based on the key findings, will be devised in conjunction with the Youth Voice Network and partners.</p> <p>The Board will provide oversight of the action plan and this will also be considered at the youth voice network and relevant SEND YP groups.</p>	
14	Labour	<p>Can the Cabinet Member for the Environment tell council how many tonnes of waste have been rejected in Bury and at what cost?</p> <p>Supp: What needs to be done to improve this?</p>	Cllr Ayesha Arif
	Cllr A Quinn Operations	<p>Between April 23 and End of Jan 24, there have been 91.7 tonnes of contamination in the blue bin being rejected due to the wrong plastics, general household rubbish and items we cannot recycle. This has cost the Bury Council circa. £15,061.</p> <p>We currently have two fixed term waste prevention officers, who are working with the crews to identify the areas of where the contamination has come from, so that they can undertake community engagement and work with the employees on what can be recycled in both the blue and green bin.</p> <p>Work is continuing with the communication team to update and refresh the bin tags and leaflets and social media posts</p>	
15	Conservative	<p>Recent cases I have been dealing with have shown that different directorates do not seem to take a joined-up approach to dealing with complicated matters. How does the Council ensure issues that involve more than one part of the organisation are identified as needing a single point of contact to manage them?</p>	Cllr Vernon

	Party	Question	Questioner
	Cllr Rafiq CC	<p>Many thanks for your question Cllr. Vernon. It's difficult to comment on this without understanding the specific circumstances of the cases you're referring to. However, together is one of our key LET'S behaviours and I know that officers are always supported and encouraged to work collaboratively across Departments when issues cut across different areas. This approach is proactively driven through the Council's Senior Leadership Group.</p> <p>I would also want to highlight work that has been undertaken recently to strengthen the Council's infrastructure and support for managing casework and complaints that cut across different parts of the organisation through the establishment of a new Policy Compliance function reporting to the Monitoring Officer. Supporting consistency and adherence to the Council's customer service standards will be a key role if this team. If there are any specific cases of concern that you would like me to look into then please do share the details and I would be happy to do so.</p>	
16	Conservative	What action are the Council taking to ensure more Freedom of Information requests are completed on time?	Cllr Rydeheard
	Cllr Rafiq CC	<p>From October 2023 to January 2024 the Council received 452 FOIs requests.</p> <p>Officers in the Business Support Team have been working on a new system to process FOI requests using Caseviewer, which is currently used for Members' casework. This new system aims to streamlines and remove duplication, improve reporting, and strengthen quality assurance, with FOI Lead sign off built into the system.</p> <p>The current compliance rate of FOIs being responded to on time from 1<sup>st</sup> March 2023 to 18 March 2024 is 71%. In 2022/2023 compliance was 69%, so there has been a slight improvement in the current reporting year to date.</p>	
17	Conservative	How many Standards Complaints relating to serving Councillors have been received since May 2023?	Cllr Gartside
	Chair of Standards Cttee CC	The Monitoring Officer can confirm that from May 2023 to 15 <sup>th</sup> March, nine conduct complaints have been received.	

	Party	Question	Questioner
18	Conservative	Bury Cemetery Services are a vital resource for faith communities in the Borough. Is the Leader of the Council aware that the new rule for a 2 hour gap between burials is causing major problems for the Muslim community particularly on Fridays?	Cllr S Arif
	Cllr A Quinn Ops	<p><b>Thank you, Cllr. This is not a new rule for burials. The Bereavement service maintains a minimum 2-hour gap so that there is no cross over from a health and safety perspective. Burials can be affected by issues such as inclement weather and the time of year such as winter when there is less daylight hours. Burials can also often run late which reduces the time between burials. The time gap is to ensure the safety of the grave diggers and those attending a burial.</b></p> <p><b>The Council is proud of the bereavement service it offers to everyone, including the Muslim community where burials are often organised in a very short timescale.</b></p>	
19	Ind	<p>I've received numerous justified complaints from angry residents plus read many social media posts on the poor condition of the roads on Booth Farm Estate .</p> <p>Should funding become available, could consideration be given to place Booth Farm Estate on the "Reserve Local Scheme" list for TOTTINGTON Ward for a full resurface ?</p> <p>Potholes are repaired but fail in a few weeks, constantly wasting Council finances</p>	
	Cllr A Quinn Ops	<p><b>Our resurfacing programme was approved by Cabinet in March 2023. This programme covers the funding period up to and including 2026/27. Unfortunately, the Booth Farm Estate did not rank highly enough to be included in this programme.</b></p> <p><b>Officers are assessing streets for our 2025/26 preventative maintenance programme now. Booth Farm Estate will be considered for this programme alongside other candidate streets.</b></p>	



SEND Circles of Influence Report will be shared at the end of March.

This is a table of the issues that YP from each circle decided were the most important at the end of the day.

Safety won with 13 votes and was a theme chosen by Millwood school council to be continued during their council meetings for the remainder of the school.

Below are the words of young people

Bullying needs more focus on throughout the school so people know what the school policy is and who they can get support from	11
Making Bury safer with improved lighting and safety	5
There needs to be a way to report crime discreetly	13
Young people may need to be identified as needing extra support in schools or workplaces.  There should ways that they can be diagnosed quicker or evaluated so that their needs can be accommodated.	11
Support for those who had experienced trauma or discrimination in the home	4

Pertinent comments/views from the YP's notes were – recorded by a facilitator

- Safety and lighting in parks
- Safety and bullying on trams and buses
- Safety when out on their own
- Overstimulation in ( eg loud noises, busy spaces, sensory overload for neuro diverse young people) public spaces, on the bus, and in school
- Anxiety
- Opportunities for anonymous reporting/feedback to various services
- Opportunities to anonymously speak to professionals about issues and concerns.
- Opportunities to quickly report issues and concerns online (both for safety and wellbeing)
- Relationships between adults and YP allowing them to talk about their issues
- Staff training across various services to better understand YP with SEND



<p>Radcliffe First NOM</p>	<p>This Council therefore resolves:-</p> <ul style="list-style-type: none"> <li>• To update the website to state a review of the HMO register is in process and will be published when complete</li>   <li>• To inspect as appropriate applications to ensure a good standard of safety and maintenance and carry out appropriate enforcement of those that do not meet the standard.</li>   <li>• To explore the possibility of expanding the Article 4 Directive (remove permitted development rights), to other areas of the Borough, if and when such areas are identified. <ul style="list-style-type: none"> <li>• To explore Council Tax rules available to us and where possible ensure that landlords are paying appropriate tax for their business.</li> <li>• To explore the potential of additional funding to be made available to the Licensing and Enforcement teams during the budget setting process</li> </ul> </li> </ul>	<p>A review of the existing HMO license register was undertaken in quarter 3 23/24. An updated version has now been published on the Council's website see link:  <a href="#"><u>Houses in Multiple Occupation licence - Bury Council</u></a></p> <p>All applications are reviewed thoroughly as part of the license determination protocol. Appropriate enforcement action is carried out where properties do not meet the required standards. An Emergency Prohibition Order was served by officers in relation to a non-compliant and imminently dangerous HMO in March 2024.  Chased with planning</p> <p>Outside of ensuring where it's a HMO that the landlord is liable (which they need to be under the regs) there isn't anything else from a rules point of view that we can do.</p> <p>In progress – No current additional funding available – further enquiries on going. However if funding was secured, a 1 FTE Environmental Health Officer on a short 1-year fixed term contract is likely to be difficult to appoint due to national shortage of qualified officers making fixed term recruitment unlikely due to market conditions.</p>
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<p>Lab NOM</p>	<p>This council resolves to</p> <ul style="list-style-type: none"> <li>• Continue to execute our Cost of living and Anti-poverty strategy.</li> <li>• Work with communities and partners to make sure we help those most vulnerable in the borough</li> <li>• Call for a reinstatement of the HSF in our boroughwide Let's fix it campaign</li> <li>• write to our two local MPs asking them to support our calls to keep the HSF</li> <li>• Write to the Prime Minister and the chancellor of Exchequer asking them to keep the fund in their budget in March.</li> </ul>	<p>There has been ongoing work to target support and information, including cost of living showcase activities. In the last month this has included Bridge Community Church, on 23rd February at Trinity Church/Foodbank; 27th February Prestwich Library; 29th February Light Bulb Drop in at St. Andrew's Church Prestwich; 6th March Victoria Community Centre in Besses</p> <p>There has partnership engagement in relation to financial inclusion, in particularly focusing on opportunities and local provision in relation to Credit Unions and advice, including with Bury Community Support Network; Bury Voluntary &amp; Community Faith Alliance, Citizens Advice Bury, and conversations with VCFA.</p> <p>The Council's Welfare Support offer continues to be developed and improved with Welfare Rights training for relevant staff scheduled for April allowing support with</p>
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		<p>income maximisation and form-filling to be included in the offer. Regular Welfare surgeries will also be held in various borough locations ensuring a place-based approach to support is embedded within service provision.</p> <p>In addition there has been further promotion on pension credit campaign via inserts in all Annual Council Tax bills and press release: <a href="#">Thousands in Bury missing out on unclaimed Pension Credit   Bury Council (mynewsdesk.com)</a> and financial resilience through employability support via the Bury Neighbourhub with Ingenus in the Millgate.</p> <p>Following the government budget announcement of the continuation of the HSF for a further 6 months, meetings have been set up to work with the anti-poverty steering group to plan how best to use this resource for maximum impact and to work up an exit strategy</p>
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		<p>following the 6 month funding period.</p> <p>Letter attached.</p>
Conservative NOM	<ol style="list-style-type: none"> <li>1. Bury resolves to seek to twin with a town, region or city in Ukraine to highlight the Council's strength of support for Ukraine.</li> <li>2. The Council resolves to work with the UK Friends of Ukraine to find a suitable town, region or city in Ukraine to twin with.</li> <li>3. The Council requests that officers come back to the next Full Council with a report on a formal twinning with a town in Ukraine and the next steps in a creation of a Twinning Association.</li> </ol>	<p>Engagement has taken place with the Bury Metro Twinning Association and the President of the Bury Ukrainian Association. This has included information gathering and further local engagement, resulting in a link with the Boiarka region in Ukraine, whose Mayor has outlined their willingness and enthusiasm to establish formal linkages.</p> <p>A meeting is due to take place during March 2024 with the Leader of the Council, Chief Executive and representatives of the Twinning Association to determine steps to progress, in terms of formalising arrangements and commitments as part of twinning, including opportunities to share knowledge, skills and public marks of the connection, eg naming of a building or initiative with a twinned town.</p>

Leader of the Council

1 March 2024

The Rt Hon Jeremy Hunt MP  
Chancellor of the Exchequer  
HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ

Letter sent by email to: [CEU.Enquiries@hmtreasury.gov.uk](mailto:CEU.Enquiries@hmtreasury.gov.uk)

Dear Chancellor,

Bury Council has just approved its budget for the next 12 months as part of our three-year medium term financial plan. It confirms that there will be a funding gap of £30m over the next 3 years. After our huge efforts over the years of managing real-term cuts to our funding, the only available options are to continue to deplete our reserves and to cut services – and we simply cannot go on like this.

The funding disparity for Bury has always been unfair, but it is now unsustainable. The IFS puts Bury in the bottom 20% worst-funded councils. We are also being hit by a 'triple whammy' of inadequate funding, huge increases in costs, and ever-increasing demand for services – particularly in adults' and children's social care, which accounts for three quarters of our budget.

Because of this, the Council launched its Let's Fix It Together campaign - with over 1500 Bury residents signing our petition. We're playing our part, by seeking to boost economic growth with our regeneration plans and investing in neighbourhood working to deliver an early intervention and prevention model. Our residents are doing their bit, by working with us to make life better across Bury by recycling more, becoming foster carers and volunteering. Alongside all these efforts we now need the government to give Bury a better funding deal. Let's Fix It Together calls upon the government to urgently review our funding so that it is fair, protects vital public services and helps us to better plan and ensure money is directed to the areas that need it the most.

Whilst the extra money announced last month was welcome, it will not come anywhere close to what is needed to prevent further cuts in the coming years. Concerningly, the IFS forecasts that the worst is yet to come, with the real pain for Council's coming from 2025-2026 onwards – which is why we are calling on the government to act now.

Bury Council has had to find £150m of savings since 2010. In real terms, our core spending power has been reduced by 29%. While careful planning means we are still able to set a balanced budget for 2024/25 – who knows what will happen in future years if the government fails to act and doesn't give Bury the fair deal it deserves.

The Council also calls on government to extend the Household Support Fund (HSF) that makes a vital difference to thousands of our vulnerable residents. While I understand it was intended to be time limited, the cost of living crisis continues and the fund has successfully alleviated poverty, hardship and provided emergency assistance.

The Spring Budget is a chance to acknowledge the vital role that local government plays in places like Bury. I hope you will not let this opportunity go to waste.

Yours sincerely



Cllr Eamonn O'Brien  
Leader of Bury Council